

# **OFFICERS' CODE OF CONDUCT**

# **EPHING FOREST DISTRICT COUNCIL**

## **STAFF CODE OF CONDUCT**

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## **1. Introduction**

- 1.1 The people of Epping Forest District deserve the highest standards of service and behaviour from all Council staff. This Code sets out the standards we expect from you, as a Council employee. We expect you to promote:
- (a) the highest standards in public life
  - (b) harmonious working relationships
- 1.2 You are expected to pursue these standards in all your activities.
- 1.3 This Code sets out our values, rules and principles. It is not a complete list of what you can and cannot do, but its aim is to enable all employees of the Council to understand:
- (a) the ground rules that all must observe
  - (b) differences in role and duty between Councillors and officers
- 1.4 Our standards are higher than those of other employers because Council services can affect the health and well-being of local people. The Council is often the only source of services - there will be times when there is no-one else local people can turn to. Council services are also funded by the public and, in law, Council staff are expected to have very high standards of conduct.
- 1.5 Our work is democratically controlled and open to public scrutiny. It is often politically sensitive, and can depend on public confidence in the Council.
- 1.6 This Code is binding on all Council staff. Breaches of the Code and the standards it expresses may result in disciplinary action. Those breaches which are likely to lead to disciplinary action are included in the paragraphs below which begin "Ensure that you...". Other matters which may or may not lead to disciplinary action (i.e. are potentially less serious) begin with "You should also". We also expect all staff to operate within the law. Unlawful or criminal behaviour, even away from work, may lead to action against you.
- 1.7 Breaking some rules is so serious that you can be dismissed for a first offence without notice. It is your responsibility to read this Code and work in accordance with it. If you are unsure about any aspect, check it with your manager. If you want copies of any documents referred to in this Code, ask your manager.
- 1.8 This code applies to all staff including those professionally qualified staff who may be subject to codes of conduct or ethics imposed by their own professional bodies. In the unlikely event of a conflict arising between this code and an external code or requirement then the officer concerned must refer the issue to the Corporate Governance Group for guidance, as soon as reasonably practicable.

## **2. Applying for a job with the Council**

- 2.1 The Council is committed to a fair and open approach to staff recruitment. It requires that appointments are made without bias, on the basis of the candidate's ability and suitability for the job. Candidates must declare any matter which might lead the public to suspect their motives in taking the job.

2.2 Ensure that you:

- (a) are open and honest:
  - at any interview
  - on any application form
- (b) disclose any criminal offence of which you have been convicted (UNLESS it is "spent" under the terms of the Rehabilitation of Offenders Act 1978 as amended) or your post requires this disclosure - Guidance on this is available from the Human Resources Unit
- (c) disclose any criminal charges you face
- (d) disclose if you are a friend, relative or partner of (or have any links with):
  - a Councillor
  - an employee of the Council
- (e) do nothing to seek undue favour from staff or Councillors in Council selection procedures

**3. Working for the public and with other staff**

3.1 We are here to serve the people of the District. This requires a positive commitment to public service and putting our service users, customers and the community first. Our services can have a profound effect on the quality of their lives and we have a duty to give our best at all times. They have the right to expect us to listen to them, be open, helpful and professional in our approach. They are entitled to have confidence in our services which depends on you being considerate, responsible, sensitive and mindful of the need to respect confidentiality.

3.2 Ensure that you:

- (a) report any inappropriate behaviour, such as verbal or physical abuse by service users, to your manager
- (b) never demean, distress or offend the decency of others. For example, by:
  - displaying any material or picture which could be seen by others as offensive, or making degrading racist, or sexually suggestive comments or other inappropriate/insensitive remarks
- (c) follow the Equal Opportunities Policy. Do not discriminate against people you meet in the course of your work, on any grounds, including grounds of:
  - race
  - religious beliefs
  - disability
  - marital status
  - age
  - gender
  - ethnic or national origin
  - sexual orientation
  - HIV status

Also ensure that your actions could not be construed as indirect or institutional discrimination. You are expected to be aware of the factors which result in black and ethnic minority people, disabled people, women, gay men and lesbians suffering inequality and oppression. You should undertake your duties so as to seek to redress this inequality. You should also be aware of the Council's policy on harassment, and behave in a way which creates an inclusive, open work environment. If you become a victim of harassment in the course of your work you should report this in accordance with the procedure.

- (d) comply with the policy on smoking
- (e) avoid any suspicion that you are abusing your position. Never take advantage of anyone, or use your position at work to further aims which are not related to the Council or which improperly confers an advantage or disadvantage on any person
- (f) never use your work or position at work to further the aims of any political party or political activity
- (g) do not use your work to further the aims of any group other than the Council whilst at work, (whether or not the group's ideas are in conflict with Council policies)
- (h) do not disclose or misuse confidential information that you know about Councillors, customers, staff, contractors, or other organisations working with the Council
- (i) disclose any matter to your manager that it is your duty to report
- (j) respect other people, their rights and property. Never threaten, bully, fight with or assault anyone
- (k) never steal, take or damage things that belong to others. Hand lost property to your manager
- (l) comply with and implement Council policy

### 3.3 You should also:

- (a) meet or exceed established standards of service when dealing with people in person, by phone, letter or e-mail, whether they are service users, members of the public, colleagues at work, colleagues employed outside the Council or other delegates on a training course. Always be:
  - polite, positive, responsive and considerate. Always take a positive approach in all dealings with our service users
  - as clear as possible about the decisions and actions that we take and the reasons for them
  - clean, neat and dressed in a way which is appropriate to your work (in Council work clothes, if issued)
  - accountable to the public, by identifying yourself (with name badges, if issued)

- (b) avoid actions in public areas which may discredit the Council
- (c) not drink alcohol to the extent that it affects your ability to do your job. In some jobs you should not drink alcohol at all, before or during work, where this could affect safety. To do so may result in disciplinary action.
- (d) not use or abuse drugs. Take only those which you have been medically prescribed, or can be purchased over the counter in a pharmacy. You should not abuse the proper use of any medically prescribed drug(s). To take drugs inappropriately may result in disciplinary action.
- (e) maintain a professional approach to your job. Do not let friendships lead to a conflict between your own interests and that of the Council
- (f) treat colleagues with respect, in day-to-day working relationships, in written and any other form of communication

#### **4. Management and staff relations**

##### **Working with your manager**

- 4.1 Your manager should support you and give you direction in your work. In return, you are expected to be accountable and show loyalty to the Council and to support its managers. A climate of mutual confidence, trust and respect between managers and staff is essential to achieving work targets and providing a high quality service.

##### **Ensure that you:**

- carry out any proper instructions. This includes general instructions such as compliance with customer care codes of practice, standing orders, financial regulations, legal requirements, safety or other codes of conduct, rules that apply in your work place, and so on

##### **You should also:**

- work reliably and never neglect your work

##### **Working with your staff**

- 4.2 For the Council, the people it employs make the difference between success and failure. The Council expects managers to provide staff with clear direction, positive motivation and the opportunity to develop their skills.

##### **Ensure that you:**

- (a) manage according to the principles set down in the Council's Human Resource Policies (for example, in matters of recruitment, discipline, unsatisfactory performance)
- (b) deal with staff fairly and consistently
- (c) accept responsibility
- (d) provide for all your staff a working environment which is free from any form of unfair discrimination and harassment
- (e) provide for all your staff a safe and healthy working environment

**You should also:**

- (a) set standards of work, give feedback and advice to staff on how improvements can be made and ensure standards are met
- (b) set work priorities for staff in consultation with them
- (c) support and assist staff to carry out their work properly
- (d) be aware and monitor the hours being worked by staff, and assist those who appear to be working excessive hours
- (e) develop your staff to meet the current and future needs of the service
- (f) consider constructive suggestions for improving working practices and standards of service

**5. Working practices**

**Health and Safety**

- 5.1 The Council aims to promote good health and safe working amongst its staff. You have a responsibility to contribute to safe working. Failure to do so may put you, the public or other staff at risk.

**Ensure that you:**

- (a) follow the Council's Health and Safety Policy and safe systems of working
- (b) comply with any hygiene requirements
- (c) wear any safety clothing the Council gives you for work
- (d) report any accidents or near misses you have at work
- (e) attend any medical examination as required
- (f) never act in a way which might cause risk of injury or damage to yourself or others, or do anything that adversely affects your performance or judgement at work

**Sickness Absence**

- 5.2 You should follow the Council's rules on reporting any absence for sickness. You must never claim sick leave when you are not sick.

**Ensure that you:**

- (a) if you take sick leave, you act sensibly to speed your recovery and return to work; do nothing which is inconsistent with your illness or injury, or which may delay your recovery or worsen the problem; get permission from your manager to travel or take holidays, carry out home improvements, take part in sport or strenuous activity or work, even if it is unpaid

**You should also:**

- (a) take advice from your GP about these matters

**Hours and attendance**

- 5.3 Reliability in time-keeping, attendance and in reporting sickness are all critical to the success of Council services. Poor attendance and bad timekeeping increase costs, reduce service levels and undermine the reputation of you and the Council. You should not accrue large amounts of flexitime credit or time off in lieu unless agreeing this with your manager first.

**Ensure that you:**

- (a) comply with the timekeeping requirements of your job
- (b) are in the workplace and working when you should be
- (c) ask your supervisor/manager if you need to take time off (for example, for a doctor's visit)
- (d) agree with your manager any leave or time off you want in advance

**Working honestly, impartially and objectively**

- 5.4 We expect you to perform your duties and use the Council's money and resources with honesty and be able to demonstrate that at all times. It is a criminal offence for you to give, receive or ask for any gift, reward or advantage for work done in your official capacity. It is up to you to show that any such reward was disclosed to your manager and that it was not improperly obtained.

**Ensure that you:**

- (a) do not act corruptly and avoid any actions which would be interpreted in this way by others

for example:

- do not ask for or accept bribes or inducements of any sort
  - never seek or take any reward or favour for providing Council services apart from your pay
  - do not take a reward from anyone who has, or might have a contract with the Council, or work in partnership with it
- (b) report to your Head of Service, as soon as possible, any offers of money, favours, gifts or hospitality you are offered or receive (even if you refuse them). You will be expected to record any gifts or hospitality offered or received, in the Service register
  - (c) return any gifts and refuse any hospitality your Head of Service says you cannot accept
  - (d) never ask for or accept a gift or tip or 'Christmas box', because:
    - you are already paid for the work you do



- people may believe they will get better service if they tip well and worse if they do not
  - this is not the basis on which the Council delivers services
- (e) do not use any influence to get people you meet through your work to leave you things in their Will
- (f) report to your Head of Service if people you meet through work leave you things in their Will
- (g) comply with the Council's Financial Regulations and Standing Orders. If your job includes making payments or letting contracts, you should make sure you understand the Council's regulations
- (h) never obtain Council property or money when you are not lawfully entitled to it (this includes subletting Council property without authority)
- (i) do not act fraudulently and report any suspicion or evidence of fraud you may have. Fraud happens when someone gets some benefit (usually money or property) through deception, for example:
- falsifying documents to claim pay, bonus or sick pay
  - claiming housing benefit to which you are not entitled
- (j) serve the people of the District honestly. Never do private work when you should be at work for the Council. You must inform your line manager of all work undertaken outside of your employment with the Council. If your employment with the Council is paid on scale point 29 (or equivalent) and above, you must seek written permission from your line manager prior to commencing any additional employment
- (k) if you do have work elsewhere, make sure that this does not affect your work or create a conflict of interest with the Council. Your prime loyalty should be to the Council
- (l) respect Council property or equipment. Take care not to waste, lose or damage it. Do not use Council property and equipment for your own personal benefit. Use Council telephones/equipment in accordance with the Council's Code(s) of Practice. Where possible, any essential/emergency personal use of Council equipment should be by prior agreement with your manager. This applies to private use of computer equipment, telephones, mobile phones, faxes, photocopiers, e-mail, the Internet, the postal facility. It applies equally to Council vehicles and to any Council property, even where vacant
- (m) if you have Council equipment at home, as agreed by your manager for use on Council business, you will require written permission for any private use of that equipment
- (n) fill in accurately and honestly any document, form or record your managers need for work. Never destroy, damage, alter or falsify any such document or record

- (o) do not be involved in the appointment or any other decision relating to the discipline, promotion, pay or conditions of another employee, or prospective employee, who is a relative or who you regard as a close friend

**You should also:**

- (a) do nothing that could be seen as likely to influence your work, your decisions or your impartiality
- (b) be careful about pursuing an association with someone who may benefit from your work for the Council. For example, it is unwise to allow yourself to become indebted to someone who may wish to benefit from your work or position in the Council
- (c) seek prior approval from your Head of Service if you are asked to give lectures, or wish to publish material, inventions or patents, that are related to the work you do with the Council
- (d) never abuse your position with the Council to benefit yourself, your family, your friends or any outside organisation or political party. If you live in the District you must not use your working relationships to influence matters such as planning applications or enquiries

**Working with integrity**

- 5.5 As a Council employee, you are expected to meet the highest standards of conduct and integrity. These high standards must equally apply, and be seen to apply, in your conduct and relationships with the general public. There should be no reason to suspect you are seeking opportunities for private gain. You must not undertake any private commitments or activities that may bring the Council into disrepute or impair your performance or detrimentally conflict with the Council's interests.
- 5.6 Certain posts within the Council are legally designated as politically restricted. This means that as a postholder you would be debarred from any form of political activity as this would be seen to produce conflicts of interest. A list of these posts is included in the Staff Handbook and covers all staff who are paid on salary point 44 or above. The Handbook also tells you what restrictions are placed upon you if you are in this category. Please familiarise yourself with these. You should discuss any concerns you have with your Line Manager.
- 5.7 The relationships that the Council has with its partners, contractors, consultants, community groups, suppliers and others, must be managed so that there can be no suspicion of corruption or dishonesty with public money. The Council may require you to complete a declaration of related party transactions and this information could be disclosed in the annual Statement of Accounts.

**Ensure that you:**

- (a) deal honestly with the Council. For example:
  - never wilfully withhold any payments owed to the Council (like rent or Council Tax)
  - never make fraudulent claims for public money (like housing benefit or income support)

- (b) declare any actual or potential conflicts of interest between your work and outside activities, of either yourself, close relatives or partner. You need to make a fresh declaration if your circumstances change. You should use the declaration form at the end of this booklet

**Advise your Head of Service in writing if:**

- you have links with a group whose aims might be in conflict with Council policy, or involvement with an organisation receiving grant aid from the Council, involvement with an organisation or pressure group which may seek to influence the Council's policies. This also applies to membership of any organisation not open to the public, with commitment of allegiance and which has secrecy about rules of membership or conduct and which furthers the interests of its members over the interests of others
- you have, or develop a relationship with someone, which might be seen to lead to a potential conflict of interest. This is only necessary where there is likely to be a conflict of interests but could include being someone's landlord, being in debt to someone, having a close personal relationship with a Councillor, client, customer, service user, employee or contractor
- you are offered a job with a competitor organisation, or one we are in partnership with
- you or your close relatives hold any Directorships or positions of influence in any companies linked with the Council

**You should also:**

- (a) at all times be aware that you are a public servant and that this requires a degree of trust on the part of the public as to how you carry out your duties
- (b) be fair and impartial in dealing with all customers, competitors, suppliers, contractors, sub-contractors, partner organisations and sponsors

**Gifts and Hospitality**

- 5.8 You must carefully record all gifts and hospitality which may be offered in the course of your duties for the Council. These can include those from Councillors, contractors, other public bodies, consultants or others with whom you have a business relationship.
- 5.9 A register is kept by each Head of Service for the purpose of recording gifts/hospitality, their value, the person or organisation offering them and whether they were accepted.
- 5.10 If you are not sure about how to react to such offers you should seek advice from your supervisor or Head of Service.

**Ensure that you:**

- (a) declare any gifts or hospitality in a timely, accurate manner
- (b) raise any concerns about a potential gift or offer of hospitality with your manager as soon as you become aware of it.

## **Working with sensitive information**

- 5.11 We expect you to use sensitive information properly and to have due respect for confidentiality. Information gathered while working for the Council, whether held electronically or by other means, should not be used for commercial or personal gain or otherwise misused.

### **Ensure that you:**

- (a) do not knowingly disclose information given to you in confidence by anyone, or disclose information acquired which you believe is of a confidential nature, without the consent of the person authorised to give it, or unless you are required by law to do so
- (b) do not knowingly prevent another person from gaining access to information to which that person is entitled by law
- (c) know what information the Council treats as confidential (if in doubt, check with your manager)
- (d) know who is entitled to have access to what information
- (e) are responsible and professional in using and allowing access to personal information on clients, customers, staff and others
- (f) use personal information in line with the principles of the Data Protection Acts. Such data must:
  - be obtained lawfully and fairly
  - be held only for specified and lawful purposes
  - be relevant and just sufficient for those purposes
  - be used or disclosed for no other purpose
  - be accurate, up to date, and kept only as long as is necessary
  - be held securely to prevent unauthorised access or tampering
  - be available for inspection and correction by the person it is about
  - not be transferred to countries outside the European Economic Area without adequate protection
- (g) report to your manager anyone, whether another member of staff, a member of the public or a Councillor, who attempts to put pressure on you for access to information to which they are not entitled.

## **Working within the law and the Council's constitution**

- 5.12 The Council expects you to work within the law. Council powers are set by a framework of laws and regulations. In order for its decisions and actions to be held to be reasonable in law, the Council must carry out its business in a way that is rational, proper and fair. Unlawful or criminal behaviour at, or even away from work, may result in a loss of trust and confidence in the employee or the Council.

**Ensure that you:**

- (a) uphold the law at work
- (b) never break a law away from work which could damage public confidence in you or the Council, or which makes you unsuitable for the work you do. This includes, for example:
  - submitting false or fraudulent claims to the Council or other public bodies (for example, income support, housing or other benefit claims)
  - breaching copyright on computer software or published documents
  - sexual offences, which may render you unfit to work with children or vulnerable adults
  - crimes of dishonesty which render you unfit to hold a position of trust
- (c) inform your Head of Service in writing immediately if you are charged with or convicted of any crime whilst you are employed by the Council (this includes outside of your working hours). The Council would then need to consider whether this charge or conviction damages public confidence in the organisation or makes you unsuitable to carry out your job

5.13 The Constitution sets out how the Council operates, how decisions are made and the procedures that are followed to ensure that these are efficient, transparent and accountable to local people. Whilst you should have a general awareness of the Constitution the areas that you are expected to have a reasonable knowledge of are the Financial Regulations and Contract Standing Orders. Financial Regulations provide the framework for managing the Authority's financial affairs and apply to every member and officer of the Authority and anyone acting on its behalf.

5.14 Breaches of Financial Regulations are taken seriously and the Head of Finance is responsible for reporting breaches of these regulations to the Council and/or Cabinet.

**Ensure that you:**

- (a) have an understanding of Financial Regulations that is appropriate to your job
- (b) complete any financial work in accordance with Financial Regulations
- (c) inform your Head of Service, the Chief Internal Auditor or the Head of Finance immediately if you become aware of a breach of Financial Regulations or if you suspect a breach may have occurred

**Working with Councillors**

5.15 Councillors expect staff to contribute to proper and effective working relationships with them. You serve the Council as a whole - all Councillors and not just those of any particular group. You must ensure that the rights of Councillors are respected. You must maintain political neutrality at work and be seen to be impartial.

5.16 Close personal familiarity between individual Councillors and officers can damage this relationship and give rise to the appearance of improper conduct. Generally, a close relationship between a Councillor and member of staff is incompatible with the high standards of public life that the Council is promoting. Such a relationship is unacceptable, since it may put the member of staff, or the Councillor, in a position to

exercise improper influence over the workings of the Council or give rise to suspicion that the opportunity for improper influence exists. It could lead to action against you under the disciplinary procedure. If such a relationship begins to develop you must discuss this as soon as possible with your Head of Service.

**Ensure that you:**

- (a) serve all Councillors impartially and professionally, not just those of a particular political group
- (b) do nothing to disrupt Council meetings
- (c) dress and behave with appropriate formality at official events and meetings
- (d) deal with Councillors' enquiries efficiently and within the agreed timescales
- (e) avoid close personal familiarity with Councillors by maintaining proper working relationships
- (f) disclose to your Head of Service any family, business or close personal relationships with Councillors
- (g) report to your Head of Service any time a Councillor asks or pressures you to deal with a matter outside of Council procedure or policy
- (h) do not seek to influence Councillors prior to any appointment
- (i) do not canvass Councillors on individual employment-related matters for which there are Council approved procedures (for example, in matters of recruitment, discipline, unsatisfactory performance, terms and conditions of employment)
- (j) use the Confidential Reporting Policy procedure if any employment-related matter is not easily located within the Council's approved procedure
- (k) report any claims or allegations about other staff to an appropriate manager, and not to Councillors
- (l) do not take advantage of your status as a Council employee to gain privileged access to a Councillor to advance your interests or views as a resident of the District. This is especially important in matters such as planning applications and enquiries

**You should also:**

- (a) not permit your own personal or political opinions or preferences to interfere with your work or working relationships with Councillors
- (b) report to your Head of Service if a Councillor's conduct or treatment of staff is inconsistent with Council policies

5.17 Extensive guidance to members and officers of the Council in their relations with one another is set out in Protocol R2, and the officer Code of Conduct should be read in conjunction with that protocol.

5.18 Staff who deal with the Standards Board for England in relation to investigations by Ethical Standards Officers, or with cases referred to the Monitoring Officer for

investigation, or both, must notify the Monitoring Officer or Deputy Monitoring Officer as appropriate, of prior involvement with the complaint or any other matter which could lead to a conflict of interest arising.

### **Managing contact with the Media**

- 5.19 The Council expects staff to promote the policies and reputation of the Council and act as our ambassadors. As with most large organisations, contact with the press and media is conducted through the Public Relations Unit. This protects individual employees from unwanted media attention and allows the Council to properly manage its reputation. Relations with the media require specific skills and expertise and staff should not discuss Council business with the press without their Head of Service's prior permission, unless you act as spokesperson for one of the Council's recognised trade unions in pursuit of legitimate industrial relations activities.

#### **Ensure that you:**

- (a) get permission from your Head of Service to speak, write, or give interviews to the media
- (b) never bring the Council's name into disrepute in any other way through the press and media
- (c) never bring the Council into disrepute by publicising material which is confidential, or against the interests of the Council, or its employees
- (d) do not leak information to the press and media
- (e) refer enquiries from the press to the Public Relations Unit in the first instance

### **Reporting Improper Conduct – The Confidential Reporting Policy**

- 5.20 We are committed to preventing any malpractice, fraud, corruption and any other actions which are illegal or not in the best interests of the Council's residents or service users. The people of the District deserve the highest standards of public service and we rely on all staff to play their part. You have a duty to report any reasonable suspicions of malpractice, fraud, poor practice or illegal activities. We have a duty to act on any information from whistle-blowers and to protect you if you speak out.

#### **The Council will:**

- (a) take you seriously when you come forward and act swiftly to tackle any impropriety
- (b) do everything possible to support you and protect you from reprisals
- (c) do everything possible to protect your confidentiality
- (d) tell you what action is being taken
- (e) all managers have an absolute duty to act on employees' concerns. Failure to do so will be a disciplinary matter. Victimising staff who raise concerns or deterring someone from speaking out about fraud or abuse will be treated as a serious disciplinary offence.

**Ensure that you:**

- (a) know what practices are acceptable and which are not (as set out in this Code) - check with your manager if you are unsure
- (b) immediately report any irregularities, malpractice, illegal or fraudulent activity, or any abuse or suspected abuse, either of staff or service users
- (c) report any matters which you feel have not been properly dealt with immediately
- (d) provide any evidence or relevant information you have
- (e) report any concerns about corrupt or improper conduct by others to your line manager, in the first instance. If you do not feel able to approach your line manager, you should report your concerns to your Head of Service or the Chief Executive, the Council's Monitoring Officer or the Chief Internal Auditor. You also have the right to raise concerns about financial malpractice with the Audit Commission
- (f) never abuse this process by raising unfounded allegations maliciously. This will be viewed as a disciplinary matter

**Gross misconduct**

5.21 The Council will apply this Code consistently and fairly. It is a public document and is distributed to all staff. Any breaches of the Code may result in disciplinary action. Some breaches (known as gross misconduct) would be serious enough to justify the Council in dismissing staff for a first offence, and without notice. The examples of gross misconduct below are given so that you can judge what would compel the Council to dismiss you. This is not a complete list, since the circumstances of each case are different.

5.22 The Council will consider dismissing you for gross misconduct if you:

- (a) conceal any serious matter you should report
- (b) disclose any matter you should keep confidential
- (c) succeed in getting a job by lies or deception
- (d) commit serious acts of discrimination or harassment
- (e) threaten, fight with or assault anyone
- (f) steal or take or damage things that belong to someone else
- (g) seriously demean or offend the decency of others
- (h) act in a way which resulted, or would have resulted, in injury or danger to yourself or others
- (i) do private work when you should be at work for the Council
- (j) breach financial regulations or standing orders



- (k) refuse to make or abide by an agreement to repay any debt you owe to the Council
- (l) break a law at/or away from work which makes you unsuitable for the work you do or damages public confidence in the Council
- (m) obtain Council services, property or money by fraud (for example, falsify time sheets)
- (n) submit false or fraudulent claims to the Council or other bodies (for example, income support claims, housing or other benefit claims)
- (o) ask for or accept bribes, gifts or favours
- (p) disrupt Council meetings
- (q) discriminate against another person, in conflict with the Council's Equal Opportunities Policy

**NB: This list is not exhaustive**

### **Working with External Organisations**

- 5.23 Members of staff become involved in external organisations from time to time. This can result from being appointed by the Council as its representative or by other means.
- 5.24 Staff must be careful about any conflict of interest which may result. These can often occur where an officer's role overlaps with the interests of another organisation. Particular care is needed in relation to executive positions in external organisations such as trusteeships, or various offices such as Chairman, Treasurer or Secretary.
- 5.25 The Council's protocol on partnerships and other external organisations provides advice for the conduct of members and officers when representing the Council on external partnerships and other organisations.
- 5.26 The Council's policy is for such executive appointments to be avoided where there is any possibility of a conflict of interest. Staff must take advice from their Head of Service if they are in doubt.

## **6. Guidance notes on the declaration of pecuniary and personal interests**

### **Introduction**

- 6.1 The Code of Conduct covers all employees working under a contract of employment within Local Government, including sessional workers and casuals. Some of the issues covered by the Code may affect Senior, managerial and professional employees more than it will others.

### **Advice**

- 6.2 You are advised not to maintain outside interest which are to the detriment of your work with the Council or conflict with your employment with the Council.
- 6.3 If you are in doubt as to whether or not you have specific outside interests which should be declared, you should contact your manager in the first instance or your

Head of Service. If you do not wish to discuss these issues with your manager, you should contact the Human Resources Unit.

- 6.4 Shareholders (Part B, Question 1.2 of the declaration form) - you are only required to declare shareholdings which could be directly related to your work, for example, shareholdings that provide a measure of control of a company which has dealings with the Council, or shareholdings, the value of which might be affected by Council work in which you are involved.
- 6.5 Grant Aid/Professional Bodies (Part B, Question 1.3 of the declaration form) - where you are involved either yourself in the running of a group or organisation as a Committee member, or involved in the decision-making process, then you should declare this only if it has a clear impact on your area of work and conflicts with the Council's interests. If you are in any doubt about this you must discuss it with your manager.
- 6.6 Membership of Clubs, Associations and Societies (Part B, Question 2 of the declaration form) - this includes special interest societies, charities, groups that are grant-aided by the Council and pressure groups. These need only be declared where there may be a direct impact on your area of work. You must declare membership of organisations not open to the public, with commitment of allegiance, which has secrecy about rules of membership or conduct and which furthers the interests of its members over the interests of others.
- 6.7 Professional Bodies (Part B, Question 3 of the declaration form) - if you are asked to do work and intend to use information relating to the Council for a group or organisation of which you are a member, you should declare your membership.
- 6.8 Housing Association/Tenants' Residents' Association (Part B, Question 5 of the declaration form) - if you are a Committee member of a Council Tenants' Residents' Association, you should declare your membership where there may be direct impact on your area of work.
- 6.9 Trust(s) (Part B, Question 6.2 of the declaration form) - if you are a member of a charitable Trust or have any other interest you only need to declare it where there may be a direct impact on your area of work.
- 6.10 Recruitment of Relatives (Part V, Question 7 of the declaration form) - the term "associated with" includes spouse, partner, close family members, e.g. mother, father, sister, brother and other persons with whom you have a close personal relationship.

### **3. Completing the Declaration Form**

- 3.1 Please read the Code of Conduct carefully and consider whether you have any external interests which may need to be declared. If you are in any doubt about whether you should declare a specific matter, it is recommended that you declare it.
- 3.2 **New Employees and those accepting new Contracts of Employment:** All newly appointed staff and existing staff accepting new contracts of employment will be required to complete a declaration of interests form as a condition of appointment. This requirement will be publicised in the recruitment documentation sent to applicants. All staff will be required to declare interests before taking up their posts.

#### **4. Completed Declaration Forms**

- 4.1 Once you have completed the Code of Conduct declaration form, it will be reviewed by the Head of Human Resources. The information you give is strictly confidential. Heads of Service will be made aware of anything of relevance in the declaration and ensure that any declaration made will not be used inappropriately. Completed forms will be kept on personal files.

#### **5. Failure to declare/follow the Code**

- 5.1 If you fail to return a declaration form, it will not, in itself, constitute a disciplinary offence. However, should a relationship or other issue emerge which was relevant and this has not been declared as set out in this Code, non-declaration might be taken as evidence of misconduct or gross misconduct in a disciplinary situation.
- 5.2 Failure to follow the Code in any aspect may also be raised in disciplinary action taken against you for a breach of the Council's rules or procedures.
- 5.3 The above instances may constitute a criminal offence under the Local Government Act 1972; criminal sanctions may apply where an abuse of position has occurred as a result of a Council contract or where an employee or his/her relatives have gained pecuniary advantages.

#### **6. Inspection of Information**

- 6.1 Your declaration form will not normally be open for inspection to anyone, other than the relevant Director/Head of Service/Human Resources Unit. However, a senior manager may need to check a declaration form should either your membership of an organisation emerge or should there be suspicion that a relationship or other issue has emerged which is relevant to your duties and is contrary to the Code of Conduct.
- 6.2 By completing a declaration form, this will not in itself represent any form of sanction or approval by the Council of the contents of the declaration.

#### **7. Amending Declaration Forms**

- 7.1 If your circumstances alter and you wish to amend or review a declaration form, or view your personal file, please contact the Human Resources Unit.

#### **8. Confidentiality**

- 8.1 The information given on the declaration form is given in the strictest confidence and must not be divulged inappropriately by Directors, Heads of Service or Human Resources Staff. Inappropriate divulgence may result in disciplinary action being taken.

9. This Code was adopted by Epping Forest District Council on 28 September 2006 (Minute 49(c)).

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**CODE OF CONDUCT FOR EMPLOYEES OF  
EPPING FOREST DISTRICT COUNCIL**

**Declaration form**

- (i) This form must be completed by all new employees on joining the Authority.
- (ii) This form must be completed and signed by all employees in politically restricted posts. Other staff must complete this form if there is any matter which they are required to declare.

Please read the Code of Conduct for Council Staff and associated Guidance Notes on the declaration of pecuniary and personal interests before completing this form.

**Please print clearly in black ink**

**Name:**

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**Work Address:**

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**Group:**

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**Telephone Number:**

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**PART A**

**1. Employment**

1.1. I am/will be employed by the Council as:

(If you have more than one job in the Council, please list all those jobs)

1.2 I also work as:

Employers name and nature of business:

1.3 I am also self-employed as:

I trade under the following name(s):

## **PART B - Personal Interests of Employee**

### **1. Financial interests**

#### **1.1 Directorships: If these interests are unlikely to have a direct impact on your area of work, you do not need to identify them.**

I, or my close relative, (e.g. wife, husband, partner, parent, child) hold the following Directorships in the following company(ies):

#### **1.2 Shareholdings: If these interests are unlikely to have a direct impact on your area of work, you do not need to identify them.**

I, or my nominees, own shares in the following company(ies):

#### **1.3 Grant Aid/Professional Bodies: If these interests are unlikely to have a direct impact on your area of work, you do not need to identify them.**

I have recently applied or intend to apply for a grant on my own behalf from the Council.

Yes

No

If 'YES' specify nature and amount.

A group or organisation in which I am involved in the running (and in the decision-making process) has applied for and/or intends to apply for a grant from the Council.

Yes

No

If 'YES' specify nature, amount and your position in group/organisation.

- 2. Clubs, Associations and Societies: If these interests are unlikely to have a direct impact on your area of work, you do not need to identify them.**

I have a personal interest in or membership of the following club(s), association(s) or society(ies) which has the potential to conflict with the interests of the Council:

- 3. Professional Bodies: If these interests are unlikely to have a direct impact on your area of work, you do not need to identify them.**

I am involved in the decision-making process of the following body(ies):

(Please state name and nature of any professional body/bodies in which you are a member).

- 4. Select Societies: If these interests are unlikely to have a direct impact on your area of work, you do not need to identify them.**

I have a personal interest in/or membership of the following society(ies):

(Please state name and nature of any select society(ies) in which you have a personal interest/membership).

Please state in what capacity you are a member:

**5. Housing Association: If these interests are unlikely to have a direct impact on your area of work, you do not need to identify them.**

5.1 I am a member or office holder of a Housing Association with properties in the District

Yes No

If 'YES' specify name(s), registered office(s) and capacity(ies):

5.2 I am a member or office holder of a Tenants'/Residents' Association in the District

Yes No

If 'YES' specify name(s) of Association(s):

**6. Other Interests: If these interests are unlikely to have a direct impact on your area of work, you do not need to identify them.**

6.1 I, or my partner, are associated with a limited company or unincorporated business.

Yes No

Specify nature of Association(s):

6.2 I am involved in the decision-making process of a charitable Trust

Yes No

If 'YES' specify which Trust(s) and nature of relationship with the Trust(s):

6.3 I have another interest which may impact on my work.

Yes No

Please specify:

The Council encourages voluntary work, public duties and activities in support of the local community and employee involvement in these areas is welcomed and supported.



6.4 I have been appointed by a Government Minister as a member of a statutory undertaking(s) or other body(ies) which is constituted in order to discharge or assist in discharging a statutory function.

Yes No

If 'YES' specify body(ies):

6.5 I am a Councillor in a Local Authority.

Yes No

If 'YES' specify which authority and office/title held:

6.6 I am a co-opted member of a Local Authority Committee(s), Sub-Committee(s) or similar body.

Yes No

If 'YES' please specify:

6.7 I am a member of a school governing body and/or am on the controlling body of a parent/teachers association(s).

Yes No

If 'YES' specify which association(s):

6.8 I am a Board member of a Hospital Trust/Health Authority.

Yes No

If 'YES' specify Hospital Trust/Health Authority:

6.9 I serve as a Magistrate.

Yes No

If 'YES' specify which Court:

## 7. Recruitment of Relatives

Are you related to, or have an association with, a Member of the Council or anyone working for the Council? The term 'associated with' includes spouse, partner, close family members e.g. mother, father, sister, brother and other persons with whom you have a close personal relationship.

Yes

No

If 'YES' specify name(s) and work area(s):

### **Declaration**

Please see Guidance Note for Staff re: inspection of information (Paragraph 6).

I declare that I have read the Code of Conduct for Council Staff and associated Guidance Notes on declaration of pecuniary and personal interests and to the best of my knowledge and belief, the answers given above are truthful, accurate and complete. I undertake to inform my Head of Service of any change to these answers within 28 days of that change taking place.

**Signed:**

**Date:**

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**When completed, please return this form to Head of Human Resources.**

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**FOR OFFICE USE**

**Date received:**

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