



Code of Conduct for Employees

Code of Conduct

POLICY STATEMENT

1. Introduction

This Code of Conduct applies to all employees of Pendle Borough Council. It sets out the minimum standards of behaviour expected by the Council, explains how employees can uphold and improve those standards, and aims to protect you from misunderstanding or criticism. This Code should be read in conjunction with the Council's Disciplinary Policy.

The Code has been agreed by the Council and the relevant trade unions and is incorporated into individual contracts of employment. Copies are available on the Council's Intranet within the Employee Handbook.

The provisions of this Code also applies to contractors, temporary staff, casual workers, and agency staff as if they were employed on a permanent basis.

Any breaches of this Code will be dealt with under the Council's Disciplinary Procedure.

2. Purpose

The public is entitled to expect the highest standards of conduct from all local government employees. Your role is to provide advice, implement Council policies, and deliver services to the local community. In performing your duties, you must act with integrity, honesty, impartiality and professionalism.

The values which underpin everything you do are:

- **Innovation** - We encourage curiosity and new ideas, test new ways of working and learn from our mistakes.
- **Customer Focus** - Feedback from our customers helps us develop services that meet their needs. We inspire trust by being honest, open, and committed to doing what's best for them.
- **Excellence** - We strive to provide quality services to our customers. We approach every challenge with a determination to succeed and improve.

As a Pendle Borough Council employee, you are accountable to the Council and owe a duty to it. You must act in accordance with the principles set out in this Code, recognising the responsibility of all public sector employees to discharge public functions reasonably and according to the law.

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POLICY PROCEDURE

1. **Political Neutrality**

You must follow every lawfully expressed policy of the Council and must not allow your personal or political opinions to interfere with your work. You must serve all Councillors and ensure that the individual rights of all Councillors are respected.

If you are asked to advise political groups, you must do so in a way that does not compromise your political neutrality. If your post is politically restricted, you must comply with all statutory restrictions on political activity.

2. **Relationships with:**

2.1. **Councillors**

Mutual respect between employees and Councillors is essential to good local government. Relationships must remain professional at all times. The Council's Protocol on Councillor/Employee Relations is available under [Our Constitution | Pendle Borough Council](#).

You should avoid over-familiarity with individual Councillors, as this may damage working relationships and cause embarrassment for all parties involved.

2.2. **Members of the public**

You are responsible to the Pendle community, and must provide efficient, courteous, respectful, and impartial service at all times. You must present a professional image and meet the Council's Customer Service Standards. A copy of [Our customer service standards | Customer service | Pendle Borough Council](#) is available on the internet.

Occasionally, the Council may receive complaints from the public or Councillors. These will be investigated fairly. In rare cases where complainant behaviour is unreasonable, the Council will follow the Ombudsman's guidance on managing such behaviour.

2.3. **Fellow Employees**

You must treat your colleagues with respect, dignity and fairness, and challenge inappropriate behaviour. You must contribute to a working environment free from harassment or bullying.

Under the Equality Act 2010, harassment includes unwanted conduct related to a protected characteristic that violates a person's dignity or creates an intimidating, degrading, humiliating, or offensive environment.

It is against the law to discriminate against anyone because of:

- Age
- Gender reassignment

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- Being married or in a civil partnership
- Being pregnant or on maternity leave
- Disability
- Race including colour, nationality, ethnic or national origin
- Religion or belief
- Sex
- Sexual orientation

2.4. Contractors

You must inform your manager of any business or private relationships with external contractors or potential contractors. If you engage or supervise contractors or deal with suppliers on behalf of the Council, you must record any past or present business or private relationship in the register held in your Service. You must also follow the Contract Procedure Rules which can be found on the website within the Constitution (pg. 147-178)

2.5. The Press and Media

You should not, in the normal course of your work, deal directly with the press or media. The Communications Team is the appropriate channel for such enquiries and will respond to them in consultation with relevant managers and councillors.

On occasion, you may be requested to give an interview. You must take particular care with publicity in the period before election; specific guidance will be issued when required.

2.6. Social Media

You must comply with the Council's Social Media Policy and be mindful of what you post or share, including on personal accounts.

No information may be posted on behalf of the Council without prior approval from your Head of Service and the Communications Team.

3. Equality

You must ensure that you comply with the Equality & Diversity in Employment Policy and all legal requirements. The Council is committed to eliminating unlawful discrimination, harassment, and victimisation; advancing equality of opportunity; and fostering good relationships.

Our Policy aims to:

- Address inequality.
- Recognise and value difference.
- Promote a skilled and diverse workforce.
- Enable the Council to meet the needs of a diverse population; and
- Ensure compliance with regulation.

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No person living in, working in, or visiting the Borough should be directly or indirectly discriminated against. A copy of the Equality Act is available on our Intranet.

4. **Dress and Appearance**

Employees represent the Council and must dress appropriately. Where uniform or personal protective equipment is provided, it must be worn correctly and maintained in a reasonable condition. Your personal appearance must be appropriate to the nature of your duties and responsibilities.

5. **Use of financial and other Council resources**

The Council has Financial Procedure Rules to safeguard its assets and the use of its resources.

If you are entrusted with public funds, you must use them responsibly, lawfully, and with regard to value for money. You must report concerns about non-compliance with Financial Procedure Rules, errors, or suspected fraud.

It is a criminal offence to receive or give any gift, loan, fee, reward, or advantage in return for showing favour or disfavour in your official capacity.

Under the Bribery Act 2011, the Council may be liable for failing to prevent bribery. The Anti-Fraud, Theft and Bribery policy is available on the Intranet.

Council property, vehicles, and facilities must not be used without authorisation.

You must not evade debts owed to the Council or seek money to which you are not entitled. You can find this information in the Employee Handbook.

6. **Tendering and Letting Council Contracts**

You must comply with the Contract Procedure Rules. Contracts must be awarded on merit, through fair competition.

You must maintain a clear separation between client and contractor roles and act with openness and accountability. You must exercise fairness and impartiality when dealing with customers, suppliers, other contractors, and sub-contractors.

Confidential tender information must not be disclosed to unauthorised persons. You must not treat current or former employees, or their associates, more or less favourably when awarding contracts.

7. **Personal Interests**

You must not allow your personal interests or beliefs to conflict with your professional duty to the Council. You must not misuse your official position or information obtained in the course of

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your work, to further your personal interest or the interests of others. If you have any non-financial interests that you consider could conflict with the Council's interests, you must inform your Manager

8. **Gifts and Hospitality**

You must avoid any impression of being influenced by gifts or hospitality or other consideration to show favour or disfavour to any person or organisation while acting in an official capacity. You must avoid even the suspicion of a conflict of interest.

The Council maintains an online Register for recording offers of gifts and hospitality, whether accepted or refused. It can be accessed here: <https://www.pendle.gov.uk/xfp/form/436>

Gifts which may be accepted without being recorded in the Register

You may accept isolated and inexpensive gifts that are openly distributed by suppliers and / or contractors. These will usually incorporate the supplier's / contractor's logo and include items such as:

Calendars, diaries, key-rings, desk organisers, mugs, mouse-mats, badges, ties / scarves, pens, coasters, umbrellas, commemorative books, and other items of work-related stationery and equipment to be kept within the office.

If you receive a large quantity of such inexpensive gifts, you should consider refusing them or alternatively sharing them with colleagues.

Gifts which may be accepted without prior approval from the Manager, but which must be recorded in the Register.

You may accept other small value items (box of chocolates or a bottle) of a seasonal nature (e.g. at Christmas or Eid) if it is made clear to the offeror that it is accepted on behalf of the Section or Service Area (and indeed, it is shared with other colleagues of that Section or Service Area) or is to be donated to the Mayor/Mayor's Charity Appeal Fund or some other charity or good cause.

You should complete the Register using the online form to declare the receipt and how it has been distributed. Where the gift has been donated to a charity or good cause details of the chosen recipient should be recorded. You should then let your Manager know what you have done.

Types of Hospitality which may be accepted and must be recorded in the Register

You may accept the offer of hospitality (e.g., lunch) from a contractor or supplier if you can show that there is a genuine need to discuss business, impart information or for the Council to be represented. You must report the offer of such hospitality as soon as possible to your Manager and complete the online form to register the offer.

You can accept offers to attend purely social or sporting functions only where these form part of the community or where the Council should be seen to be represented. Before you attend the event you must get prior approval from your manager and record it using the online form.

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Types of gifts and hospitality which must be refused and must be recorded in the Register

You should courteously but firmly refuse expensive gifts and significant hospitality. Expensive gifts received should be returned. Your manager must be informed of the offer and refusal and you should complete the online form to ensure there is a record on the Register.

Failure to comply with this process.

Any employee or Manager failing to comply with this process may be subject to disciplinary action.

Review of this process.

The Council's Monitoring Officer is responsible for monitoring and reviewing information in the Gifts and Hospitality Register and providing advice on the appropriateness of accepting expensive gifts and significant hospitality.

9. Sponsorship – giving and receiving

The rules governing the acceptance of gifts and hospitality apply to situations where an outside organisation wishes to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily. You must take particular care when dealing with contractors or potential contractors.

If the Council wishes to sponsor an event or service, no employee or their partner, spouse, relative or close friend can benefit in a direct way without there being full disclosure to an appropriate manager. Similarly, where the Council gives sponsorship, grant aid, financial assistance or other help, you must ensure that impartial advice is given and that there is no conflict of interest involved.

10. Whistleblowing

As an employee you may be the first to realise that there is something wrong within the Council, but you may be wary of speaking up because you feel it would be disloyal to your colleagues or to the Council. You might also be worried about harassment or victimisation.

If you become aware of activities which you believe to be illegal, improper, unethical, or otherwise inconsistent with this Code of Conduct, you should report the matter using the Confidential Reporting (Whistleblowing) Policy. This can be found on the Council's Intranet under the Employee Handbook.

The Policy aims to:

- Provide a means for you to raise concerns and receive feedback on action taken.
- Allow you to take the matter further if you are not satisfied with the Council's response; and
- Reassure you that you will be protected from reprisals or victimisation for whistleblowing in good faith.

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11. **Appointment of staff and other employment matters**

If you are involved in the recruitment and appointment of staff, they must be made on merit. It is unlawful for you to make an appointment based on anything other than the ability of the candidate to undertake the duties of the post. These principles and the Council's procedures can be found in the Recruitment and Selection Procedure which supplements the training provided to all employees involved in the Recruitment and Selection process. These Guidelines can be found on the Council's Intranet under the Employee Handbook.

You must not be involved in recruitment or employment decisions relating to individuals with whom you have a close personal relationship.

Similarly, you should not be involved in decisions relating to discipline, promotion, pay adjustments or other conditions of service if you are related to or have a close personal relationship outside work with an employee.

12. **Employees engaging in employment/business outside the Council**

Private interests must not conflict with your employment with the Council. The Council will not prevent you taking up additional employment providing that this does not conflict with the Council's interests, weaken the public's confidence in the Council or adversely affect your ability to safely carry out your role with the council.

All employees must not engage in any other business or take on additional employment without the express consent of the Council. You must formally apply to the Council by writing to Human Resources to obtain written consent, having first discussed your intentions with your manager.

Even if permission is granted it is your responsibility to ensure that no conflict arises. You must not act in any way that may give rise to the suspicion that you are using your office or knowledge of Council work for private financial gain. External work should not be undertaken in the office and use of facilities and equipment such as telephones, stationery, photocopiers, computers, typing etc is not allowed. The following notes are offered as guidance:

- You should consider your position most carefully before accepting any work, paid or unpaid, inside or outside the Borough. The surest way of avoiding difficulties is to seek consent before accepting any work.
- Plans, surveys, valuations etc must not be prepared in respect of any development, work or proposals involving consideration or decision by the Council or any officer of the Council.
- There are potential difficulties in undertaking work on any property or land in the Borough or in undertaking work for developers or property owners who may have business with the Council.
- You must not act as an advisor or assist companies or organisations whose business interests may be in competition or against the interest of the Council.
- You have a duty to ensure that any work undertaken, when aggregated with your Council job, does not exceed the limits on the number of hours to be worked per week as set out in the Working Time Directive, unless you have signed an opt out declaration. Advice can be obtained from your line manager/Human Resources.

The Council encourages participation in public duties and involvement in voluntary/community work. You must notify your manager of any formal roles you hold especially if these may impact on your role within the Council i.e., need to attend meetings

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during normal working hours. You must be mindful of the provisions of this Code and the impact that outside commitments can have on your employment with the Council.

13. **Disclosure of Information**

The Council is committed to the principles of open government and recognises the role of information rights legislation in promoting increased transparency and participation in the Council's decision-making processes. The law requires that certain types of information must be available to members, auditors, government departments, service users and the public.

Committee agendas and most reports and background papers are required by law to be available for public inspection. Obstruction of a member of the public who wishes to exercise these rights is a criminal offence. Detailed guidance is available from the Corporate Director.

Members of the public are specifically excluded from certain proceedings of Committees or meetings associated with the business of any Committee. You must not communicate to the public the content of such proceedings or any Council document unless required by law or authorised by the Corporate Director. If you make unauthorised communications, you could be liable for disciplinary action.

Certain information may relate to individuals, be confidential, sensitive, or commercially sensitive and must only be disclosed lawfully and with appropriate authorisation. You must ensure that the Council's information assets are managed securely and protected against accidental loss and damage. You must not disclose any of the following information:

- Personal data about an individual, including employees, protected by the Data Protection Act 2018.
- Information given in confidence where there is a legitimate expectation that confidentiality will be respected.
- Commercially sensitive information about the Council and / or any third party.

It is essential that the confidentiality and integrity of information is protected whether this information is printed or written on paper, stored electronically or transmitted electronically or by post or spoken in conversation. Further information about your responsibilities can be found in the Computer Usage Policies and Data Protection section which can be found in the Employee Handbook on the Intranet.

The above paragraph does not limit your rights under the Council's Confidential Reporting (Whistleblowing) Policy.

14. **Intellectual Property**

Intellectual property is a generic term which includes literature, artwork, computer programmes, inventions, drawings, and other materials. The Council owns and will retain its rights to ownership of all intellectual property created by you in the course of your work and using Council resources.

You are not entitled to use, sell or otherwise exploit the rights to any such intellectual property without written permission from the Council. Any such infringement may also be a criminal offence.

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The Council's ownership of these intellectual property rights made during your employment will also continue after you have left the Council's employment.

15. Information Technology and Data Security

The Council has policies which outline the basic responsibilities of all users of computer-based systems. These include all corporate and service area systems, email, intranet, internet, telephone, mobile phone and any other portable communication systems. You must ensure that you comply with the policies which relate to the use, storage of information and proper management of electronic information which can be found on the Intranet in the Employee Handbook.

16. Health Safety and Wellbeing

You have a personal and legal responsibility under the Health and Safety at Work Act 1974 for yourself, colleagues and visitors to the Council's buildings and premises. You are required to comply with the Council's Health and Safety Policy. Personal Protective Equipment and uniforms must be worn where required.

Working Safely – any activity that presents a significant risk to the health, safety or wellbeing of you or any other person must have been subject to a written risk assessment.