

# **Code of Conduct**

**(including Disciplinary Rules)**

## **CODE OF CONDUCT (including Disciplinary Rules)**

### **Introduction**

Haringey Council is committed to providing high quality, cost effective services.

The people we serve are diverse. It is essential that all employees recognise this fact so the Council can fulfil its commitment to equal opportunities for all.

As an employee of Haringey Council you enjoy many benefits including:

- Generous levels of annual leave
- Good special leave provisions including maternity provisions, nominated carers and sick dependants leave
- A healthcare scheme
- Job sharing opportunities
- Flexible working arrangements for most employees
- Membership of the Local Government Pension Scheme
- Interest free season ticket loans
- Provision of a healthy and safe working environment

In return we expect you to do your job to the best of your ability and behave in a manner that enhances the Council's image.

This Code of Conduct includes the Disciplinary Rules and provides the standards of conduct that must be adhered to by all employees and workers for the council (including temps, agency, consultants, contract workers and anyone supplying a service to / for Haringey Council).

It is unlikely that any set of disciplinary rules will cover all the circumstances that might arise. There may be a requirement to have a further localised set of rules within directorates. Any such localised rules will be brought to the attention of all employees that the rules are intended to apply to.

If you fail to adhere to this Code of Conduct you may be disciplined under the Council's Disciplinary Procedure. In some cases the breach may be so serious that it will be regarded as Gross Misconduct which could lead to your immediate dismissal without notice.

The type of disciplinary sanction that may be applied will depend on a number of factors such as:

- The seriousness and nature of the misconduct
- An employee's previous record
- Mitigating circumstances
- The nature of the job.

This Code of Conduct, together with the Disciplinary Procedure, will be issued to all employees.

Ignorance of this code will not be accepted as an excuse for misconduct and you are therefore advised to read it carefully. If there are any points that you do not understand, please raise these with your manager.

The following paragraphs set out the expectations that the Council will have about the way that you conduct yourself.

## **Standards of Conduct**

### **1. Actions that could lead to charges of Gross Misconduct**

There are certain acts that the Council will not tolerate and these will be deemed to constitute gross misconduct. Gross misconduct is misconduct of such a nature that the authority is justified in no longer tolerating the continued presence at work of the employee concerned. Whilst any serious breach of conduct will be considered to be gross misconduct, the following are given as examples:

- Unauthorised removal or misuse of Council property
- Inappropriate use of the internet, email, the council's electronic software, information communications systems or computer misuse
- Acts of dishonesty
- Falsification of time sheets, expenses claims etc.,
- Misuse of the Council's property or name
- Theft
- Fraud
- Deliberate or negligent damage to Council property
- Sexual misconduct at work, including sexual harassment
- Racist actions, including racial harassment
- Physical violence
- Bullying, offensive behaviour or harassment
- Soliciting or accepting bribes
- Improperly using one's position with the Council for personal gain
- Drunkenness at work, including serious incapability through abuse of alcohol.
- Drug offences, including being under the influence of drugs at work
- Serious breach of health and safety rules.
- Gross negligence
- Breach of confidentiality
- Wilful failure to carry out the duties of the post
- Carelessness, causing loss, damage or injury
- Culpable lack of care towards clients
- Any action that could bring the Council into disrepute

It should be noted that the above examples are neither exclusive nor exhaustive. Where other breaches of a serious nature have occurred they could also be deemed to be gross misconduct.

## **2. Valuing Diversity**

The Council has an Equal Opportunities Policy document, "Achieving Equality, Respecting Diversity". Employees will need to implement this policy in full and take individual responsibility for equal opportunities and valuing diversity. You will therefore need to read the policy.

Equal opportunities is about both employment and service delivery and this is reflected in the statement of intent which is repeated in full below:

“In the provision of services and the employment of staff, Haringey Council is committed to promoting equality of opportunity for everyone. Throughout its activities, the Council will treat all people equally, whether they are:

- seeking and using the Council’s services;
- applying for a job or already employed by the Council;
- contracting to supply goods or services to the Council.

The Council is committed to eliminating discrimination and to achieve this the Council will not discriminate directly or indirectly through applying conditions or requirements which cannot be shown to be justified. It will not discriminate on the grounds of age, colour, disability, ethnic origin, gender, HIV status, marital status, nationality or national origins, race, religious beliefs, responsibility for dependants, sexuality or unrelated criminal conviction.”

Failure to comply with the requirements on equal opportunities will liable employees to disciplinary action.

## **3. Health and Safety**

At all times you must conduct yourself in such a way that you do not create a potential risk or injury or danger to yourself or anyone else.

You must comply with the procedure for reporting an accident. If you are uncertain about what to do, you should seek the advice of your manager.

Where there are specific safety rules that have been clearly indicated to you, you must comply with them at all times.

You must maintain general hygiene standards. However, if you work with food there may be specific hygiene rules that must be complied with.

Where safety clothing or equipment is necessary to carry out a particular job, you must use this at all times in doing the job.

#### **4. Smoking**

The Council has a 'No Smoking at Work Policy' and all Council workplaces have been declared completely smoke-free. Therefore you must not smoke at work.

If you wish to smoke you must do so outside but not in front of council building entrances.

#### **5. Working in the Council and with others**

You will be expected to treat colleagues or members of the public with respect and not to misuse your authority.

You will be expected to conduct yourself in a way that does not cause offence to clients or members of the public.

You must not fight with, or physically assault, colleagues or managers or clients or members of the public. Nor must you mistreat persons in the care of the authority. If a member of staff or of the public physically assaults you, you are permitted only to defend yourself from the attack. If another person is physically assaulted it is acceptable to take appropriate action to protect him or her.

You should not drink alcohol during working hours. You should not present yourself at work under the influence of alcohol or drugs if it in anyway impairs your expected performance. The Council has an 'Alcohol and Substance Misuse Policy', which aims to help if you have a drink or drugs problem.

You should behave at work in a manner that does not offend decency.

You should dress appropriately for the job that you do. You must be presentable, clean and smart when you attend work. Although if during the course of your work your job makes this impracticable appropriate account will be taken of this. Where you are required to wear a uniform or a certain standard of attire for work, you must comply with this.

You must conduct yourself in a manner that at all times promotes a positive image of the Council.

You must not wilfully neglect your work.

You must complete timesheets, claim forms, bonus sheets, loan forms, etc., honestly.

Your conduct outside work must not conflict with your official conduct at work.

You will be expected to comply with reasonable management instructions and to observe any operational regulations and standing orders of the directorate or of the Council.

You must at all times comply with the Council's Financial Regulations.

You are required to comply with any statutory or contractual obligations with regard to your work.

You will be expected to comply with any provisions that may be required as a result of being a member of a professional body.

If you leave your job, you should make sure that you leave your files and records in good order for the person taking over from you. You must return any equipment that belongs to the council and you must return your ID and any permits that the council has given to you. You must also repay any monies that you owe the council at the time of your leaving, for example, car loans, season ticket loans, salary overpayments.

## **6. Working with councillors**

It is important that you have a good working relationship with our councillors so that we are successful and can give excellent services to the people who live in Haringey. Councillors and employees should respect and be polite to each other.

We have a 'Protocol on Members/ Officers relations' that tells you how we expect councillors and employees to behave. This is contained within the Council Constitution.

If your job involves you having contact with councillors, you should read and apply the standards shown in the 'Protocol on Members/ Officers relations' within the Constitution. Note – if you are a trade union official it may also be appropriate for you to discuss certain issues, depending on the circumstances, with Members rather than managers.

You are employed by Haringey Council, not by a councillor, so if an individual councillor pressures you to deal with a matter which goes against the 'protocol', you must tell your manager.

You must not use councillors to ignore our formal procedures in any way, for example, to influence the outcome of any matter relating to misconduct.

You must not contact Members over the heads of managers about personal employment issues. You should speak to your manager and go through established procedures, for example, appraisal, grievance and appeal procedures. This will avoid any conflict between the councillor's and your role. However, you can still take up any relevant matters with your local ward councillor in their role as your elected representative.

If you have any complaints about other employees, you should speak to your manager and not a councillor.

You should always be polite and efficient when you deal with councillors. You should always make sure that you follow any process within your directorate for dealing with councillors, for example, when answering councillor's questions.

You should never interrupt any formal council business.

If you are not sure about any of the standards outlined above, you should ask your manager.

## **7. Hospitality including Gifts, Gratuities and Loans**

Providing the public with the highest quality of service possible involves meeting people, being helpful, polite and honest all the time.

It is potentially a disciplinary offence to accept gifts, gratuities, loans or hospitality from individuals or groups who have, or may seek to have, dealings with the Council. Personnel hold a hospitality register that is used to hold hospitality declaration forms. You should record all gifts or offers of hospitality to avoid potential problems further down the line, such as your own or your manager's unclear understanding of permissions, or standards.

If you accept any bribes, money, favours, loans or gifts from an individual or an organisation that gives Haringey Council goods or services, or wants to, you may be guilty of corruption, therefore don't accept it.

You should never put yourself in debt to someone if it may influence your work in any way.

You must tell your senior manager or Assistant Director if anyone tries to bribe you or another employee, or if there is any evidence of corruption or improper behaviour by others. If your manager is involved, you should report it to the chief internal auditor.

You must inform your senior manager or Assistant Director immediately where any gift, loan or hospitality, etc, has been offered/received. Apart from the circumstances outlined below for small tokens of appreciation and specific hospitality arrangements you should record offers of gifts, loans, hospitality using the hospitality declaration form whether you accept it or not. If you refuse a hospitality straightaway, you should still record it using the hospitality declaration form, unless your senior manager or Assistant Director tells you otherwise.

**Small tokens of appreciation-** You may accept small tokens of appreciation that do not cost much, such as a coffee mug or diary if you have not asked for them and if your manager agrees. You don't need to record these tokens on the hospitality declaration form unless your manager tells you otherwise. If your

manager does not allow you to accept any small tokens, you must return them politely but firmly. You should record this using the hospitality declaration form.

**Hospitalities** - include drinks, meals, entertainment, sporting events, overnight accommodation, travel and holidays.

It is important to remember that hospitality is offered to employees by corporate or public organisations, not by individuals.

The appropriateness of hospitality will depend on a number of factors including the scale involved, the role played by the officer within the Council, and whether or not it is in the interests of the Council to receive that hospitality. For example, officers involved in meetings/ events with partner or potential partner organisations that involve hospitality and free food/ drink, etc.

In the vast majority of cases, it would be acceptable if you are given refreshments, for example, tea, coffee, sandwiches or a modest working lunch, when you visit sites, offices or homes while you are working. But you need to consider whether the refreshment is reasonable in the circumstances for the particular job you are doing. Whenever possible it is important to get the approval of your manager in advance.

Whatever the circumstances:

- You should never ask for a hospitality; and/or
- You should never accept hospitalities if it is meant to corrupt or influence, or could be seen to corrupt or influence or is against our interests.

The timing of any hospitality is also important. For example, if it is offered close to when decisions are being taken about prospective services that might be supplied.

It is important to remember that if you accept any hospitality you place yourself in a position where you could be viewed as compromised unless you can prove otherwise.

## **8. Working honestly**

It is important that you work with integrity and honesty at all times.

You must not use your official position for the personal gain of yourself or another person.

If you are involved in recruitment and related to an applicant or have a personal or business relationship with them, you must declare it with your senior manager or Assistant Director and not be involved in the selection process.

You, your partner or spouse or relatives or friends will have private interests including financial interests such as land or house ownership or the ownership of



shares or non-financial interests such as membership of voluntary bodies, political organisations or other organisations.

From time to time decisions taken by the Council or yourself may have a beneficial effect on those interests.

It is important that you do not place yourself in a position where your work and duty to the council can conflict with the private interests of yourself or someone you know.

Where you believe that there is such a conflict or a potential conflict you must report this to your senior manager or Assistant Director. A record must be made using the declaration of interests form and copied to HR.

Declaration of interests will be held on a register held by the Head of HR.

Additionally, you must declare any relationships where this might have an impact or conflict with your responsibilities.

Some examples of the type of interests or influences that could cause conflict are if you, your friend, partner, associate or relative is or could be:

- applying for a service or benefit that you supply, deal with or influence, for example, Housing Benefit and student grants; or
- affected by procedures that you carry out, deal with or influence, for example, environmental health inspections; or
- involved with any political party or organisation seeking election and it is relevant to your job; or
- benefit from a financial interest (direct or indirect and whether or not it benefits you) in any contract with Haringey Council.

It is your responsibility to update your declaration if your circumstances should change in anyway by completing a new declaration of interests form.

### **Hospitality and Declaration of Interest declaration forms**

These can be found on the HR Forms page of Harinet. They can be used to record your interests or cases of hospitality. A copy must be given to your senior manager AND your Assistant Director, AND to the Head of HR, either by post or email.

## **9. Bribery and Corruption**

As a public body, the Council is committed to the prevention, deterrence and detection of bribery and has a zero tolerance towards bribery. Bribery is defined

as “an inducement or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage”, accepting or paying such inducements or rewards may be considered to be gross misconduct and appropriate disciplinary action will be taken which may lead to dismissal. In addition, a prosecution may be brought under the Bribery Act 2010 as the council will report any instances of bribery carried out or accepted by employees to the police.

All employees have a responsibility to help detect, prevent and report instances of bribery. If you have any concerns regarding possible or actual instances of bribery and corruption you have a duty to report them immediately to either your line manager or to your manager’s manager. The process for reporting such concerns is detailed in the Whistle blowing Policy (available on Harinet). The council has an Anti-Fraud and Corruption policy which all employees and workers have a responsibility to read and become familiar with.

## **10. Working with debt**

You should not keep money that you owe to Haringey Council or any other Public Body unless you are allowed to by law. If you have genuine problems with paying money to this council or any other Public Body, you should speak to your senior manager or Assistant Director or personnel officer in confidence. It is recognised that there are circumstances where people fall into difficulties in paying sums due to the council or other public bodies.

If you owe money to Haringey Council or any other Public Body, and fail to make arrangements to deal with this matter, it may raise questions about the Council’s reputation and issues of probity. Therefore it is important that you speak with your senior manager or Assistant Director or personnel officer if you are having difficulties in making payments.

You may be able to get support on debt counselling from HR or your trade union.

## **11. Private Work**

It is important that you commit yourself to fulfilling the work you do for the Council. Therefore you must not work for any other organisation or provide services to anyone during the hours when you are contracted to work for the Council unless your Director, Assistant Director or Assistant Chief Executive has approved it. This includes unpaid voluntary work, or when you are on sick leave, or on suspension.

If you are graded Scale 6 or below, the Council will usually permit you to undertake additional work outside of your working hours. However, it must not, in the view of the Council, conflict with or react detrimentally with the interests of the Council or your work, or, impact upon the image of the Council. Appropriate authorisation must still be obtained.

Officers above Scale 6 must not engage in any other business or take up any other additional work without the express consent of the Council.

No matter what your grade, if you are considering doing any additional work you must advise your senior manager or Assistant Director.

If you have any doubts or queries about whether this rule will apply to work you are doing or considering doing, you should discuss these with your senior manager or Assistant Director first.

Private work, which might involve dealings with the Council, its contractors or suppliers, must be disclosed and can only be done with the permission of your Director.

## **12. Misuse/Falsification of Information**

You must not falsify information in applying for a post with the Council. You must disclose any known relationship with a Member or senior officer of the authority when you apply for a post with the Council.

You must not make false or misleading statements, whether orally or in writing in respect of official business.

You must not disclose official business to the press or media unless authorised to do so.

You must report any matter where you are required to do so.

You must not destroy, remove or wilfully damage any document that is still required by the Council.

You must not disclose confidential information and/or documents relating to the Council, its employees, or, to any member(s) of the public with whom it has dealings, unless authorised to do so.

You must not provide a reference on behalf of the Council, unless it has been cleared by the Head of Service or another officer authorised to do so.

## **13. Absence and Time-Keeping**

You should attend work when required to and not absent yourself without permission.

If you have an unplanned absence from work you must notify your manager of the reason before your normal start time on the first day of absence, and by 10.00 at the latest. If you work on a shift\* or rota system, or, if your hours of work are significantly different to normal office hours (0845 to 1700) you must notify your manager no later than one hour after your normal start time. \*If you are a night shift worker you must notify your manager by 1600 if you will be unable to work on the first night of absence. Similarly, if you are a night shift worker and are returning to

work following an absence you must notify your manager at least before 1600 on the day of your return.

You must comply with any requirements to attend work at or by a specific time, i.e. fixed start time or by the start of core time.

You must comply with annual leave and flexitime procedures where applicable.

#### **14. Misuse of or theft of Council materials/equipment/resources**

You must not steal or misappropriate Council materials or equipment.

You must not maliciously damage Council property or cause waste, or, loss of, or, damage to Council property through neglect.

You must not use any of the Council's vehicles during or outside the working day unless authorised. You must not use a Council vehicle for personal journeys, including journeys to and from home or on a lunch break unless authorised.

You must not borrow any equipment from Council premises without authorisation from your senior manager or Assistant Director.

You must not use any Council facility for private purposes, unless authorised by your senior manager or Assistant Director.

You must not use the telephone to make private calls to exchanges outside the London area at the Council's expense. You can make personal calls within the London area provided these are kept to an absolute minimum.

You must return any property or equipment, which your senior manager or Assistant Director has allowed you to borrow or enjoy the use of as soon as you leave your job, or when your senior manager or Assistant Director tells you to if this is earlier.

#### **15. Criminal Offences**

You must disclose the fact if you have a conviction for a criminal offence unless your conviction is deemed "spent" under the provisions of the Rehabilitation of Offenders Act 1974.

The Rehabilitation of Offenders Act seeks to ensure that people who have been convicted of a criminal offence who have not re-offended for a period of time since the date of their conviction are not discriminated against when applying for jobs.

The Act allows that certain types of convictions be treated as "spent" after a certain (variable) period of time. Ex-offenders are not legally required to disclose to organisations convictions that have become "spent", unless the post they are applying for is exempted. In the case of more serious crimes, where the sentence is more than 30 months imprisonment, the conviction can never become "spent",

the conviction must always be taken into account. More information about the Rehabilitation of Offenders Act can be obtained from Personnel.

There are some posts however that are not covered by the Rehabilitation of Offenders Act (they are “exempt” and excluded from the provisions of the Act). These are posts that involve working with vulnerable adults, children, young people, the elderly, sick or disabled and some professional jobs e.g. accountants, lawyers. If you work in one of these posts you must declare all convictions, regardless of how long ago they were.

If the council later finds out about a conviction that you were required to declare and you did not, the Council can take further action. This could include disciplinary action.

You must not commit a criminal offence at work.

You must advise your senior manager or Assistant Director if the police have arrested, cautioned, fined you or you are awaiting a court decision.

If you commit a criminal offence outside work the Council will have to decide whether the offence has an impact on your work. If the Council decides that such an offence does have an impact on your work it will take whatever action that is deemed to be appropriate. This could include disciplinary action.

You must be able to prove your right (or continued right) to work in the UK. If you are unable to prove your right (or continued right to work in the UK) or breach any work restriction, the Council can take whatever action is deemed appropriate. This could include dismissal or disciplinary action.

## **16. Confidentiality- The Use of Council information**

As a worker for the Council you will have access to and be entrusted with a large quantity of information. This may include, amongst other information, details of the Council's affairs, business, its financing, dealings, transactions, clients, contractors, suppliers, customers, residents and staff. All of this information may be confidential.

You must therefore, not at any time (unless you are required to do so in the proper course of your duties) divulge to any person or make use of any information to which you have access to during your employment/whilst working for the Council.

All such information and notes, memoranda, documents (however generated / stored – manually, electronically, scanned, including emails) and similar records relating to, or connected with such information that is acquired, received or made by you during the course of your employment/whilst working for the Council are the property of the Council. You must return this information to the Council upon termination or discontinuance of your employment, or upon ceasing to work for the Council, or upon the request of your manager/supervisor if earlier.

Note that it may be appropriate to share this information if you have concerns about malpractice in the council. The council has a Whistleblowing policy that outlines how you should deal with such concerns.

## **17. Working and contact with the media**

All organisations need rules for dealing with the media. We have a press office and special officers who deal with the press and media.

You should not speak, write, give interviews, or take phone calls for 'information' if you are seen to work for us or are referring to council business, unless the press office and your manager have given you permission.

You should pass on all inquiries from the press, radio or television to the press office and your senior manager or Assistant Director, unless you normally deal with the media as part of your job. (Note - Trade Union Branch officials are entitled to talk to the press/media without reference to the press office.)

You may write or give an interview about things that are not connected with the Council as long as you are not seen to work for us.

You should tell your senior manager or Assistant Director if you think that any articles may appear in the press about you that will show you work for us.

You must never publicise material, which is confidential or against our interests or our employees' interests. If you have any concerns, you should speak to your senior manager or Assistant Director or go through recognised procedures, such as the grievance procedure.

## **18. Use of the Council's Information and Telecommunications Systems**

The Council's information and telecommunications systems are provided for business use. This includes, but is not limited to, use of telephones, computers, the Internet, E-mail, faxes etc. However, the Council recognises that there may be the need for staff to use these systems on occasion for personal use. Such instances must be reasonable, kept to a minimum and be consistent with the Council's Information Security Policy.

The Council has an Information Security Policy, which explains what you can and cannot do using the council's information systems. It is your responsibility to familiarise yourself with the policy and to comply with it. The Council has the right to monitor and log any and all aspects of use of its information systems. (See Harinet for further information.)