

# Edwinstowe Parish Council

*Working to make a difference*

Clerk – Alice Dunn



## STANDARDS OF BUSINESS CONDUCT REQUIRED FROM EDWINSTOWE PARISH COUNCIL EMPLOYEES

### 1. INTRODUCTION

- 1.1 The Council expects its staff (including temporary, agency, interim, contractor or consultant staff) to be scrupulously impartial and honest in all affairs relating to the Council and their job within it. All staff bear a responsibility as employees to act as ambassadors for the Council in terms of their general conduct both within and outside the organisation. This policy outlines the responsibilities of staff working for the Council.
- 1.2 The duties of an employee are embodied in Common Law and built on by Statute e.g. the Equality Act 2010, The Health and Safety at work Act, The Prevention of Corruption Acts 1906 and 1916 etc.
- 1.3 Under Common Law the duties of an employee are as follows:
- to be ready and willing to work
  - to offer their services personally: for example, must not subcontract the work for which they are employed.
  - to take reasonable care in the exercise of that service, including the duty to be competent at work and to take care of the Council's property.
  - to not wilfully disrupt the Council's business
  - to obey reasonable orders as to the time, place, nature and method of service
  - to work only for the Council in the Council's time
  - to disclose information to the Council relevant to the Council's business: for example, that they might know or discover.
  - to hold solely for the Council the benefit of any invention relevant to the business on which the Council is engaged.
  - to respect the Council's trade secrets
  - in general, to be of good faith and do nothing to destroy the trust and confidence necessary for employment.
  - to account for all benefits – monetary or in kind – received in the course of employment.

- to not give or receive bribes or otherwise act corruptly.
- to indemnify the employer for loss caused by the employee.

1.4 United Kingdom Statute places further responsibilities on individual employees in regards to their own behaviour and their behaviour towards other employees.

## **2. STANDARD OF CONDUCT REQUIRED BY THE COUNCIL**

### **Bribery and Other Corrupt Behaviour**

2.0 The Council has a strict anti-bribery and corruption policy in line with the Bribery Act (2010). A bribe is defined as: giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person having already done so.

If an employee bribes (or attempts to bribe) another person, intending either to obtain or retain business for the Council, or to obtain or retain an advantage in the conduct of the Council's business this will be considered gross misconduct. Similarly accepting or allowing another person to accept a bribe will be considered gross misconduct. In these circumstances the employee will be subject to formal investigation under the Council's disciplinary procedures, and disciplinary action up to and including dismissal may be applied.

### **Gifts and Hospitality (see Employee Gifts and Hospitality policy)**

2.1 See Procedure for Edwinstowe Parish Council Employees to Deal this Offers of Gifts and Hospitality.

### **Transaction of Private Business**

2.2 Employees having official dealings with contractors and other suppliers of goods or services must avoid transacting any kind of private business with them by any means other than the Council's normal commercial channels. No favour or preferences as regards price, or otherwise, which is not generally available, should be sought or accepted.

### **Attendance at Luncheons, Receptions etc**

2.3 Where it is evident that the work of the Council will be facilitated, invitations to attend receptions, luncheons may be accepted under the following rules:

- no employee may accept an invitation without first obtaining the approval of the Clerk; (or for the Clerk the Chair of HR Committee or in their absence the Vice-Chair of HR Committee)
- in exceptional circumstances, where it is not possible to seek prior approval, the facts should be reported immediately afterwards;
- if addressed personally, such an invitation may not be transferred to another employee, except with the consent and approval of the Clerk (or for the Clerk the Chair of HR Committee or in their absence the Vice-Chair of HR Committee) as above and with the concurrence of the party issuing the invitation;

- invitations involving attendance outside normal working hours may be accepted only on the authority of the Clerk; (or for the Clerk the Chair of HR Committee or in their absence the Vice-Chair of HR Committee)
- as a general rule, any officer who has any doubts about the wisdom of accepting any hospitality should decline the offer.

NB The important difference between, for example, attendance in an official capacity at a function organised by the Council or one of its subsidiaries and the acceptance of hospitality from a private individual or firm should be recognised.

### **Confidentiality**

2.4 At all times confidentiality must be maintained. No information can be released to unauthorised persons or organisations.

2.5 If doubt exists as to the validity of an organisation or individuals to receive information, this must be checked with the Clerk.

### **Personal Relationships**

2.6 If a personal relationship between two employees develops within the working environment, the onus is on the senior employee concerned to bring this to the attention of their manager to confirm that there is no conflict of interest, nor will a conflict of interest arise. The Chair of HR should meet with both parties to confirm the relationship is being entered into freely and without coercion.

### **Outside Interests and Employment**

2.7 Outside interests include directorships, ownership, part ownership or material shareholdings in companies, business or consultancies likely to seek to do business with the Council. These should be declared to the individual's line manager as should the interests of a spouse / partner or close relative.

### **Political and civic activities**

2.8 It is not the intention of Council, or this policy, to dissuade employees from participating actively in public duties. It is important, however, that by doing so there is no suggestion to a third party that the employee is acting on behalf of, or with the support of, Council. To avoid any misunderstanding, no Council employee should permit his or her Council affiliation to be noted in any outside organisation's materials or activities without the express written approval of the Clerk. (For the Clerk, the Chair of HR Committee or in their absence the Vice-Chair of HR Committee).

### **General Conduct**

2.9 Employees should at all times conduct themselves in such a way as to enhance the reputation of the Council.

The Council will support employees who become aware of and are willing to report breaches of this policy or who genuinely believe that a breach is occurring, has occurred or is likely to occur within the Council. Employees should raise the issue

internally with their manager or supervisor or in accordance with the Council's Policy on Disclosing Information ('Whistleblowing').

These standards of conduct are intended to underpin and clarify standards required by the Council of its employees and form a fundamental part of the employment contract. Staff who fail to comply with the guidance detailed in this Policy could be subject, following full investigation, to disciplinary action up to and including dismissal. If through their actions or omissions staff are found to be in contravention of either this Policy or, indeed, their legal responsibilities then the Council reserves the right to take legal action if it deems it to be necessary to do so.

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