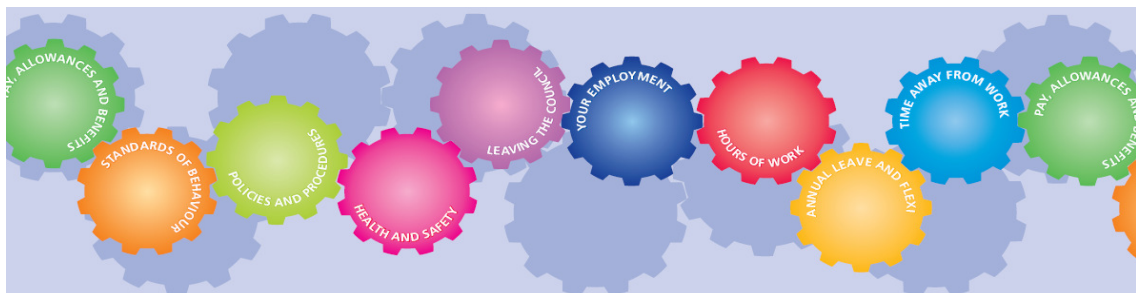


## **CODE OF CONDUCT FOR EMPLOYEES**

**1<sup>st</sup> December 2011**



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## **Introduction**

Hammersmith and Fulham Council is committed to the effective management of employee conduct and to improving and maintaining good conduct at work through developing and promoting rules, codes and procedures for handling matters of conduct in a fair, consistent and systematic way.

This Code of Conduct is binding on all Council employees. It provides a structured framework that will enable employees to achieve and maintain the highest standards of conduct. It sets out the expected standards of behaviour of all employees. The code also aims to protect employees from misunderstanding or criticism.

This Code of Conduct does not replace other employment policies, procedures, regulations and departmental rules and codes of practice operating in the Council.

The Code of Conduct complements and is consistent with current and developing policies including the:

- Corporate Anti Fraud and Corruption Strategy
- Disciplinary Procedure
- Dress Code
- Email, Intranet and Internet Policy
- Equal Opportunities Policy
- Gifts and Hospitality Policy
- Grievance Procedure
- Harassment and Bullying Procedure
- Whistleblowing Procedure
- Zero Tolerance Policy

The code is not a complete list of what you can and cannot do. Its aim is to set out clearly the basic ground rules that all employees must observe.

## **The Council's Values**

You must familiarise yourself with the Council's internal values which are that H&F staff:

- Are customer focused
- Make change happen
- Work together
- Are passionate about what they do
- Have a can do attitude

### **Given those values we must all**

- Give our residents in Hammersmith and Fulham the highest standards of service.
- Work in partnership with Members, our managers and colleagues in a positive, respectful and helpful way, always fostering good working relationships.
- Avoid any conduct inside or outside work which may discredit you and/or the Council
- Work consistently and diligently in support of the Council's policies and procedures.

Abide by the following seven guiding principles:

- selflessness,
- integrity,
- objectivity,
- accountability,
- openness
- honesty
- leadership

The Council places great value on the key contribution of all employees in achieving these aims, and is committed to developing and maintaining a working environment where staff are highly motivated and able to provide excellent services to the residents of Hammersmith and Fulham. In return, employees can expect to be treated courteously and with respect by Members, managers, colleagues and members of the public.

Breaches of the Code of Conduct and the standards it sets down may result in disciplinary action being taken against the employee. We expect all employees to operate within the law, both inside and outside of the workplace. Unlawful or criminal behaviour at work will result in disciplinary action, and even away from work, may lead to disciplinary action being taken against the employee.

### **Misconduct and Gross Misconduct**

The Council has in place a comprehensive Disciplinary Procedure, which gives examples of the types of breaches of standards of behaviour that are considered to be misconduct, and therefore would result in disciplinary action being taken against the employee. Some breaches are so serious that they are considered to be gross misconduct, which if proven, can result in the employee's dismissal from the Council's service. The Disciplinary Procedure also gives examples of gross misconduct.

This Code of Conduct complements the Disciplinary Procedure and also sets out the standards of behaviour expected from all our

employees. You should understand that breaches of the Code of Conduct may result in disciplinary action being taken against the employee. Some breaches of the code are so serious that they are considered to be gross misconduct, which if proven can result in the employee's dismissal from the Council's service.

### **Providing services to the residents of Hammersmith and Fulham**

The Council is a public service and as such Council services can have an important influence on the quality of life of the residents. Their environment, health and well-being can all be affected by our standard of work, commitment and conduct.

For some residents the Council is often the main source of services. It is vital that we get it right and our standards have to take into account the special requirements of Local Government officers. Our work is often politically sensitive and open to public scrutiny. The public is interested in what we do and how we do it. Success can depend on public confidence in our staff honesty, professionalism and hard work.

Our work is publicly funded. If we are to be above suspicion, any payments or other benefits we personally receive must be properly due to us, and not conflict with the Council's Gifts and Hospitality policy. In addition, any expenditure we incur on behalf of the Council must be lawful and justifiable.

We must have a positive commitment to public service by putting service users, customers, local communities and other members of the public first. We have a duty to give our best at all times, to listen to our customers, to be open, helpful and professional in our approach. Our customers are entitled to have confidence in our services, which depends on all of us being considerate, responsible, sensitive and mindful of the need to respect confidentiality. Of course the Council is committed to protecting its employees from aggressive, abusive or bullying behaviour from customers and will not tolerate such behaviour. To that end the Council has in place a Zero Tolerance Policy which ensures employees are protected in such circumstances from customer abuse.

### **When dealing with the general public, make sure that you:**

Maintain the highest level of courtesy and respect.

Are always professional, polite, responsive and helpful.

Are appropriately dressed and presented.

Carry out your responsibilities in a way that is fair, just and equitable and reflects the Council's commitment to equality and diversity.

Never make remarks that are racist, sexist or otherwise improper.

Do not harass or discriminate against any member of the public or anyone you meet in the course of your work. The Council treats very seriously complaints of harassment or discrimination on grounds of

race, gender, disability, religion or belief, ethnic or national origin, sexuality or age.

Avoid any conduct in public areas of Council buildings which may discredit you and/or the Council.

### **Working with Councillors**

Councillors expect Council staff to provide excellent services and to enhance the Council's reputation, both as a good employer and provider of excellent public services. Mutual respect between employees and councillors is essential. In return, councillors should respect employees' roles and responsibilities and not pressurise them to take action or refrain from taking any action in an inappropriate manner. If at any time an employee feels they are being bullied or harassed by councillors they should report this to their manager who will deal with the matter appropriately.

We all serve the Council as a whole. It follows that we must serve all councillors – not just councillors of any controlling group and ensure that the individual rights of all councillors are respected.

You must maintain political neutrality at work and be seen to be impartial. Close personal familiarity between individual councillors and officers should be avoided as it may damage this relationship, and give rise to the appearance of improper conduct.

### **When working with councillors ensure that you:**

- Are courteous and impartial.
- Deal with councillor enquiries efficiently.
- Provide councillors with information they are entitled to and seek advice from your manager if you are unsure about their entitlement to that information.
- Do not disclose confidential information to councillors unless they are entitled to receive it.
- Serve all councillors impartially and professionally, irrespective of their particular political group
- Do not allow personal or political opinions or preferences, to interfere with your work, or working relationships with councillors.
- Disclose to your Director/Assistant Director any family, business or personal relationships with councillors where this may, or may appear to put you in a position to exercise improper influence over the workings of the Council.
- Do not canvass councillors on employment related matters nor seek to influence councillors prior to any meetings of the Senior Staff Appointments Sub Committee.
- Do not take up any employment related issues with councillors

## **.Relationships**

### **External contractors or potential contractors**

If you have a relationship of a business or private nature with external consultants, external contractors, or potential contractors you must notify your manager of the nature of that relationship. Orders and contracts must always be awarded on merit, through fair competition against other tenderers and no special favours should be shown to businesses run by, for example, friends, family, partners or any other relative in the tendering process involving the Council.

If you are responsible for appointing or supervising contractors or have any other official working relationship with contractors and you have previously had, or you currently have a relationship of any kind with contractors, you must declare the relationship to your manager.

### **Recruitment, selection and other employment matters**

Employees involved in staff recruitment and selection must ensure that all appointments are made on the basis of merit. It would be unlawful to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias you should not be directly involved in the appointment, promotion, discipline or other employment decision of another employee where you are related to, or have a close personal relationship outside work with him or her.

Appointments to posts which would result in blood relatives, domestic partners or any other close personal or family relationship working together in circumstances where one would be under the overall management control of the other will be subject to review by management. You must disclose the existence of such relationships to an appropriate senior manager immediately. Any contractual variations that may be necessary to ensure that proper safeguards are in place will be referred to the Assistant Director, Human Resources.

### **Applying for a job with Hammersmith and Fulham Council**

The Council actively promotes equality of opportunity and is committed to a fair and open approach to recruitment and selection. Appointments are made without bias and on the basis of the candidate's ability and suitability for the job.

#### **As an interview candidate you must ensure that you:**

- Do not falsify qualifications.
- Disclose any criminal offence you have been convicted of (unless it is 'spent' under the terms of the Rehabilitation of Offenders Act 1974). Unless the job you are applying for is exempted from the

Rehabilitation of Offenders Act; in which case you must disclose any convictions whether 'spent' or 'unspent'.

- If appropriate, complete a Criminal Records Disclosure Application
- Disclose any criminal charges you face, which, if convicted would make you unfit for your job.
- Disclose if you are a friend or relative of (or have other links with) a Councillor or an officer who may appear to be in a position to influence your appointment.
- Disclose if you are the tenant or landlord of someone who may influence your appointment, or if you have any other personal, financial or business relationship with them.

### **Respecting your colleagues**

**When dealing with your colleagues ensure that you:**

- Are polite, responsive, helpful and professional.
- Work with colleagues in positive way.
- Are supportive and work as a team player.
- Treat colleagues with respect.
- Are courteous and never rude.
- Never make remarks that are racist, sexist or improper.

Do not harass, bully or discriminate against any colleague. The Council treats very seriously complaints of harassment or bullying, or discrimination on grounds of race, gender, disability, religion or belief, ethnic or national origin, sexuality or age.

### **Working for your manager**

You are expected to show loyalty to the Council and to support its managers. A climate of mutual trust, confidence and respect between managers and staff is essential to achieving the Council's aims and objectives, meet its performance targets, and providing the highest quality services.

**In performing your duties, ensure that you:**

- Work diligently and reliably, and never neglect your duty.
- Have a positive and can do attitude to your work
- Give of your best and be productive and highly motivated
- Pay attention to detail
- Achieve the work targets set for you in an efficient and effective way
- Demonstrate your commitment to the Council's values and expectations
- Strive to maintain a good attendance record
- Co-operate with managers, always be polite, helpful and respectful.
- Follow all reasonable rules and instructions that apply to you and given by those supervising you or managing your activities or area of work.



- Never lie to, deceive, abuse or undermine managers.
- Carry out any reasonable management instructions.
- Fill in honestly any document, form or record your managers need for work.
- Never falsify any document.
- Never wilfully destroy any document that you know is needed by your managers.
- Always comply with timekeeping rules and be at work on time.
- Tell your manager in advance if you will be late for work (for example, for a doctor's appointment).
- Agree in advance with your manager and obtain their approval for any leave or other time off you want.
- Follow the Council's rules on reporting any absence, including absence due to sickness.
- Never take sick leave when you are not sick.
- Act sensibly to speed your recovery and return to work, if you are on sick leave, and do nothing deliberately that you know would delay your recovery or worsen the problem.

### **Managing staff**

The people the Council employs and the way they work are the key to its successes. The Council wants its managers to provide staff with sound leadership, clear direction, support which is appropriate to the employee's needs, and the opportunity to develop their skills and abilities to enable them to properly fulfil their role.

#### **When supervising or managing staff, ensure that you:**

- Are a positive role model for your staff group
- Shape your team's attitudes and habits through your own behaviour, attitude, commitment and good attendance at work and ,set the tone for an effective and efficient work environment
- Communicate with your staff
- Manage in accordance with the Council's policies and procedures.
- Foster a culture of high staff morale and customer focus
- Set acceptable standards of conduct at work.
- Value your staff, monitor progress and manage work performance
- Support and assist staff to carry out their work properly.
- Consider the training and development needs of your staff to enable them to meet the current and future service needs.
- Deal with staff fairly and consistently, and in accordance with the principles of equality of opportunity.
- Accept responsibility for the work you and your staff do.
- Provide for all your staff a working environment that is free from any form of discrimination, unfair treatment, bullying or harassment.

### **Use of electronic and other communications in the workplace**

The Council expects employees to fully comply with the Council's Email, Internet and Intranet Usage policy and other related policies and procedures and to act in accordance with the Data Protection Act 1998. You must always avoid the use of language and/ or images whether written, printed or electronic that could cause offence to others. Do not, in any circumstances, store, send or forward any email message or internet material that contains offensive, libellous or sexually explicit material.

Unauthorised or inappropriate use of IT equipment including processing, storing, or transmitting offensive, obscene, sexually explicit or libellous material via email, the internet or intranet is gross misconduct. Proven gross misconduct will lead to dismissal

Do not use the Council's internet, email, phones or mobile phones for personal purposes when you should be working.

### **Alcohol, Drugs and No Smoking at Work Policy**

Do not drink alcohol to the extent that it adversely affects your work, performance, attendance or behaviour. In some jobs you should not drink at all, before or during the working day where this could affect safety or your ability to do your job. You should bear in mind that the smell of alcohol on the breath during a meeting or when you are dealing with a customer could damage yours and the Council's reputation.

Never drink alcohol on Council property unless at an approved social function, e.g. a leaving do or official Council function.

Never take illegal drugs or any banned substance on Council property or attend work under the influence of these.

Comply with the Council's 'No Smoking at Work Policy' which stipulates that smoking is not permitted in any part of any Council premises; (including lifts, corridors, stairways, toilets, rest rooms reception rooms or entrances); at any time, by any person, regardless of their status or business with the Council. This includes contractors, agency staff and visitors and all those travelling in Council supplied vehicles or private vehicles used for work purposes. The ban on smoking includes those areas outside Council buildings which are visible to the public. Staff are required to take smoking breaks in their own time. Breaches of the policy will be investigated in the same way as any other complaint of misconduct.

### **Driving a Council vehicle**

If you are employed to drive a Council vehicle you must not under any circumstances drink alcohol or take illegal drugs or any banned substances before or during the working day.

You must notify your manager if you have to take prescribed medication which is likely to affect your ability to drive.

You have an overriding duty to drive safely and take due care and attention at all times.

Never park illegally or thoughtlessly whilst in charge of a Council vehicle.

You must never use a mobile phone whilst driving.

You must not smoke in a Council vehicle.

### **The Council's Dress Code**

It is generally accepted that staff wear smart business attire at work, You must dress in accordance with your service requirements and in accordance with the Council's Dress Code.

You must wear the Council's identity badge when you are at work.

In certain jobs you must wear a Council uniform in accordance with operational requirements.

Ensure you are appropriately and smartly dressed and presented when meeting members of the public.

The Council values and respects religious beliefs of its employees and any requirement to wear a uniform is subject to this.

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### **Working honestly**

You must make sure that you use public money and other resources properly efficiently and with complete honesty and be able to demonstrate that at all times.

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

- Avoid corruption and the suspicion of it.
- Do not ask for or accept bribes 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 business relationship with the Council, or anyone who stands to lose or gain from a Council decision.
- Do nothing that could be seen as likely to improperly influence your work, your decisions or your impartiality.
- Never falsify qualifications.
- Never falsify Council documents or forms such as attendance sheets, bonus sheets, subsistence and expense claims.
- Do not breach the Council's financial regulations, standing orders or other corporate standards.
- Do not use improper influence to get people you meet through your work to leave you items in their will.
- Report to your manager if people you meet through work leave you items in their will.
- Never obtain Council property or money when you are not lawfully entitled to it (this includes subletting Council property without approval).
- Do not fraudulently claim housing benefit, or any other benefit from the Council, any other local authority, or public authority or any

benefit administered by the Department of Work and Pensions or Inland Revenue.

- Promptly repay any overpayment such as Housing Benefit.
- Do not wilfully withhold any monies e.g. Council Tax or housing rent to the Council, any other local authority or public authority.
- Do not commit fraud or theft against any organisation or individual, including when claiming housing benefit or income support.
- Do not falsify documents to claim pay.
- Do not make personal use of Council property, facilities or equipment unless you are properly authorised to do so.
- Comply with the section of this Code of Conduct regarding “Additional Employment”
- Never do private work when you should be working for the Council or if you are on sick leave.
- Never abuse your own position with the Council to benefit yourself, your family, your friends or any outside organisation or political party.

### **Working with integrity**

We expect you to do whatever is needed to protect your own reputation and standing with the public and to build respect for the Council. There should be no reason to suspect that any of us are seeking opportunities for private gain. The relationships that the Council has with its partners, contractors, consultants, community groups, suppliers and others must be responsibly managed so as to ensure there can be no suspicion of corruption or dishonesty with public money.

### **Ensure that you:**

Avoid any conduct or associations inside or outside work which may discredit you and/or the Council

Do nothing away from work, which might damage public confidence in the Council, or make you unsuitable for the work you do.

Never, without good cause, wilfully withhold any payments, such as rent or Council tax, or salary/wages overpayment that you owe to the Council, any other local authority or public authority.

Be fair and impartial in dealing with all customers, competitors, suppliers, contractors and sub contractors.

Complete a declaration of your financial and other interests if you are graded PO1 and above.

Inform your Head of Service if you have links with a firm or organisation, which may get money, grant awards, contracts or work from the Council.

Inform your Head of Service if you have a relationship with someone, which might appear to improperly influence a decision one might make about the other in connection with the work of the Council. This includes things like being someone's landlord, being in debt to someone, or having a close personal relationship with a Council Member, client, customer or employee.

Never use your work to further the aims of any group whose ideas are in conflict with the Council's values and policies  
Inform your manager if you are charged with or convicted of a crime.

### **Acceptance of Gifts and Hospitality**

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

Comply with the Council's policy on the Acceptance of Gifts and Hospitality. (Hospitality can be defined as any food, drink, accommodation or entertainment provided free of charge or heavily discounted.)

Are aware that there are situations in which receiving a gift, benefit or hospitality is completely unacceptable. Registration of the gift in such cases does not make it acceptable. For example, gifts, benefit or hospitality regardless of value should not usually be accepted in ANY situation where the Council is potentially entering into a contractual arrangement or is in dispute with the provider.

Declare any offer, or acceptance or receipt of any gift, hospitality, benefit or service even you do not accept the offer. The declaration must be authorised and recorded in the Register.

Record the offer on a Declaration of Hospitality form and submit this to your line manager. Your manager must authorise the declaration before you can accept the gift or hospitality and will also give the authorised declaration to the departmental Nominated Officer for recording. This ensures there is a formal record of the offer. All Declaration of offers or acceptance of offers must be made and recorded within the Departmental Register within 28 days of the offer being made.

Only accept offers of hospitality if there is a genuine need to represent the Council.

Tactfully refuse any gifts of more than token value from an organisation or individual with which the Council does, or may do business. Specifically gifts or hospitality over the value of £10 must be approved by your manager in advance where practicable to do so. Where it is not immediately practicable (for instance the acceptance of lunch bought by a service provider) then you must make the appropriate declaration and obtain the proper authorisation as soon as possible after the event.

Any donated item you may receive which is insignificant in nature (e.g. calendar, diary, pen, calculator etc) which has an estimated value below £10 and which you retain in the office, or any official gift which

bears the donor's name or insignia which was presented in a ceremony and which is retained in the office are not considered as gifts.

Do not accept hospitality exceeding a minimum level of common courtesy from an organisation or individual with which the Council does, or may do business, other than in accordance with the Council's policy on Acceptance of Gifts and Hospitality by Staff.

### **Additional Employment**

If you are on salary scale **SO1** or above you must devote your whole time service to the work of the Council and you may not engage in any other business, or take up any additional employment/appointment/private work without the express consent of your Assistant Director or Director.

If you are on salary scale 1-6 and you wish to engage in private work or take up an outside appointment, (paid or unpaid), you must advise your manager of your intentions in advance in order to avoid any conflict of interest or detrimental effect to the Council.

You must annually complete the form Code of Conduct – Declaration of Interest, listing details of any additional employment/appointment whether paid or unpaid, together with details of any remuneration received or payment made.

### **Politically Restricted Posts**

The Council is under a duty to draw-up and regularly update a list of those posts which are politically restricted.

With effect from 12 January 2010 the Local Democracy, Economic Development and Construction Act 2009 changed the approach to identifying posts which are politically restricted under Section 2 of the Local Government and Housing Act 1989 (LGHA).

The effect of including a local authority employee on the list of 'politically restricted posts' is to prevent that individual from having any active political role either in or outside the workplace. Politically restricted employees will automatically be disqualified from standing for or holding elected office, and these restrictions are incorporated as terms in the employee's contract of employment under s.3 LGO (PR) R 1990.

The effect of these restrictions is to limit the holders of Politically Restricted Posts to bare membership of political parties, with no active participation within the party permitted.

#### **Who is affected?**

Politically restricted posts fall into two broad categories

## **1. Specified posts (specified in Section 2 of LGHA 1989)**

- the Head of the Paid Service (s4 LGHA)
- the statutory chief officers, (including the Director of Children's Services and Director of Adult Social Services)
- non-statutory chief officers
- deputy chief officers
- the monitoring officer (s 5 LGHA)
- the chief finance officer (s 151 LGA)
- officers exercising delegated powers, i.e. persons whose posts are for the time being specified by the authority in a list maintained in accordance with s 100G(2) of the LGA
- assistants to political groups

All these post holders are politically restricted without rights of appeal for exemption to the local authority's standards committee.

## **2. 'Sensitive' posts**

A sensitive post is one which meets one or both of the following duties-related criteria:

giving advice on a regular basis to the authority itself, to any committee or sub-committee of the authority or to any joint committee on which the authority are represented; or to the executive of the authority; to any committee of that executive; or to any member of that executive who is also a member of the authority.

speaking on behalf of the authority on a regular basis to journalists or broadcasters.

These post holders can appeal to the local standards committee to be exempted from the list, on the grounds that the authority has wrongly applied the criteria.

Teachers, headteachers and lecturers are all exempt from political restrictions under s 2 (10) LGHA, and will not be regarded as holding 'politically restricted posts' whatever their role or remuneration level.

### **Procedure on appeal against being included in the list of sensitive posts.**

Under s.3A of the LGHA, from 1 April 2008 the responsibility for granting exemptions from political restriction has passed to local authority Standards Committees. The Secretary of State may also provide advice on relevant matters.

Employees included in the lists compiled by local authorities on duties-related grounds can appeal against their inclusion, if they

feel that they cannot influence policy, or that the local authority has incorrectly applied the duties-related criteria.

All such appeals require a letter from the applicant formally seeking exemption and a full job description of the post.

### **Further Information**

**If you have any queries about the content of these pages or the provisions of the Act you should contact your HR adviser.**

### **Working with sensitive information**

We expect you to use sensitive information properly and to have due respect for any confidentiality and the integrity and availability of information generally. The Council is required to make appropriate information available to Members, internal and external auditors, government departments, service users and the general public. Information you gather while working for the Council should not be used for commercial or personal gain or be otherwise misused.

### **Ensure that you:**

Know what information, to which you have access, the Council treats as sensitive. The information may be marked to inform you of this, or you will be briefed appropriately. If you are unsure then seek clarification from your manager.

Do not disclose confidential information.

Know who else is entitled to have access to information that you have access to.

Do not discuss sensitive information in public places, and never gossip about or misuse sensitive information.

Protect information when it is in your care. This includes when you are in possession of information away from Council buildings.

Are responsible and professional in using and allowing access to personal information on clients, customers, staff and others.

Never create or amend information records or other information whether held on paper record or on computer system which relates to yourself, your family, relatives or friends without prior authorisation from your manager.

Use personal information held on computer in line with the principles of the Data Protection Act and the Council's Email, Intranet and Internet Policies and standards.

### **Working within the law**

The Council expects you to work within the law. A framework of laws and regulations set Council powers. 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 within its powers, and 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:**

Uphold the law at work.  
Comply with the Council's Corporate Standards and the rules set out in the Council's Constitution.

**Working with the media**

The Council expects staff to promote the policies and reputation of the Council.

Contact with the press and media is directed through the Assistant Director Communication and Policy. 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 a journalist without prior permission from the Communications division.

**Ensure that you:**

Refer all approaches from the media to a Communications Officer  
Do not speak to a journalist on behalf of the Council without prior permission from the Assistant Director Communication and Policy, or another member of the Communications Division as well as seeking advice from your manager.

Never bring the Council into disrepute by publicising internally or externally material, which is confidential, or against the interests of the Council, or criticises its employees; notwithstanding your rights and entitlements under the terms of the Council's Whistleblowing Policy.

Do not bring the Council's name into disrepute in any other way through the press or media.