

# Employee Code of Conduct

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<b>Governance Committee</b>	Finance and Resources Committee	<b>Date approved</b>	11 March 2021
<b>Next Review date</b>	May 2024		

## Strategic Alignment

*Improving the Council's Resource Base – A Workforce Strategy that is built around the needs of the Council (as a single resource base) to deliver the priority outcomes, ensuring future workforce requirements, new skills and innovative approaches, and succession planning are recognised.*

<b>Consultation process</b>	Consultation with stakeholders carried out June 2020 to January 2021	
<b>Stakeholders</b>	Contacts identified for each service	
	Joint Trade Unions	JNC for Teaching Staff
<b>Distribution</b>		

## Change record

<b>Date</b>	11/03/21	<b>Author</b>	Lynn McKenzie, <a href="mailto:McKenzieL@northlan.gov.uk">McKenzieL@northlan.gov.uk</a>
<b>Change made</b>	<i>Additional information on working from home            Information on Alcohol and Drugs            Details of other policies that should be considered in conjunction with this one</i>		

<b>Date</b>	1/05/24	<b>Author</b>	Tracy Simpson, simpsontr@northlan.gov.uk
<b>Change made</b>	<i>Links updated for Employee Conflict-of-Interest form, Gifts &amp; Hospitality procedure, counter fraud policy, whistleblowing policy, social media guidance</i>		

## Introduction

The public is entitled to expect a high standard of conduct from all local government employees.

This Code of Conduct is applicable to all employees of North Lanarkshire Council across all Services, all employee groups and all categories of worker and sets out the standards the Council expects from you as a Council employee, and provides you with clear and helpful advice. The Code incorporates existing policies, regulations and conditions of service and provides further guidance to assist employees in their day to day work.

The Code does not affect an employee's rights and responsibilities under the law; its purpose is to provide clear and helpful advice. Because of the nature of your work, parts of the Code may apply to some employees more than others, but all employees must comply with the Code. The Council recognises that employees strive to deliver the highest standard of service, however, in the event of a breach of the Code this may lead to disciplinary action in accordance with the Council's Disciplinary Policy.

It is the responsibility of each of us to make ourselves aware of and keep generally up-to-date on Council policies and procedures as they affect us as employees. Obvious examples are health and safety requirements but there are a variety of other duties and responsibilities, dependent on the nature of our jobs, where we need to be aware of the Council's expectations of us as employees. All Council policies and procedures can be found on myNL or within your Service by hard copy.

If there are any areas on which you need further guidance or you have any concerns about any aspect of the Code, you should approach your line manager for further advice.

The Code has been updated by the Council following consultation with the representative Trade Unions and I hope that you will find it helpful in your employment with North Lanarkshire Council.

**Des Murray**

## **Chief Executive**

# **Key Principles of the Code**

Our Code is based on the following principles which seek to support best practice at every level. As an organisation, we must promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

### **Selflessness**

You should not take decisions or behave in a way which will result in any financial or other benefit to yourself, your family or your friends. Decisions or actions should be based solely on the Council's best interests.

### **Integrity**

You should not place yourself under any financial or other obligation to an individual or an organisation which might influence you in your work with the Council.

### **Objectivity**

Any decisions which you make in the course of your work with the Council, including making appointments, awarding contracts, or recommending individuals for rewards or benefits, must be based solely on merit.

### **Accountability**

You are accountable to the Council as your employer. In turn, the Council is accountable to the public.

### **Openness**

You should be as open as possible in all the decisions and actions that you take. You should give reasons for your decisions and actions and should not restrict information unless this is clearly required by Council policy or by the law.

### **Honesty**

You have a duty to declare any private interests which might affect your work with the Council.

### **Leadership**

If you are a manager, you should promote and support these principles by your leadership and example.

### **Respect**

You are expected to respect all fellow Council employees, Councillors and users of Council services and treat them with courtesy at all times.

## **Relationships**

As a local government employee, you are expected to give the highest possible standard of service to the public. You should be aware that the way you behave during working hours may affect the reputation of the Council. You should also remember that you are a public official and that misconduct or activities, both in and out of work may give rise to disciplinary action and may ultimately have a bearing on your employment with the Council.

### **The Public & Service Users**

You should always remember your responsibilities to the community which the Council services and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community. You must deal with all members of the public in a fair, equitable and consistent manner.

### **Councillors**

Mutual respect between Councillors and employees is essential to good local government. Close personal familiarity between individual Councillors and employees can damage professional relationships between Councillors and employees. When working with an elected member, they should be addressed as Provost, Convener, Chair or Councillor as appropriate, although it is accepted that on a one-to-one basis, in private, other forms of address may be used depending on how long and how well the officer and Councillor have known each other.

Although you (as an employee) and Councillors both serve the public, you have separate responsibilities. Councillors are responsible to the people who live in their wards but you are responsible to the Council as your employer. You must also respect the different roles that you and Councillors play. A Councillor's role is to take part in decisions on policy and other matters placed before them, not to be involved in managing Council services; that is the role of employees. The Chief Executive and senior employees must also help to make sure that Council policies are in place and used properly. The Councillor's Code of Conduct applies to all elected members.

Our role as employees is to serve the Council in a neutral and impartial way, providing a service to the Council and its Councillors irrespective of any personal or political views. Particular rules apply for posts which are politically restricted in one way or another but this guiding principle is important irrespective of whether our particular

jobs are affected by those legal restrictions. As employees we serve the Council as a whole and require to act in the best interests of the Council as our employer.

The Council as a collective body has ultimate authority to make decisions on behalf of the organisation and that authority requires to be respected. In a similar vein, we as council employees must also afford to individual Councillors the respect which is due to them as the holders of a democratic mandate.

### **Contractors**

You must be fair and impartial in your dealings with contractors, sub-contractors and suppliers. If you are involved in the tendering process, you must follow the Procurement Strategy and General Contract Standing Orders.

If you have access to confidential information on tenders or costs for either internal or external contractors, you must not disclose that information to any unauthorised individual or organisation.

Employees should not recommend suppliers to members of the public.

### **Private Interests**

You must not let private interest or personal relationship influence your decisions or actions. You must not use your position to further your own interest or to inappropriately further the interests of others.

### **Conflict of Interest**

Council employees have an obligation to act in the best interest of the Council and to avoid situations where there may be a potential conflict of interest. Conflict of interest may arise where an individual's personal or family interests and/or loyalties conflict with those of the Council. Where you find yourself dealing with a Council contractor or potential contractor, and you may have some influence or role in respect of the contract, you should consider whether it would be more appropriate not to deal with this person or organisation. A potential conflict of interest must be highlighted to a senior manager at the earliest possible point. If you are unsure whether a conflict of interest exists, the default position is that you should discuss it with your line manager or another senior manager. It is a legal requirement that you must advise the Council immediately if you become aware that a contract in which you have a financial interest has been or is proposed to be entered into by the Council.

If you are involved in the operation of other Council Human Resource policies, for example, Recruitment and Selection, Supporting Attendance, Discipline and Grievance, you must declare any interest or relationship to your line manager, where a decision will be made as to whether you can continue to be involved in the process. You must not do any work, paid or unpaid, for any person, organisation or club if that might result in a conflict of interest.

Where an employee identifies a potential conflict of interest, they must discuss this with their line manager and complete the Employee Declaration for Conflict-of-Interest form. Guidance on what circumstances may be considered a conflict of interest and the employee declaration form is available [here](#). The form must be signed by the line manager and then submitted to the relevant Chief Officer.

### **Conduct Outside Work**

If our behaviour or conduct outside work has any bearing on our employment then this may be taken into account by the Council in terms of the Discipline Policy. In particular if an employee is charged with committing a crime which could be considered to impact on their employment then he or she is required to notify the Line Manager without delay. Examples of this are drug offences, sexual offences, crimes of violence, crimes of dishonesty and driving offences where the job involves the use of a car or Council vehicle.

### **Links to Other Council Policies**

The Employee Code of Conduct is not a standalone policy. It is to be considered alongside the other Council policies which set out behaviours required of employees. These policies are:-

- Acceptable use of ICT Policy
- Alcohol and Drugs Policy
- Disciplinary Policy
- Dignity at Work Policy
- Equality and Diversity in Employment Policy
- Equality and Diversity Policy; and
- Gender Based Violence Policy

All of these policies are available on MyNL which all employees should familiarise themselves with.

## **Politically Restricted Posts**

In terms of the Local Government and Housing Act 1989, a person who holds a “politically restricted post” is disqualified from being or becoming a member of a local authority, member of House of Commons or member of the European Parliament and Scottish Parliament. Additional restrictions include acting as an election agent or sub-agent for a candidate for election and holding Office in any political party, or being a committee member, if this would involve representing the party or local branch, or engaging in its general management. If you hold a politically restricted post, full details of the restrictions can be found in section 21 of your Contract of Employment.

## **Privacy and Confidentiality**

As a public authority the Council seeks to be open, honest and transparent in what we do. In addition, individuals have a number of legal rights under Freedom of Information or Data Protection legislation to access a wide variety of information held by the Council. It is important that we aim to be of assistance to people who choose to exercise those rights while at the same time seeking to safeguard the legitimate interests of the Council as an organisation and its employees.

Against that background care should be taken to ensure that information on Council business, particularly where it may concern options or proposals which are not yet commitments, is restricted to those who have legitimate interests to be aware of it. Accordingly care should be taken to preserve the privacy of individual items of information which inevitably we will come across as Council employees and also to exercise caution about divulging the business of our employer more generally.

Employees will be responsible for the security of all Council information in their possession at home and in the workplace and should ensure this is stored securely to prevent any breach of Data Protection. Paper records at home should be avoided where possible. If paper records are required employees are responsible for ensuring these are disposed of using confidential waste facilities within Council buildings.

Employees should be mindful of their environment when having confidential discussions. When working from home employees should ensure their environment allows for this and that they have appropriate equipment such as headsets to minimise the risk of being overheard.

Employees should ensure a professional working environment during meetings whilst at home, ensuring confidentiality and that noise levels and interruptions are minimal. Any concerns should be discussed directly with your line manager in the first instance.

Employees should conduct themselves in a professional manner at all times during virtual/video meetings and be mindful that the standard that would be expected in an office environment is also expected whilst working from home. Employees should ensure they have a professional non-offensive background when conducting video calls when working from home.

## **Gifts and Hospitality**

The Council has in place an [Offer of Gifts & Hospitality](#) procedure which requires you to advise the relevant Chief Officer of any gift or hospitality received by or offered to you in the course of your employment with the Council. It is important that such procedures are strictly complied with at all times and failure to do so may well be regarded as a disciplinary offence, in the interests of ensuring compliance with high standards of conduct and personal integrity within the Council. Attention is drawn to the legal requirement that an employee shall not, as a result of his or her employment with the Council, accept any fee or reward whatsoever other than his or her salary.

### **Gifts**

As a general rule gifts to staff should not be accepted, as the practice of accepting gifts can lead to accusations of bias or privilege towards those giving gifts. However, there may be occasions where gifts can be offered and accepted where there can be little or no suspicion of bias or partiality. For example, where gifts are of token value. In that situation a gift can be accepted.

Examples would be pens, diaries and calendars. In such a situation the gift can be accepted and does not require to be registered. If a gift is offered (not of token value) it can only be accepted if authorised by a Chief Officer or nominated officer, and the gift must be registered (even if not ultimately accepted). Authorisation will be granted where the Chief Officer is satisfied that the gift does not give rise to any issues of preference or partiality and that there are circumstances justifying acceptance of the gift.

### **Hospitality**

You should only accept offers of hospitality if there is a genuine need to impart information or represent the local authority in the community. You should only



accept offers to attend purely social or sporting functions when these are part of the life of the community or where the Council should be seen to be represented. All offers of hospitality should be registered, whether accepted or not.

## **Personal Presentation**

The Council expects all employees to observe a standard of personal appearance which is appropriate to the nature of the work undertaken, follows operational requirements and which portrays a professional approach which the public will have confidence in. Our goal is to provide a workplace environment that is comfortable and inclusive for all employees. We expect that your attire will exhibit common sense and professionalism.

For employees who do not require to wear a uniform or Personal Protective Equipment, we support a business casual approach which whilst flexible, is aimed at ensuring we maintain a consistently high standard of appearance e.g. no jeans or sportswear within an office environment. This also applies to employees working from home. Homeworking may involve video conference calls and employees should be mindful that a business casual approach would be expected. If you are unsure of what this means within your working environment then this should be discussed with your line manager in the first instance.

Employees who are required to wear a uniform must ensure that they do so during working hours, unless advised otherwise by their manager. Uniforms must be clean and worn in presentable fashion. Uniforms must not be altered in anyway without the Council's permission and remain the property of the Council. Employees must ensure good care is taken of them, and return any uniforms issued on the termination of employment. If you are in a role that requires protective clothing, you are required to wear this clothing while carrying out your duties whenever required by law or by Council rules.

The above principles apply at **all** times. Throughout the year, the Council may choose to take part in organised fund-raising days where the dress code will be relaxed. If fund-raising days are to be held, details will be circulated to employees in advance.

## **Alcohol and Drugs**

The Council requires all employees to report for duty free from the effects of alcohol and drugs. It is not acceptable to be under the influence of alcohol or drugs at work or consume alcohol or drugs during hours of work – this includes paid and un-paid breaks.

Employees working from home will also be expected to adhere to these requirements during their working hours. Any concerns that a manager has that an employee is under the influence of alcohol or drugs whilst at work or working from home will be addressed in accordance with the Alcohol & Drugs Policy.

Employees who feel that they have an issue with alcohol and/or drugs should speak to their line manager in the first instance to obtain appropriate support.

## **Anti-Fraud/Whistleblowing**

There are procedures in place to deal with the potential for fraud within the organisation. These are contained within the [Counter Fraud Policy](#) and again in the interests of the Council and everyone who works within it, it is of primary importance that these procedures are complied with. In order to assist in ensuring high standards of conduct within the Council, the Council also has a procedure on Whistleblowing which can be accessed [here](#).

## **Contact with the Media**

As Council employees we are also the consumers of a wide variety of Council services and indeed most of us are residents of North Lanarkshire, using Council facilities and services on a regular basis. We are entitled to express individual views on Council policies, proposals and actions but it is important that we should separate any such views that we hold from our positions as Council employees. For that reason the Council's Media Policy specifies that only authorised officers can speak to the media (although no action should be taken without the knowledge/permission of Corporate Communications) in relation to Council policy and business. It is legitimate for authorised trade union representatives to comment to the media on Council matters in their capacity as trades union representatives.

As employees we need to be very careful how we express personal views on Council proposals which may affect us and the potential for comments to be misconstrued. It is important that in making any such statements there is clarity that we do so as individual residents and citizens, unconnected with our Council role or responsibilities.

# Use of Social Networking Websites

The use of online social networking sites has grown significantly over recent years and is now a significant part of daily life. While these sites can provide a positive way to keep in touch with friends, family or colleagues, it is important to ensure that the informal nature of such sites does not give rise to professional or ethical concerns or breaches of confidentiality by North Lanarkshire Council employees.

The Acceptable Use of ICT policy sets out a framework for the use of Council owned ICT equipment. However, it is important that employees are aware of the potential problems that can arise from their use of social networking sites at home, on personal mobile phones or other non-Council ICT equipment. The following guidelines should apply when using social networking sites (whether at home or if authorised to do so during working time and/or using Council owned ICT equipment). Employees have a personal responsibility to ensure that the principles below are followed when using social media in their own time and using their own ICT equipment.

Employees must remember that social networking sites are not secure and can be accessed by the general public. It is therefore essential that no information is placed on social networking sites which could:

- Breach confidentiality, trust or ethics.
- Constitute harassment of an individual or group.
- Constitute potential defamation of character.
- Discredit services provided by North Lanarkshire Council
- Discredit North Lanarkshire Council as an employer.

North Lanarkshire Council email addresses must not be used on any social networking site. The [Guidance on the use of Social Media for Work Purposes](#) sets out clear guidelines for using social media on behalf of the council and how any security risks or reputational damage can be avoided or mitigated.

Misuse of social media may lead to disciplinary action under the terms of the Discipline Policy.

## **Co-operation with Internal Investigations and Procedures and with Litigation**

On occasions you may be required to participate in internal investigations arising under the Council's Discipline, Grievance and Dignity at Work Policies and may also be required to attend investigation meetings, hearings and appeals as a witness. In addition the Council may also require the attendance of employees as witnesses or representatives at court or tribunal hearings in which the Council is involved. These responsibilities, where they arise, should be seen as part of your normal duties and responsibilities.

## **Secondary Employment**

The Chief Officers' Code of Conduct requires that Chief Officers must not undertake any other employment or outside or private work except in certain very limited circumstances. For other staff, the Council will normally allow you to undertake other paid work where there is no conflict of interest and it is unlikely to have an adverse effect on the work of the Council. You are not permitted to use the Council's equipment, assets or resources for any other work you do.

## **Complying with the Code**

You are expected to comply with all aspects of the Employee Code of Conduct. Any breach which comes to the Council's attention will be fully investigated and appropriate action taken. This may include action under the Council's Disciplinary Policy. A full list of policies and strategies for all staff groups can be found on myNL or InsideNL.