



Code of Conduct

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1. Policy statement

- 1.1. Individuals are employed by the Council to carry out work for the citizens of Swansea. They are entitled to demand conduct of the highest standard from employees and to receive a high quality of service. An employee must, at all times, act in accordance with the trust that the public is entitled to place in them.



- 1.2. The aim of the Code of Conduct is to set standards that must be maintained and improved upon.
- 1.3. Failure to observe any provision of the Code of Conduct may render an employee liable to disciplinary measures and depending on the circumstances may be viewed as misconduct or gross misconduct under the Council's [Disciplinary Policy](#).
- 1.4. Employees must bring any deficiency in the provision of service or any impropriety or breach of procedure to the attention of their immediate line manager or, if not appropriate to Human Resources.
- 1.5. If applicable, referral should be made to the Adult Safeguarding Team or relevant Child Protection Team.
- 1.6. Any employee who is in doubt about an aspect of this Code should seek guidance from their line manager if appropriate, or Human Resources.

2. Scope

- 2.1. This policy applies to all employees, except those based in Educational establishments with delegated powers.

3. Standards

- 3.1. All employees are expected to give the highest possible standard of service to the public.
- 3.2. An employee must perform their duties with
 - Respect
 - Honesty
 - Professionalism
 - Integrity
 - Courtesy
 - Efficiency
 - Objectivity
- 3.3. Where it is part of employees' duties to provide advice to other employees and councillors this advice must be impartial and appropriate.
- 3.4. All employees must comply with the Council's [Equality Policy Statement](#).
- 3.5. All employees and members of the public have the right to be treated with fairness and dignity. The Council is fully committed to ensuring no individual suffers harassment or is treated unfavourably on the basis of any of the protected characteristics included in the Equality Act 2010.
- 3.6. The nine protected characteristics are:
 - Age
 - Disability

- Gender Reassignment
 - Marriage and civil partnership
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual orientation
- 3.7. Employees have a duty to establish and maintain effective professional relationships with:
- The local community and service users
 - Fellow employees
 - Members of Parliament, Assembly Members and Councillors
 - Contractors
- 3.8. Employees serve the Council as a whole and must serve **all** elected members (councillors) not just members of any controlling group. Employees must ensure that the individual rights of all members are respected.
- 3.9. Employees must ensure that no overt close personal familiarity with councillors takes place as this can lead to perceptions of favouritism or bias. Employees who enter into a personal relationship with a councillor should declare this to their line manager at the earliest opportunity
- 3.10. Orders and contracts should be awarded on merit, by fair competition against tenders, and no favouritism shall be shown to businesses run by, for example, friends, partners or relatives. Please refer to the [Council Constitution](#) and [Contract Procedure Rules](#) for more information.

4. Accountability

- 4.1. All employees are responsible for their actions during the normal working day and outside of working hours if it brings the Council into disrepute. In considering the employees actions, the Authority will take into account the publicity, role and duties of the employee and will respond in a proportionate and reasonable manner.
- 4.2. Employees must comply with all
- legislation,
 - terms and conditions and
 - other written guidelines such as the Council's policies and service specific procedures.
 - professional codes and/or standards of practice that are required by an employee who is a member of a professional institute or association
- 4.3. The public perception of the Council is very important therefore employees should be suitably dressed for their duties and responsibilities at all times. This includes wearing appropriate safety clothing and equipment in

accordance with all Health and Safety regulations. Please see the Council's [Dress and Appearance Policy](#) for more information.

- 4.4. To prevent security breaches the Council has an Identification Card scheme for all employees and every employee is entitled to request a card. Employees should ensure that they have their ID card with them at all times and if challenged by an appropriate person i.e. another council employee or Councillor, they are to show the ID card to confirm their identity.

5. Disclosure of Information and the duty of confidentiality

- 5.1. It is generally accepted that “open government” is best. Open government data is data that can be used, re-used and distributed freely.
- 5.2. The law requires that certain types of information must be available to:
- members,
 - auditors,
 - government departments,
 - service users and
 - the public.
- 5.3. All information held by the Council must be kept in accordance with the [Data Protection Act](#).
- 5.4. Employees must comply with Council policies that are in place to ensure that information is handled and managed in accordance with relevant legislation, confidentiality and security standards.
- 5.5. The **duty of confidentiality** applies to all staff no matter what their function or capacity within the Council. A breach of confidentiality may be considered a disciplinary matter. However, employees who suspect wrongdoing and disclose these concerns can do so without fear of victimisation, subsequent discrimination or disadvantage in line with the Council's [Whistleblowing Policy](#).
- 5.6. Employees must **not**:
- disclose information given to them in confidence by anyone, or information acquired which they believe is of a confidential nature, without the consent of a person authorised to give it, or unless they are required by law to do so.
 - use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way.
 - Any particular information received by an employee from a Councillor or a fellow employee which is personal to that person and does not belong to the Council, should not be divulged by the employee without the prior approval of that person, except where the disclosure is required or sanctioned by law.

- disclose information concerning an employee's private affairs to any person outside the service of the Council without the consent of the employee, nor to anyone within the Council unless that person has authority or responsibility for such information.
- 5.7. Employees should use their discretion to determine the appropriateness of where they hold conversations of a confidential nature (particularly when using a touchdown point or in a public place such as a bus or train carriage, for instance when using a mobile phone).
- 5.8. Trade Union officers are not prevented from receiving and discussing information during consultation or negotiation with either members or management.

6. Media Contacts

- 6.1. Employees must not make statements to the media, or any other public statement which concerns the business of the Council unless
- they have been authorised by their Manager/Head of Service to act generally as a spokesperson or
 - have been expressly authorised to act as a spokesperson in relation to a particular situation, or
 - are acting as an authorised Trade Union spokesperson.
- 6.2 All communications should be agreed and distributed through the Head of Communications.

7. Political Neutrality

- 7.1. Some employees will be in a post which is "[politically restricted](#)". This means that they are prevented from standing in election as a politician or to a post of a political body. All employees, whether or not politically restricted, **must**
- follow every lawful expressed policy of the Council
 - not allow their own personal or political opinions to interfere with their work
 - not be accountable to or too closely involved with individual Political Groups.
- 7.2. Where an employee intends to attend a Council political group meeting, the Chief Executive must be informed beforehand. Employees should **not** be involved in advising any political group, nor in attending any of their meetings, without the **express consent** of their Manager / Head of Service and must not compromise their political neutrality.
- 7.3. However, this does not prevent Trade Unions meeting with any political group in order to discuss their members' interest.

8. Appointment and Other Employment Matters

- 8.1. Section 7 of the Local Government and Housing Act 1989 provides that all appointments should be made on [merit](#).
- 8.2. In order to avoid any possible accusation or perception of bias, employees should not be involved in:
- an appointment where they are related to an applicant, or have a personal relationship outside work with him or her.
 - decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner or close friend.
- 8.3. The Council's approach in the "[Employing people who are related policy](#)" is that no person should be appointed into a post where they either have a close relative working in the chain of line management or where they would be required to work together in a small team.
- 8.4. It is also a fundamental principle that no related person should be appointed to a Council job where one is involved in the ordering of goods and services and the other passes the invoices for payment.
- 8.5. Included in the term relative / 'people who are related' are:
- Husband / Wife / Civil Partner / Partner;
 - Parent / child / step child / in-laws;
 - Brother / sister (including step brother / sister); or
 - Grandparent / grandchild.
 - Aunt / uncle
 - Niece / nephew, or
 - the husband, wife, civil partner or partner of any of the preceding persons
- 8.6. Any other close personal relationships which may arise at work should also be taken into account.
- 8.7. It is a requirement of all job applicants to declare whether they are related to an existing employee or member of the Council.

9. Outside Commitments

- 9.1. Employees must ensure that their private activities do not conflict with their employment. Any employee, who wishes to take secondary employment, whether it is internal or external, must obtain written authorisation to do so. Secondary employment must not present a conflict of interest or weaken public confidence in the Council.
- 9.2. An employee's obligations when proposing to pursue outside employment are covered in the policy on [Secondary Employment](#).
- 9.3. Employees should follow the Council's rules on the [ownership of intellectual property or copyright](#) created during their employment.

- 9.4. Employees must consider whether any membership or proceedings they participate in that require a commitment or allegiance to support / advance fellow members is compatible with their job i.e. no conflict of interest. Employees should consider whether they need to declare membership of such organisations to their Director/Head of Service.

10. Personal Interests

- 10.1. An employee must not in their official or personal capacity:
- allow their personal interests to conflict with the Council's requirements; or
 - use their position improperly to confer an advantage or disadvantage on any person.
- 10.2. An employee's life away from work is their personal concern. An employee should not however, subordinate their work to their private interests or put themselves in a position where their job, or the Council's interests and their own personal interests conflict. This includes behaviour, which because of the nature of employment would undermine the Council's confidence or trust in the employee or bring the Council into disrepute.
- 10.3. An example of such behaviour relates to Council employees facing criminal charges. The Council requires all employees to notify their Head of Service / Director without delay of any criminal investigation, charge or caution imposed upon them, with the exception of minor driving offences if their job does not include the use of a car. These rules apply for charges incurred on or off duty.

Alcohol and drug misuse

- 10.4. The Council has a policy on the [Prevention of Alcohol and Drug misuse](#), which is aimed at ensuring that employees report fit for work and remain fit to perform their duties. The consumption of alcohol is not permitted on Council premises. The Council prohibits the use, possession, distribution or sale of drugs.
- 10.5. Where it is established that there is an alcohol or drug dependency problem, this will be considered as a treatable illness and managers will provide assistance wherever possible. The Employee Counselling Service is also available to provide counselling and advice. Where an employee refuses help or drops out of a treatment programme this will not automatically lead to a disciplinary process being implemented. However any unacceptable behaviour or level of performance thereafter will be subject to appropriate action.
- 10.6. Great public concern would be caused if customers and clients of the authority were inconvenienced by employees who showed signs of having been drinking alcohol.
- 10.7. All employees must take care that their ability to perform their duties is not impaired in any way by the consumption of alcohol. Employees should not normally consume any alcohol during the working day.

- 10.8. No alcohol is to be consumed on any premises of the Authority, unless at an officially sponsored event out of work hours. In such cases non-alcoholic beverages must also be provided.
- 10.9. Any problems with employees because of alcohol misuse will be dealt with by using the [Alcohol and Drug misuse Policy](#).

Financial interests

- 10.10. Employees must declare to the Monitoring Officer or Section 151 Officer any financial or non-financial interests that they consider could bring them into conflict with the Council's interests. The Monitoring Officer should maintain a register of such interests.
- 10.11. Employees are required to declare an interest if it comes to their attention that they have a connection or potential connection with any business or organisation (including voluntary bodies) which deals with the Council, for example, if a relative is a supplier.

Social media usage

- 10.12. Employees must never publish or disclose any information on any form of social media site, about the Council which is not already in the public arena.
- 10.13. Social media must not be used to attack or abuse colleagues, customers or suppliers. Abuse of colleagues via this medium could result in allegations of harassment or bullying which will be dealt with under the Council's relevant policy. Please see the [ICT Acceptable Use Policy](#) for more information.

11. Separation of Roles During Tendering

- 11.1. Employees should be clear on the separation of their roles within the Council during the tendering process and must exercise fairness and impartiality when dealing with all customers, suppliers, contractors and subcontractors.
- 11.2. Employees who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.
- 11.3. Employees must ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or those employing them in a senior or relevant managerial capacity.
- 11.4. Any employee or group of employees considering a Management Buyout of any City and County of Swansea service or services must declare this interest immediately and end all involvement in the preparation of the tender or tenders. Failure to comply will render any subsequent tender bid void.

12. Corruption

- 12.1. Employees must be aware that it is a criminal offence for them corruptly to receive or give 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. It is for the employee to demonstrate that any such rewards have not been corruptly obtained. Please see the Council's [Anti fraud and corruption policy](#) for more information.

13. Use of Financial Resources

- 13.1. An employee must:
- use any public funds entrusted to or handled by themselves in a responsible and lawful manner, ensuring value for money to the local community and avoiding legal challenge to the Council.
 - not make personal use of property or facilities of the Council unless properly authorised to do so.
 - Employees should have regard to the Council's Standing Orders and Financial Regulations.

14. Patent and Copyright

14.1. Patent

Any matter, item or idea capable of being patented under the Patents Act, which is developed or discovered by an employee, alone or together with colleagues, in the course of their duties, must be disclosed to their manager, and, subject to provisions of the Act, belongs to the Council.

It is the responsibility of the Council in the first instance to decide whether to apply for patent or other protection in law for any invention, which belongs to the Council by virtue of the Patents Act.

14.2. Copyright

All records, documents and other papers relating to the finance and administration of the Council and which are compiled or acquired by an employee in the course of their employment are and will remain the property of the Council, and the copyright in all such cases belongs exclusively to the Council.

In the case of academic work, such as projects undertaken as part of a course to further professional careers, and including books, contributions to books, articles and conference papers, the copyright will belong to the employee.

14.3. Care and Use of Council Resources

Council resources, whether tangible assets such as materials, equipment and cash, or business information such as trade secrets, may not be used other than for the proper advancement of the business of the Council.

All equipment belonging to the Council should be treated with due care and respect. Any employee wishing to use an item of equipment, for example a photocopier, word-processor or printer, for business other than that of the Council, must gain permission from their manager in advance.

15. Security and Use of Computer Data/Equipment

- 15.1. The information stored and processed on the information technology systems operated by the Council is of paramount importance to its day to day activities. It is therefore essential that the data and systems are adequately secured against risks such as operator errors, theft of equipment, unauthorised access to or copying of programmes, use of unauthorised software on Council machines (which increases the risk of importing computer viruses) and natural hazards such as fire, flood and power failures.
- 15.2. In this regard, relevant legislation, in the form of the Data Protection Act 1998 (which requires all users of personal data to register with the Information Commissioners Office and comply with the eight Data Protection Principles), and the Computer Misuse Act 1990 (which seeks to secure computer material against access or modification), must be complied with.
- 15.3. It should be noted that employees must endeavour to ensure that no unauthorised person gains access to equipment/data, which is within their responsibilities. No data should be released unless finally approved and conforms with Data Protection legislation.
- 15.4. User identifications and passwords must not be disclosed to anyone, and passwords must be changed regularly to a previously unused password.
- 15.5. Misuse and time wasting is unacceptable and personal messages should be kept to a minimum.
- 15.6. Occasional reasonable use for private e-mails will be allowed subject to the prior consent of the officer's line manager.
- 15.7. The tone and content of messages should be appropriate and consistent with any other form of Council communication.
- 15.8. Personal use of the Internet, including Social Media, is permitted by employees provided that the [ICT Acceptable Use Policy](#) is adhered to and it does not impact on their job or interfere with the performance of other staff doing their job.
- 15.9. There should be no access to sites, which have a terrorist, offensive, sexual or game playing/gambling content. Access to the internet is monitored on a regular basis.

16. Hospitality

- 16.1. Acceptance of [hospitality](#) can very easily be perceived by the public as evidence of undue influence or corruption. City and County of Swansea employees should be particularly careful to ensure that such an impression is not created even if this means departing from what is normal behaviour in the private sector and declining well-meant invitations and thus giving offence.
- 16.2. The [Hospitality and Gifts Policy](#) sets out the relevant procedures and standards operating within the Council.

17. Visiting Tenderers and Suppliers

- 17.1. Visits to tenderers and suppliers is a matter of particular sensitivity. Officers should always be cautious and should ensure that they are not laying themselves open to actual or perceived undue influence. It is a matter of particular concern during the actual procurement process when visits are not generally permitted. If it is absolutely necessary to visit, the following procedures must be adhered to.-
- 17.2. The need to visit tenderers should be identified early in the tendering process and must be referred to in the tender documentation. Otherwise,
 - the Director or Chief Executive (if a Director is to visit) must provide written authorisation
 - a detailed report must be presented to the Director/Chief Executive immediately after the visit,
 - there must be more than one employee on any visit,
 - it is important that the City and County of Swansea meets the cost of the visit and anything that could be construed as being an inducement, including gifts or hospitality, must be declined.

18. Sponsorship - Giving and Receiving

- 18.1. Where an outside organisation wishes to sponsor or is sought to sponsor a local government 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.
- 18.2. Where the Council wishes to sponsor an event or service neither an employee or any partner or relative must benefit from such sponsorship in a direct way without there being full disclosure to a Director of any such interest. Similarly, where the 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.
- 18.3. Invitations received for events wholly or partly sponsored by the City and County of Swansea must be recorded. Also gifts received by employees in association with sponsorship must be recorded.

19. Policy Monitoring

- 19.1. The Council will monitor the application of this policy and has discretion to review it at any time through the appropriate consultation mechanisms.
- 19.2. Responsibility for the implementation, monitoring and development of this policy lies with the Head of Human Resources. Day to day operation of the policy is the responsibility of nominated officers who will ensure that this policy is adhered to.

Version Number	Details of Change	Date
2.0	Reference to the ICT Acceptable Use Policy in Paragraphs 10.13 and 15.8	29 th November 2016

