

Leicester City Council

Code of Conduct

(Includes Harassment & Bullying)

Code of Conduct for Employees

1 Purpose

The purpose of the Code of Conduct is to set out the standards of behaviour, conduct, responsibilities and approach expected of you as a Leicester City Council employee.

2 Scope

This policy and procedure applies to all employees of Leicester City Council, with the exception of teaching staff in schools but including schools support staff. Where no separately negotiated policy exists, Governing bodies may make appropriate amendments where governance/management and practical application so require.

In relation to Chief Officers where there is a conflict between this code of conduct and the Conditions of Service of the Joint Negotiating Committee for Chief Officers of Local Authorities, the latter shall prevail.

A separate code of conduct applies to elected and co-opted members of the Council which can be found in the Council's constitution.

Employees are expected to adhere to the Code of Conduct. Any failure to do so, may result in disciplinary action.

3 Our Aim

Our primary aim is to serve the public to the highest quality of customer care within the resources available; each employee has a vital role that contributes to this aim.

4 Serving Leicester City Council

Employees serve the public and the City Council as an entity. As employees we all have the responsibility to contribute to the overall aims of the organisation, including delivering efficient services and promoting a culture where everyone is treated with respect and dignity.

It is also vital that employees understand that the public has a right to expect the highest levels of integrity and responsibility from all employees. This integrity and responsibility must be demonstrable and, therefore, actions which would lead to a loss of confidence, including through perception, should be avoided. Therefore you should never put yourself in a position where your personal and professional interests conflict.

If you are involved in working with children, young people and vulnerable adults, you have a duty to safeguard them from harm and promote their welfare at all times.

4.1 Duty of trust

You must, at all times, act in accordance with the trust that the public is entitled to place in you as an employee of the City Council.

You are expected to be ready and able, at the agreed times, to carry out your job. Politeness and courtesy should be expressed to the public and to internal and external clients at all times. Customer care and courtesy must be maintained with appropriate professional boundaries and particular attention should be paid when in contact with vulnerable service user groups. In carrying out your duties and responsibilities your honesty and integrity should be beyond question.

4.2 Respect for others

The City Council wishes to create an environment where all its employees are treated with dignity and respect. All members of the community, clients and other employees have the right to be treated with fairness and equity regardless of age, disability, gender, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation.

You should be aware that your behaviour may inadvertently intimidate or offend other employees or service users. You should refrain from; the displaying of offensive sexist or racist material or wearing T-shirts or other clothing, badges or tattoos which convey an offensive message, making racist comments, swearing, rudeness or non-verbal behaviour which intimidates or offends others and making sexually suggestive or sexist remarks.

The Council take harassment, discrimination, victimisation and bullying very seriously and will investigate all reports in line with the relevant policies.

4.3 Complying with legislation, conditions of service and professional practice

During the course of your work you should, at all times, be aware of, and comply with, the relevant legislation applicable to your role; for example the Health and Safety at Work Act 1974, the Equality Act 2010, the Data Protection Act 1998, the Freedom of Information Act 2000, the Computer Misuse Act 1990 and legislation relating to each service area. This list is not exhaustive.

You are also responsible for reading and complying with the conditions of service under which you are employed, including all local policies, and complying with any other specific guidelines issued by your Service /Directorate. Relevant policies and guidelines should be made clear to you by your line manager during your initial induction period, and are available from the council's intranet site.

If you are a member of a professional institute or association then you are also obliged to comply with any professional code and/or standards of practice pertaining to that organisation e.g. the social care codes of practice.

4.4 Standards of dress

You should ensure that you are suitably dressed for your duties and responsibilities, including wearing appropriate safety clothing and equipment where required.

Depending on the type of work that you do there may be a requirement for you to wear a Council uniform, which will be provided for you. This forms a condition of your employment and you must wear the uniform provided. If you are not required to wear a uniform, you should dress appropriately as agreed by your line manager.

Religious and cultural dress may be worn within the workplace. However health and safety considerations will take precedence in cases where the wearing of such dress would heighten a health and safety risk to yourself or others.

4.5 Security and identification

To prevent security breaches the Council has an Identification Card scheme for all employees. You should ensure that you have your ID card with you at all times and, if challenged, should show the ID card to confirm your identity.

If your role requires you to deal with money in any way, it is important that you read and comply with the Council's Financial Regulations.

4.6 Contractors and volunteers

Due to the nature of our organisation and the work that we do, we often depend on the services of contractors and volunteer staff. If you are responsible for contractors or volunteers, you should ensure that they abide by the same standards that are expected of an employee of Leicester City Council.

5 Confidentiality and information handling

During the course of employment it is likely you will come across confidential information. You must understand and comply with the Council's Information Assurance requirements.

5.1 Information Assurance

Information Assurance encompasses those disciplines that provide the council with the confidence that its information systems, manual and electronic, will protect the information they handle, function as they need to, when they need to, under the control of legitimate users working within a legally compliant framework. It has three elements

- Information Security
- Information Governance
- Information Management

5.2 Information Security

Information security delivers all those measures that protect data both electronically and for paper files, manually. All City Council employees have a responsibility to safeguard the Councils information assets and IT equipment used to process, transfer and store information. The safeguarding of information assets should be based on the need to maintain Confidentiality, Integrity, Accountability and availability of an information asset based on the level of risk posed to that information.

You must understand and comply with the Councils Information Security Policy, ICT Acceptable Use Policy and other relevant Information Security Policies and procedures.

The duty of confidentiality is imposed on all employees no matter what your function or capacity is within the Council. This applies to both personal and non-personal data.

All Information Security related breaches or potential breaches should be promptly reported in accordance with the Information Security Incident Management Policy and Process. The necessity to report information security incidents at a corporate level is underpinned by the need to prove our assurance arrangements for data to the public and specifically of personal data to the Information Commissioner who is empowered to levy fines and require action on part of public authorities.

You must keep your computer password confidential and any materials you are using, sign off if you are going to leave your terminal unattended, and dispose securely of any unwanted disks, USB drives and printouts etc. Do not put any personal information on the internet. Refer to the Information Security Policy and other Information Assurance related policies for more information.

You should use your discretion to determine where it is appropriate to hold conversations of a confidential nature. This includes conversations conducted over mobile phones and the internet, including social media sites.

5.3 Information Governance

Information Governance is the framework of law and best practice that regulates the manner in which information, (including information relating to and identifying individuals) is managed, i.e. obtained, handled, used and disclosed. It is a complex and rapidly developing area and one of utmost importance since information is central to any organisation and underpins everything we do.

Information concerning the private affairs of an individual must not, under any circumstances, be supplied to any person or organisation outside the service of the City Council without the consent of the individual, nor to anyone within the City Council unless that person has authority or responsibility for such information. Our handling of such personal data is regulated by The Data Protection Act 1998 which provides for particular penalties over and above the Council's disciplinary procedure for the unauthorised disclosure of personal information. Under the law you may be personally liable for disclosing personal information.

Access controls to personal information are detailed in Information Assurance Policies.

You must never use your authority or position for personal gain, or to enable colleagues or others to gain personally. Any particular information you may receive from a councillor, which is personal to the councillor and does not belong to the City Council, must not be divulged without prior consent of the councillor, except where disclosure is required or sanctioned by law.

5.4 Media contacts and information requests

You must not make any statements to the media, or any other public statement which concerns the business of the City Council, unless you have been authorised by your manager to act 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. No formal statements should be made on behalf of the City Council without prior consultation with the Council's Press Team.

If you have any reservations about any request to supply information you should immediately refer the matter to your manager.

6 Political Neutrality and Activity

As an employee, you serve the Council as a whole. It follows that you must serve all councillors equally, and not just those of the controlling group, and you cannot be accountable to individual political groups. If your role requires you to advise political

groups, you should not be involved in advising any political group, nor in attending any of their meetings, in a private capacity, without the express consent of your Director and you must not compromise your political neutrality. In summary you must never allow your personal political opinions to interfere with your work.

Managers or professional staff at different levels may require political sensitivity, and need to consider the political or media implications involved in their work, and brief their own managers where necessary.

6.1 Briefing Elected Members

‘Elected members’ include elected councillors, the City Mayor and co-opted members of the Council. Further detail on member officer working arrangements can be found in the Council’s constitution, particularly in the political conventions

Briefings to elected members will often be required as part of the normal decision making process in order for them to carry out their particular role. Senior managers need to ensure that members have appropriate and timely information on key issues and decisions. The Constitution sets out on what basis elected members are entitled to be briefed and provided with specific information. However if you are unsure always seek the advice of your Director. If you are specifically asked to brief a Political Group you must make sure that the Chief Operating Officer knows of, and approves of, any such briefing and that all Political Groups are informed and offered the same briefing.

6.2 Politically Sensitive Posts

If your post has been determined by the City Council to be “politically sensitive”, then you are precluded from standing for any political post or engaging in certain political activity (such as canvassing or speaking publicly). If this does not apply to you, you are eligible to stand for office as a Member of Parliament and may participate in District, Borough or Parish Council activities, provided any resultant conflict of interest is declared. You are however, ineligible to stand for office as a Leicester City Councillor. For further details please check with your line manager.

7 Balancing personal and work life

Your life away from work is normally your personal concern. You should not however, put yourself in a position where your job, or the City Council’s interests, and your own personal interests conflict. This includes behaviour which would undermine the City Council’s confidence or trust in you. This section of the code details your responsibility in relation to declaring and managing your interests in and out of work. Failure to fully comply with these responsibilities will lead to investigation which may, except in exceptional circumstances, result in disciplinary or other management action.

7.1 Use of social media

The term 'social media' includes websites, such as Facebook or Twitter, online tools, blogs and other Interactive Communication Technologies (ICT).

Only individuals who are authorised may conduct social media activities on behalf of the City Council.

When conducting your own social media activities, other users should be in no doubt that all opinions are your own and not the City Council's.

When you make comments public on any social media site or emails, you abandon any rights to have your comments treated as private. The Council's interference with the right to your private and family life, and the right to freedom of expression can, in some circumstances, be justified (for example in protecting reputation or confidential information).

The Council will treat 'electronic behaviour' in the same way it would treat 'non-electronic behaviour' and any breaches of the council's policies and procedures will be dealt with under the Disciplinary Procedure.

Examples of this behaviour are:

Defamation – posting or sending damaging or libellous comments about an organisation or its products/services or publishing sensitive commercial data.

Divulging protected data – for example giving away details of salary, political or religious beliefs or disciplinary records or information that is not public knowledge for example information relating to service users, commercially sensitive information or information which may bring the Council into disrepute.

Cyber-Bullying- bullying, harassment and victimisation conducted via social networking channels, often using blogs, social networking sites or e-mails to post photographs or offensive or threatening comments about colleagues or other work contacts.

If you are in any doubt about the appropriateness of your social media activities, you should speak to your line manager.

7.2 Register of interests

Registering interests is important to protect the Council and the workforce from allegations, justified or not, of dishonesty or partiality in the conduct of the Council's business. You should act with openness, honesty and integrity in every action you take. All interests you may have must be declared to your line manager by recording them on MyView. If you are unable to access MyView a 'Register of Interests form' can be obtained from your line manager and returned to the Employment Services Centre.

7.3 Financial interests

If you discover that a contract in which you have a financial or other interest has been, or could be, entered into by the City Council then you are required under Section 117 of the Local Government Act 1972 to advise your line manager in writing.

7.4 Business interests

If you, your partner, family or close associate is involved in the running of a company's affairs where the company has, or may seek to have, a contractual relationship with the Council, this must be declared as an interest.

7.5 Relationships

Appointment and promotion

If you are involved in appointments you should ensure that those appointments are made only on the basis of merit. In order to avoid any possible accusation of bias, you should not be involved in an appointment where you are related to an applicant, or have a personal relationship with them outside of work.

Similarly, you should not be involved in decisions relating to discipline, promotion, recruitment or pay and conditions for any other employee who is a relative, partner or someone with whom you have a personal relationship.

Councillors

Mutual respect between employees and councillors is essential to effective local government. It is important that this relationship is a professional working relationship. Any close personal relationships between Members and Officers should be declared in the register of interests.

Where a relationship is of a significant nature (i.e. it is likely to influence the Member or Officer in their respective roles) then this must be declared to your Director, the relevant Group Whip (where applicable) and the Monitoring Officer. Guidance on this matter should be sought from your line manager, further information can be found in the Political Conventions.

Service users and members of the public

As a local government employee, you are expected to give the highest possible standard of service to the public and, where it is part of your duties, to provide appropriate advice to councillors and fellow employees with impartiality. In carrying out duties and responsibilities, your honesty and integrity must be beyond question. You must never use your authority or position for personal gain, or to enable colleagues, family, friends or others with whom you are acquainted to benefit personally.

Your own Service or Directorate may have its own customer care policy in addition to these guidelines. Please also refer to the Council's Corporate Customer Service Policy. Concerns about dishonesty or dangers at work may be addressed through the Council's Whistleblowing Policy which can be found on the council's intranet site. Concerns or complaints about other employment issues should be raised in the first instance with your line manager and, if not resolved, through the Council's Grievance Procedure which may also be found on the council's intranet site.

Contractors

All relationships of a business or private nature with external contractors or potential contractors of the City Council should be made known to your line manager where it may be relevant to your area of work. Orders and contracts must be awarded on merit, in fair competition with other tenderers, and in accordance with the Council's procurement processes. If you are involved in the client management of Council contracts then you are expected to manage contracts effectively in order to ensure the efficient delivery of services and value for money. No special favouritism should be shown to any contractor and the highest standards of probity must be maintained.

7.6 Membership of Organisations

If you are a member of any organisation which has the potential to impact on your work or professionalism or bring the Council into disrepute, you should declare this to your manager.

7.7 Gifts, hospitality and sponsorship – giving and receiving

Payments and gifts

You must not receive any reward or fee other than your proper remuneration. As a general rule, you should tactfully refuse offers of gifts or services from organisations or persons who do, or might, provide work, goods or services to the City Council or who require a decision from the City Council (for example regarding a grant application).

However, where it is felt that refusal of a small gift or token of appreciation (for example a small box of chocolates) would cause offence or would upset the relationship with a client, you should consult your manager, and where it is agreed that the gift may be accepted this should be recorded on the register of interests on MyView.

Promotional sales / benefits

Offers from companies of promotional sales, either to an individual or to the Council, should be declined. You should bring such matters to the attention of your manager.

The use of personal loyalty cards whilst making purchases on behalf of the authority or service users is also unacceptable. It may bring into question the impartiality of the use of that supplier.

Any prizes won whilst on City Council business, or whilst using City Council funds, should be reported immediately to your line manager who will make a decision as to the acceptability of such a prize. Such a prize may also need to be declared under the register of interests.

Sponsorship

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

From time to time the City Council sponsors, or gives grants for, sporting and cultural events such as exhibitions, plays or performances, or games. The general rule is that neither you nor any partner, spouse or relative shall receive any benefit from such sponsorship or grant in a direct way without there being full disclosure to your manager of any such interest. Similarly, where the City Council through sponsorship, grant aid, financial or other means, gives support in the community, you must ensure that impartial advice is given and that there is no conflict of interest involved.

Hospitality

It is acknowledged that, on occasions, the business of the City Council can be progressed through, for example, working lunches or dinners with external individuals or groups. As a general rule, you should only accept offers of such hospitality if there is a genuine need to impart information or represent the City Council in the community.

If, on the other hand, the hospitality offered is primarily a social function, at which business matters are of a secondary concern (for example sporting events, film premiers or concert performances) then it is unacceptable, and such invitations should normally be refused. When hospitality is declined, those making the offer should be informed of the procedures and standards operating within the City Council.

It is of vital importance that the possibility of you being deemed by others to have been influenced in making a business decision, as a result of accepting such hospitality, should be avoided at all costs, for your own protection. Where you have accepted an offer of hospitality, it should be declared in the register of interests.

Internal Hospitality

On occasions it may be necessary to provide catering or other associated facilities to enable the smooth running of council business. The provision of hospitality, including refreshments, is governed by the corporate hospitality policy which should be referred to in advance of booking such facilities.

Legacy/bequests

If, as a result of your employment, you become a beneficiary in a service user's will, this must be reported to your manager. You must not accept the legacy/bequest, regardless of its size or value, unless granted explicit permission by your manager. Permission will only be granted in circumstances where the legacy/bequest is of little financial value, such as a sentimental item.

7.8 Additional Employment

The City Council will not prevent you from undertaking additional employment providing it does not conflict with the interests of, or in any way weaken public confidence in, the City Council and does not in any way affect performance of your duties and responsibilities whilst you are at work. If there is a conflict, your manager can ask for you to discontinue the conflicting employment.

In taking up additional employment, there will also be health, safety and wellbeing consideration. You should therefore inform your manager if you have, or intend to take up, additional employment.

In circumstances where total number of hours worked will exceed an average of 48 hours per week, or where the work is likely to have a detrimental effect on your health and safety it is vital that you seek advice from your manager, for more information see the Health and Safety Manual - Working Time Regulations.

7.9 Officers and Elected Members as Service Users

Due to the nature of the services that the City Council offers, employees and elected members will also be our service users. As a City Council employee you should not receive any preferential advantage in the services you receive as a service user. If you are offered preferential advantage, or asked to provide preferential advantage by an officer or elected member, you must report this to your line manager or via the Whistleblowing Policy where appropriate.

If you are involved in the decision making process of a service in which you, your partner or close relative are direct beneficiaries you should declare this as an interest.

8 Raising concerns

8.1 Whistleblowing

The Whistleblowing Policy is intended to encourage and enable anybody who works for, or on behalf of, the Council to raise within the Council serious concerns regarding the categories of issues which fall within the Whistleblowing Policy rather than overlooking a problem. It makes it clear that reporting can happen without fear of reprisal.

An employee must not treat another employee of the authority less favourably than other employees because the other employee has used/intends to use, or is suspected of using, the authority's reporting procedures to report the misconduct of others.

For further guidance please refer to the City Council's Whistleblowing Policy on Insite.

8.2 Raising concerns with Elected Members

Concerns relating to your employment within the Council should never be raised with elected members, either as an employee or as a constituent. This includes personal employment issues, such as remuneration, grievance or working arrangements, as well as issues of an operational nature, for example corporate structure, contractors or suggestions on potential service improvements. These must be raised with your line manager or via the Whistleblowing Policy where appropriate. This does not affect your right to raise matters which are not related to your personal employment with members, as a member of the public.

8.3 Disclosure of Criminal Convictions

If you receive a reprimand, formal warning, conditional caution, bind-over order or conviction for any reason during your employment, or you are arrested or charged with a criminal offence by the Police, you must notify your line manager immediately. If you are an essential car user, you must declare any driving offences (including speeding and failing to stop at a traffic signal).

The bearing of the offence on your employment in your current post will be fully and objectively considered and, if necessary, an investigation may be carried out. Appropriate action would then be taken based on the outcome of this investigation.

Should you be arrested, there is an expectation that you provide the Police with full details of both your role at Leicester City Council and the setting in which you work.

9 Use of Council facilities and intellectual property

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

All equipment belonging to the City Council should be treated with due care and respect, and is intended for City Council and agreed trade union purposes only.

If you wish to use an item of equipment, for example a photocopier, telephone or printer, for personal use, you must gain permission from your manager in advance.

9.1 Use of information equipment

Use of Council ICT equipment, including mobile devices is subject to Information Assurance Policies which are available on the Intranet. Please make sure that you read and abide by the contents.

9.2 Intellectual property

Copyright

All records, documents and other papers in electronic or paper format relating to the finance and administration of the City Council, and which are compiled or acquired by you in the course of your employment, are, and will remain, the property of the City Council and the copyright in all such cases belongs exclusively to the City Council.

Where you develop such materials in your own time and therefore not paid to produce them, for example projects undertaken as part of a course to further your professional career, teaching materials developed in your own time and professional articles and blogs, the copyright will belong to you.

Patent

If any matter, item or idea capable of being patented under the Patents Act is developed or discovered by you, alone or together with other colleagues, in the course of your duties, you must disclose this to your manager and, subject to provisions of the Act, this belongs to the City Council. It is the responsibility of the City Council in the first instance to decide whether to apply for patent or other protection in law for any invention, which belongs to the City Council by virtue of the Patents Act 1977.

10 Health, safety and wellbeing

10.1 Smoking

In line with our commitment to employee well-being, the City Council operates a Smoking Policy. This policy aims to promote a healthier, safer and more pleasant

working environment by protecting employees from second hand smoke exposure and supporting employees who wish to stop or reduce their smoking habit. If you would like more information about this policy please consult the council's intranet site. or your line manager.

10.2 Alcohol/drugs

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 City Council premises unless specifically approved by a manager. The City Council prohibits the use, possession, distribution or sale of illegal drugs at the work-place, or when conducting City Council business. See the Policy on Substance Misuse.

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 Amica 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 be automatic grounds for dismissal; however any unacceptable behaviour or level of performance thereafter will be subject to appropriate action.