

Employee code of conduct

Appendix 1 – standards of conduct



1. Selflessness

You must not use materials in breach of copyright

Anything you create at work, or as part of your job, belongs to the council. This includes, but is not limited to, documents, photos, reports, and computer programs.

You must not do anything that infringes the council's copyright. In particular, the council holds copyright on its crest (the detailed coat of arms), the council's logo (the more stylized version of the crest that appears on our standard letterhead) and other elements of the corporate identity. You must take care not to infringe copyright by using the crest, logo and/or corporate identity for unauthorised purposes.

You must not contravene any other persons or organisations intellectual property including their trade marks, copyrights, design rights or patents.

You must take reasonable action to keep yourself and others safe

You must take reasonable steps to keep yourself and others safe, and not unreasonably place yourself or other people in danger.

You must adhere to the council's Health and Safety policies. If you are not sure what those policies are, you should speak to your line manager.

You owe a duty of loyalty to the council

If you do something which a reasonable person would consider to be disloyal to the council, it may amount to a breach of the Code.

You may have legitimate roles to carry out, such as being a trade union representative. If you are engaged in such a role you must make it clear when you are acting in this capacity rather than as an employee of the council. In this capacity you must exercise great care to avoid personal opinions or make derogatory or slanderous remarks, which may be damaging to the council.

The duty of loyalty applies irrespective of whether the reference to particular actions does not appear in the Code.

You must work in the best interests of the council

It is not appropriate for you to use your official position, or information you gain from work which is not available to other members of the public for personal gain or to the detriment of the council, or its policies.

You must not behave in a way which is incompatible with your role

You must not behave, either in work or outside of work, in a way which is incompatible with your role at the council.

You must advise your line manager of anything, or any change of circumstances which prevents you from legally carrying out some or all of the duties of your post (for example, if you are banned from driving and this is part of your role, or if you cease to be a member of a professional body, where membership of that body is required in order for you to carry out your role).

You must report wrong-doing and any genuine and reasonable suspicion of wrong-doing as set out in this code

The Code sets out the requirements to report suspicions or knowledge of wrong-doing, and explains how to report such suspicions or knowledge of wrong-doing.

You must only spend the council's money wisely

“Spending money wisely” was adopted as one of the values of the council, and it is expected that employees reflect this value while carrying out their duties. Before spending the council's money you should ask yourself:

- Would I spend this money if it were my own?
- Is what is proposed affordable?
- Would this be spending money wisely?

If you are involved in contracts or ordering, you should ensure that you are familiar with, and comply with, the relevant rules. These may include:

- the Financial Procedure Rules

- Contracts Procedure Rules
- Spending Money Wisely Policy

2. Honesty and integrity

You must not misuse your official position or information acquired in the course of your employment to further your private interest or the interests of others

You must not engage in, or otherwise be involved in, any bribery or corrupt activities or practices

Under the Bribery Act 2010, it is a criminal offence to:

- offer a bribe to someone in the course of your duties
- solicit a bribe from someone (indicating that you are open to being bribed)
- accept a bribe from someone

If you commit any of these offences during the course of your employment it may amount to gross misconduct which may result in your dismissal without notice or pay in lieu of notice. For the purposes of deciding whether something is a bribe, it does not matter whether any abuse of power actually takes place. Bribery can apply even where the person with entrusted power works for another organisation (whether or not it is a council).

There is more detail in the council's Anti-Bribery Policy. You should ensure that you have read and understood the council's Anti-Bribery Policy.

You must not use council facilities or resources to access or distribute offensive or inappropriate material

This includes using council computers to access pornography, or other offensive websites, or electronic material.

You must avoid any reasonable suspicion of committing bribery and/or any corrupt activities or practices

In order to maintain public confidence, you must avoid situations where a reasonable person, who in receipt of the relevant facts, would reasonably think your personal interests are so significant that they are likely to prejudice your public interest /judgment.

A conflict of interests arises where doing what is best for the council in your role, is not the same as doing what is best for you, or for some person or organisation you are associated with.

You must comply with the requirements of the council's policies:

- Employee gifts and hospitality
- Employee outside interests

Employees in some posts may be required to make an annual return in regard to their interests, in addition to the need to declare any gifts and hospitality or interests as they arise.

You must not make decisions, or give recommendations to decision makers where you have a conflict of interests. "Decisions" includes, but are not limited to, delegated decisions, employment decisions, and decisions about spending or receiving money.

You would be acting corruptly if you were to abuse your entrusted power for private gain.

- "Abuse" is when you use your entrusted power wrongly. You would be using your entrusted power wrongly if you act in the best interests of someone (or something) other than the council.
- "Entrusted power" is the power or authority you have as an employee.
- "Private gain" can mean not only financial gain, such as money, but also non-financial advantages, such as favours, gifts, or permission to do something someone would not otherwise be allowed to do. Something can be "private gain" whether you gain directly, or some other person or organisation gains.

Remember that if you suspect that other people are acting corruptly you have a duty to report it. There is more on this duty in the section on "breaches of this code".

You must, in carrying out your duties, comply with any legal requirements

This requirement is relatively self-explanatory. Given the wide range of duties which council staff carry out it isn't possible to set out here what legal requirements you might face, though.

Generally if a piece of legislation is particularly relevant to your area of work that will be reflected in policies and procedures, or your manager will make a point of explaining the requirements to you.

If you are disciplined for refusing to do something which is a criminal offence, you can rely on this provision in your defence.

You must ensure that public funds and assets, including information entrusted to you, are only used in a responsible and lawful manner

You must not use property, vehicles or other facilities of the council for personal use unless properly authorised to do so by your line manager or other appropriately authorised person

You must ensure that you use public resources (including, but not limited to, funds, data and equipment) entrusted to you in a responsible and lawful manner.

You must not make personal use of the council's facilities, unless you do so as a member of the public, or if there is a scheme or policy in place which permits personal use. Personal use includes using the facilities on behalf of any person, business or organisation other than the council, except as a legitimate part of your role with the council. For example:

- If you work in a building where the public can use the photocopier for a charge and you pay the same fees as other members of the public, you can use the photocopier for personal use
- If there is a scheme in place which allows you to pay for reasonable personal phone calls on a device provided by the council, then you can make reasonable personal phone calls (as long as you comply with the payment scheme)

3. Objectivity

You must follow the policies, procedures and rules of the council

Policy in this sense is a statement of what the council believes in, or has resolved to do

Policy is made at different levels in the council for example by:

- meetings involving Leeds City Council councillors (for example when they sit as full Council)
- the Leader of the Council, or the Cabinet
- by senior officers (such as the Chief Executive, or Corporate Leadership Team) having consulted with the recognised trade unions where appropriate

These are only examples, and there are other policy-makers in the council.

Policies are “expressed” when there is a formal resolution (decision) supporting them, or when they are published, for example in the council plan.

You must not give political advice

You should not be asked by any political group to provide political advice either in regard to the work of the group or of the council.

- If you are **not** in a politically restricted post, you should seek permission from your director before attending any political meeting, or any meeting which is explicitly for members of one or more political parties, as an employee of the council. Even if you get permission to attend, you cannot give political advice
- If you **are** in a politically restricted post, you do not need permission to attend political meetings, although you still must not give political advice unless your job is as a “political assistant”

If you attend a political meeting in a purely personal capacity, and are not there in connection with your job then there is no need to seek permission.

This rule does not apply to officers appointed to posts which specifically provide political advice.

You must not allow your own personal and/or political opinions and/or interests to interfere with your work

You must follow reasonable instructions from your managers. If you are being asked to do something which does not breach any council policy and which is not illegal, then you should carry out those instructions, even if you do not personally agree with them.

You must serve the council as a whole without political bias. Your duty is to serve the council as a whole. You must serve all of the council's councillors, not just those of the controlling group. You must ensure that the individual rights of all councillors are respected. You should act at all times in accordance with any rules relating to their relationships with members set out in guidance and/or protocols in the council's constitution.

4. Accountability

You are accountable to the council for your actions and decisions

Working for a local authority is a form of public service, and you may be asked to explain your behaviour at work, and any decisions or recommendations you make as part of your duties.

You must discharge your public functions reasonably

If you do something on behalf of the council, or make decisions on behalf of the council you must act reasonably in all the circumstances. Your decisions should be within the range of decisions that a reasonable person in your position would make.

One of the main themes in this code is the need to avoid the perception that employees are making decisions for the wrong reasons.

You must cooperate fully with council investigations

You have a duty to assist the council in implementing its policies, including its policies for managing people. You should cooperate with reasonable instructions (including requests for information) issued as part of formal investigations.

Formal investigations include (but are not limited to):

- investigations conducted under the locally agreed terms and conditions of employment, for example the following policies: Disciplinary, Managing Attendance, Performance Capability, Probationary, and Grievance

- investigations conducted under the council's Fraud and Corruption policy, Anti-Bribery policy, Anti-Money Laundering policy, and Whistle-Blowing policy
- investigations where a monitoring officer is appointed in accordance with Part III of the Local Government Act 2000 and associated regulations

Nothing in this section should be taken as overriding the rules in those policies about rights or representation. This section does not grant additional powers to people conducting investigations under other policies.

5. Openness

You must use and share information appropriately having regard to your data protection obligations

The law requires that certain types of information must be made available to councillors, auditors, government departments, service users and the public. The Council itself may decide to be open about other types of information.

However, certain information must not be widely shared. You must be aware of which information you are authorised to release and to whom. If you have any doubts as to whether or not an item of information should be released, you should politely refuse to offer the information and refer the matter to your manager(s).

Nothing in this code can be taken as overriding existing statutory or common law obligations to keep certain information confidential, or to divulge certain information.

You must follow the council's Information Governance Rules. Your line manager should make you aware of the council's current Information Governance rules. Following those rules should ensure that your behaviour complies with the Data Protection Act 1998 and the Freedom of Information Act 2000.

You must treat information with the appropriate level of confidentiality

Of particular note is information from councillors: If a councillor gives you information, or tells you something, which is not in the documents that the public would have access to, then you should not share that any further unless the councillor gives permission, or the law requires or allows you to share the information.

You must not engage in, or otherwise be involved in, any insider dealing

You should not use any information obtained in the course of your employment (which has not been released to the public) for personal gain or benefit. You must also not pass on such information to other people for their personal gain.

If you are in any doubt about who can be told information you should ask a senior employee in your department. Details of how to contact Internal Audit are set out in the employee code of conduct.

If you ask Internal Audit for advice, then the information must not be disclosed unless they have agreed that it is safe to do so.

6. Leadership

You must deal with the public, councillors and other employees professionally, sympathetically, efficiently and without bias

You must deal with the public appropriately

You should always remember your responsibilities to the community you serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community and as defined by the policies of the council.

You must deal with councillors appropriately

The overall control of the council lies with councillors. Your role is to carry out the work of the council, but you receive your day-to-day instruction from other employees of the council, not from councillors.

Even so, it is essential to the way local government works that employees and councillors respect each other. You must make sure you are aware of any guidance or protocols in the constitution about relationships with councillors, and that you follow those rules.

Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and to other councillors; such familiarity should therefore be avoided.

You should not form close friendships and personal relationships with councillors. If you have a pre-existing relationship with someone who becomes a councillor, or if you develop a

relationship with someone who you later discover to be a councillor, then you should report this, as set out in the council's policy on employee outside interests.

If you are in a politically restricted post you must comply with the council's policy on politically restricted posts.

You must deal with other employees appropriately

If you comply with the other requirements in this code you will behave appropriately towards colleagues.

You must treat people fairly and equally

The council is an equal opportunities employer. The council is committed to:

- eliminating unlawful discrimination, harassment and victimisation;
- advancing equality of opportunity; and
- fostering good relations within and between our communities with a view to building good community relations

You must not unlawfully discriminate on the basis of race, disability, sex, sexual orientation, age, religion or belief, pregnancy, maternity and gender reassignment.

You must ensure that your behaviour and language does not harass or create an unpleasant environment for people on the basis of race, disability, sex, sexual orientation, age, religion or belief, a pregnancy-related reason, and/or gender reassignment.

You must not victimise staff for any reason connected with race, disability, gender, sexual orientation, age, religion or belief, a pregnancy-related reason, and/or gender reassignment.

All members of the local community, customers, councillors and other employees have a right to be treated with fairness and equity.

From time to time the council may adopt Equality and Diversity policies which provide additional guidance and may impose additional requirements or restrictions. You must comply with any current Equality and Diversity policy.

Professional relationships with vulnerable adults and with children who are service users must not develop into personal friendships and/or inappropriate relationships

If you work in a post which has close contact with children or vulnerable adults (or access to key information about them) you must declare any personal relationships with vulnerable adults or with children who access services provided by your service.

(Posts with close contact with children and vulnerable adults, or which involve regulated activities as defined in the Protection of Freedoms Act 2012, need an enhanced check under the Disclosure and Barring Scheme).

If you work in such a job you must not form relationships with service users which involve:

- financial affairs (this includes, but is not limited to, borrowing or lending money, or acting as an executor);
- unprofessional emotional or physical interaction; and/or
- any element of sexual interaction

You must maintain standards of dress and appearance which are appropriate to your role

You must ensure that your standards of dress and your appearance are appropriate to the work that you do. An inappropriate appearance could give the impression of inefficiency, create offence or be seen as disrespectful.

Leeds City Council values the diversity of its employees and nothing in this section should be read as limiting the diversity of influences which affect your choices about how you present yourself. You are expected to wear (as instructed) any safety equipment (personal protective equipment) or uniform that is issued to you.

If you have any concerns about this, you should discuss them in the first instance with your line manager. The Human Resources service may also issue guidance from a Health and Safety perspective on uniform and personal protective equipment.

You must behave appropriately when involved in tendering contracts and dealing with contractors

If you are involved in the tendering process, or dealing with contractors, you should be clear on the separation of client and contractor roles within the council. You must ensure that their actions are in accordance with the standing orders contained in contracts.

If you have both a client responsibility and a contractor responsibility, you must be particularly aware of the need for accountability and openness.

Remember that you have to declare personal relationships with contractors as set out in the council's policy on employees outside interests.

If you are aware of confidential information on tenders or costs for either internal or external contractors, you must not disclose that information to any third party or organisation.

If you are involved in awarding contracts, you should ensure that no special favour is shown in awarding contracts to businesses run by current (or former) employees (or by people they have close personal relationships with). You should also ensure no special favour is shown to current (or former) employees (or by people they have close personal relationships with) by employing them in a senior or managerial capacity.

7. Representing the Council

You must only deal with the media if you are authorised to do so

Unless specifically nominated and authorised by the director concerned, you are not permitted to give reports or speak to the press and media on matters relating to employment with the council, council business or decisions of the council. This restriction applies under any circumstances where people could possibly think you are speaking as an employee of the council.

“Dealing” with the media includes giving reports, answering questions or simply speaking to members of the media. “The media” means any organisation or person who is concerned with reporting news, current affairs etc. regardless of whether that is through newspapers, television, radio, the internet or any other means. “Dealing with the media” also includes making speeches, or speaking at public meetings which may be reported by the media.

People who regularly deal with the media should be in politically restricted posts. Other employees may, in exceptional circumstances, be authorised by their director to speak to the media on a specific occasion.

The following people are deemed – if in politically restricted posts – to be authorised to deal with the media:

- The Chief Executive
- People who report directly to the Chief Executive
- People who report directly to the people who report directly to the Chief Executive
- People whose posts are within the corporate communications team

People in other posts must be explicitly authorised by their director before speaking to the media. Details of which posts are politically restricted are set out in the council's policy on politically restricted posts.

You must ensure any dealings with the media in an official capacity are appropriate

If you are permitted to deal with the media you must make sure that you do not express any opinions, or take any position which is not consistent with the council's position, or which people might think is critical of the council's position. It is important to remember your duty of loyalty to the council.

You are a representative of the council, and your behavior and comments may reflect on and impact the council. It is important that you do not undermine the position of the council.

You must follow the rules for contact with the media as a trade union representative

If there is an industrial dispute involving a trade union, an elected representative of that trade union may be called upon by the press or media to comment on the dispute.

Where a decision is taken by that trade union organisation to respond, the employee who does so should exercise great care in presenting the facts of the case in order to avoid personal opinions which may be unreasonably critical of the council, other employees or members.

If you find yourself speaking to the media under these circumstances you should make clear that you are speaking for the trade union and not as a representative of the council.

If you are unsure about your position as a trade union representative who has been nominated to speak to the media you should consult with full-time officials from your union.

You must follow the rules for contact with the media in a personal capacity and/or in your capacity for other organisations

You may well have legitimate roles to carry out outside your work or official trade union work, for example as a representative of a community action group or a tenant committee. These roles may involve you in taking part in public meetings, making statements to the press etc. acting on behalf of your particular group.

You should make clear the capacity in which you are speaking in public, or dealing with the media. You should explicitly say which group you are speaking for or that you are speaking in a “personal capacity”, which means that you are not representing a group, the council or a trade union.

You should exercise great care in presenting the facts of any case in order to avoid personal opinions which may be damaging to the council or derogatory or defamatory remarks about other employees or members. Your duty of loyalty to the council still applies, even in these circumstances.

To avoid any misunderstanding you should not speak to the media on a personal capacity whilst wearing council uniform or a council ID badge.

You must not create the false impression that you are authorised to speak for the council if you do not have the authorisation to do so

You must not conduct yourself in a way that would give the impression that you are speaking for the council or in the role of a council employee unless you have been authorised to do so.