



Axminster Town Council



Axminster Town Council Code of Conduct for Employees

1. Introduction

1.1 The public is entitled to expect the highest standards of conduct from the Town Council and its employees. Confidence in the integrity of employees will be threatened by any suspicion, whether well-founded or not, that they may be influenced, in the performance of duties, by improper motives.

1.2 This code of conduct is closely based upon a model Code of Conduct for Local Government Employees which has been recommended to local authorities by the Local Authority Management Board. It has been adopted by the Town Council as setting out the standards of conduct expected of all its employees.

1.3 Whilst it is not in itself a disciplinary code, any failure to follow the standards it sets out may, depending upon the circumstances, constitute misconduct which could lead to disciplinary action, including dismissal.

1.4 This code of conduct has due regard for upholding the ten general principles of public life:

- Selflessness
- Honesty and Integrity
- Objectivity
- Accountability
- Openness
- Personal Judgement
- Respect for Others
- Duty to Uphold the Law
- Stewardship
- Leadership

See Appendix A for further details.

2. Scope

2.1 The code applies to **all** employees of Axminster Town Council.

3. General Obligations

3.1 All employees must always act with good faith towards the Town Council's business and should promote its interests. Employees must not do anything adversely to affect the Town Council's

reputation by any means. This includes through the use of websites, social networking, or other social media in and outside of work in line with the Social Media Policy.

4. Standards

4.1 All local government employees are expected to give the highest possible standard of service to the public, and where it is part of their duties, to provide appropriate advice to elected members and to fellow employees with impartiality. Employees will be expected, without fear of recrimination, to bring to the attention of their line manager any deficiency in the provision of service. Employees must report to their line manager any fraud, corruption or other malpractice, any impropriety or any breach of procedure. If employees find themselves in difficulty in doing this, they should report this to the Town Clerk. If this relates to the Town Clerk, they should report any matters to the Chair of the Employment Committee.

4.2 Axminster Town Council expects high standards of personal conduct from all its employees at work and when representing the Council externally, they must show courtesy, efficiency, reliability, sobriety and punctuality.

5. Disclosure of Information, Confidentiality and Data Protection

5.1 The law requires that certain types of information must be available to Council members, service users, the public auditors, and government departments. The Town Council will generally wish to be open about other types of information too.

5.2 However, employees must not disclose personal or financial information about any other person, which they obtain in the course of their duties to the Town Council, other than in the course of those duties.

5.3 Employees must respect the confidentiality of reports which are marked 'Exempt' or 'Confidential', and of any other information which they receive under an obligation of confidence.

5.4 Employees must not use any information obtained in the course of their employment for personal gain or benefit. Nor may they pass it on to others who might use it in such a way. Any particular information received by an employee from an elected member which is personal to that member and does not belong to the Council must not be divulged by the employee without the prior approval of that elected member, except where such disclosure is required or sanctioned by the law.

5.5 With regard to disclosure on Information, confidentiality and data protection, employees should be aware of the type of information which must be made available, and to whom: and the type of information which must not be disclosed at all or without specific permission.

Information can be stored or communicated in many ways, and may include but not exclusively:

- Images (eg photos, CCTV, microfiche)
- Verbal conversations (eg face to face or by telephone, Zoom, Skype etc)
- Paper documents and manual filing systems (including personal work-related notes)
- Computerised and other electronic systems (eg email, voicemail, instant messaging, computer dick, USB, social media, case management systems or other departmental computer systems etc)

5.6 Employees must ensure that:

- All information held or available to them will be protected against unauthorised access
- The confidentiality of information held will be assured
- The integrity of such information held will be maintained

- Regulatory and legislative requirements will be met

5.7 All information held by Council employees must be controlled within the considerations of Axminster Town Council's Privacy Policy.

6. Political Neutrality

6.1 Employees serve the Town Council as a whole. They must serve all elected members and not just those who may constitute a 'controlling group'. Employees must ensure that the individual rights of all members are respected.

6.2 Employees may not, in their capacity as Town Council employees, attend meetings of political groups, unless the occasion has been specifically authorised by the Town Clerk, or in the case of the Clerk, by the Chair of the Employment Committee. Staff must take care not to compromise their political neutrality.

6.3 Some employees occupy posts which are 'politically restricted', under the provisions of the Local Democracy, Economic Development and Construction Act 2009. This will be stated in their contract of employment. These employees are disqualified from membership of a Local Authority, other than a Parish or Community Council, and from being an MP: they are also subject to restrictions in other political activity.

6.4 Employees, whether or not politically restricted, must follow every lawful expressed policy of the Council and must not allow their own personal or political opinions to interfere with their work.

7. Relationships

7.1 Elected Members - Employees are responsible to the Town Council through the Clerk or in the case of the Clerk, through the Chair of the Employment Committee. For some, their role is to give advice to elected members and all are there to carry out the Town Council's work. Mutual respect between employees and elected members is essential to good local government. Close personal familiarity between employees and elected members can damage the relationship and prove embarrassing to other employees and elected members and must be avoided.

7.2 The Local Community and Service Users - Employees should always remember their responsibilities to the community they serve and must provide courteous, efficient and impartial service delivery to all groups and individuals within that community.

7.3 Contractors

a) All relationships of a business or private nature with external contractors, or potential contractors, must be made known in writing to the Clerk. Orders and contracts must be awarded on merit and in accordance with the Town Council's Standing Orders and Financial Regulations, normally by fair competition against other tenderers. No special favour in the tendering process may be shown to businesses run by, for example, friends, partners or relatives. No part of the local community should be discriminated against.

b) Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with a contractor, must declare that relationship in writing to the Clerk and in the case of the Clerk to the Chair of the Employment Committee.

8. Appointment and other Employment Matters

8.1 Employees involved in appointments must ensure that these are made on the basis of merit. It is unlawful for an employee to make an appointment based on anything other than the ability of the candidate to undertake the duties of the post. To avoid any possible accusation of bias, employees must not be involved in an appointment where they are related to an applicant or have a close personal relationship outside work with them.

8.2 Employees may not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, or with whom they have a close personal relationship outside work.

9. Private Work

9.1 Full-time employees may not, without the previous approval of the Clerk, hold any other paid appointment or conduct any paid business. Such approval will be withheld if such work would conflict with or have a detrimental effect on the Town Council's business. In the case of the Clerk, any request would need to be considered by the Chair and members of the Employment Committee.

9.2 Part-time employees must declare to the Clerk details of any other paid employment or business. Such employment must not conflict with or have a detrimental effect upon the town council's business. or in the case of the Clerk, to the Chair of the Employment Committee.

9.3 No private work may be undertaken in the Town Council's time, or on the Town Council's premises, or on Town Council's equipment, without the prior written approval of the Clerk, or in the case of the Clerk, of the Chair of the Employment Committee.

9.4 If, during an employee's work with the Town Council copyright work is created, that work becomes the property of the Town Council. Similarly, if in the course of an employee's work a patentable invention is created, or a design which is capable of registration is created, then this will also become the property of the Town Council, and the employee will be required to co-operate in the registration formalities.

10. Personal Interests and Conflicts Thereof

10.1 Employees must declare in writing to the Town Clerk any non-financial interests that they consider could bring about conflict with the Council's interests. In the case of the Clerk, this must be declared to the Chair of the Employment Committee.

10.2 Employees must declare in writing to the Clerk any financial interest and non-financial interests or relationships which could conflict with or support the Council's interests e.g. acting as a school governor, or involvement with an organisation or pressure group which may oppose the Town Council's policies. In the case of the Clerk, this must be declared to the Chair of the Employment Committee.

10.3 Under Section 117 of the Local Government Act of 1972, employees must declare any financial interest which they may have in any existing or proposed contract with the Town Council. Failure to do so is a criminal offence.

10.4 Employees must declare to the Clerk, membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct. In the case of the Clerk, this must be declared to the Chair of the Employment Committee.

11. Equality Issues

11.1 All members of the local community, colleagues Councillors and employees have a right to be treated with respect and must be treated with fairness and equality.

11.2 The Council promotes fairness and equality for all, operating with professionalism, integrity and openness. Throughout its policies and practice, the Council aims to make sure it does not knowingly create an unfair disadvantage for anyone, directly or indirectly. Employees are expected to uphold this principle.

11.3 Employees must ensure that policies relating to equality issues as agreed by the Council are complied with in addition to the requirements of the law.

11.4 Employees must ensure that no person or group of people receiving services from, or applying for employment or contracts with the Council, will be treated less favourably than any other person or group of people because of their gender, gender reassignment, sexual orientation, marital or civil partnership status, race, colour, ethnic or national origin, nationality, religion or belief, political beliefs, disability, age, class, pregnancy and maternity, responsibility for dependents, part time or shift workers, unrelated criminal offences, or any other matter which causes a person to be treated with injustice.

12. Tendering

12.1 Employees must exercise fairness and impartiality when dealing with all customers, suppliers, contractors and sub-contractors.

12.2 Employees who are privy to confidential information on tenders or costs must not disclose that information to any unauthorised party or organisation.

12.3 Employees must ensure that no special favour is shown to current or former employees or their spouses, close relatives or associates in awarding contracts to businesses run by them or employing them in any capacity.

13. Corruption

13.1 Employees must be aware that it is a serious criminal offence for them corruptly to receive or be given any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.

13.2 Employees must report to the Clerk any corrupt offer that is made to them. In the case of the Clerk, they must report to the Chair of the Employment Committee.

13.3 Employees have a duty to raise any issues where they have reason to believe fraud or corruption of any kind is involved. They must notify the Clerk who will then advise on notification to any regulatory agency such as the police or external audit in appropriate cases. In the case of the Clerk, they must report to the Chair of the Employment Committee.

14. Use of Financial Resources

14.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money for the Council, the local community, and any public or charitable funds, and to avoid legal challenge to the Council.

14.2 If employees are in charge of funds or resources, they must only use them for the purpose intended in a responsible and lawful manner. Employees should seek to protect such funds and resources from abuse, theft or waste.

15. Hospitality and gifts

15.1 Employees should not accept offers of hospitality unless there is a genuine need to impart information or represent the Town Council in the community. Invitations to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the Council should be seen to be represented. They may not be accepted unless first authorised in writing by the Clerk, or in the case of the Clerk, by the Chair of the Employment Committee.

15.2 When hospitality has to be declined, those making the offer should be courteously but firmly informed of the procedures and standards operating within the Council.

15.3 Employees may not accept significant personal gifts from contractors or outside suppliers, although they may keep insignificant items of token value such as pens, calendars, and diaries, up to a maximum value of £10.

15.4 When receiving authorised hospitality, employees should be particularly sensitive as to its timing in relation to decisions which the Town Council may be taking affecting those providing the hospitality.

15.5 The acceptance of all gifts and hospitality by employees must be declared.

15.6 Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear that the hospitality is corporate rather than personal, and where the Clerk, or the Chair of the Employment Committee gives consent in advance and where any purchasing decisions are not compromised. Where visits to inspect equipment or other merchandise are required, employees should ensure that the Town Council meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

15.7 Unless explicitly agreed, gifts and hospitality must not be accepted by employees during periods of Purdah relating to national elections, ie. the period between the announcement of an election and the formation of the newly elected government.

16. Sponsorship - Giving and Receiving

16.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

16.2 Where the Town Council wishes to sponsor an event or service, neither an employee nor any spouse, relative or close associate must benefit from such sponsorship in a direct way without there being full written disclosure to the Clerk, or in the case of the Clerk, to the Chair of the Employment Committee. Similarly, where the Town Council through sponsorship, grant aid, financial or other

means, gives support in the community, employees must ensure that impartial advice is given and that there is no conflict of interest involved.

17. Other Documents

17.1 The Clerk must ensure that employees are aware of the Town Council's Standing Orders, Financial Regulations and of any other relevant policies and procedures and they should comply with them.

18. Notes

18.1 This code cannot cover every eventuality. Its purpose is to identify the standards expected of **all** employees. It does not replace the general requirements in law.

18.2 The Council's Code of Conduct for Councillors contains advice which is also relevant to employees, outlining that it is not enough to avoid actual impropriety. A person should avoid any occasion for suspicion and any appearance of improper conduct.

18.3 Any employee who is uncertain as to the conduct expected of them in a particular situation must consult their line manager or the Clerk. In the case of the Clerk, they should consult the Chair of the Employment Committee.

18.4 If an employee becomes aware of any deficiencies in service delivery or procedures or improprieties that breach this code, they should bring it to the attention of the Clerk, or in the case of the Clerk, to the attention of the Chair of the Employment Committee.

If an employee feels unable to discuss or refer the matter to the Clerk, they can discuss the issue with the Chair of the Employment Committee, or deploy the Council's Whistle-Blowing Policy.

19. Monitoring and Review

Implementation date: 1st April 2021

Review date: in February 2022 (or sooner if there are changes in legislation or best practice)

Approved by Employment Committee for FC 23.2012

Appendix A: The Ten Principles of Public Life

1. Selflessness Employees should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.
2. Honesty and Integrity Employees should not place themselves on situations where their honesty and integrity may be in question, should not behave improperly, and should on all occasions avoid the appearance of such behaviour.
3. Objectivity Employees should make decision on merit, including when making appointments awarding contracts, or recommending individuals for rewards or benefits.
4. Accountability Employees should be accountable to the public for their actions and the manner in which they carry out their responsibilities and should co-operate fully and honestly with any scrutiny appropriate to their particular office.
5. Openness Employees should be as open as possible about their actions and those of their authority and should be prepared to give reasons for those actions.
6. Personal Judgement Employees may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.
7. Respect for Others Employees should promote equality by not discriminating unlawfully, for example against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers, and its other employees.
8. Duty to Uphold the Law Employees should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.
9. Stewardship Employees should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.
10. Leadership Employees should promote and support these principles by leadership and by example and should always act in a way that secures or preserves public confidence.

Approved by Employment Committee for FTC 8.3.2012