

CODE OF CONDUCT

This document applies to all Council employees.

This document may not be applicable to employees who transferred into LCC under TUPE legislation and remain on the terms and conditions of their previous organisation.

Last Review	July 2017
Next Scheduled Review	July 2020
Last Updated	December 2018

CONTENTS

- SCHOOL BASED EMPLOYEES 1
- PURPOSE 1
- LINKS WITH OTHER POLICIES 1
 - 1 HONESTY, INTEGRITY, IMPARTIALITY AND OBJECTIVITY 1
 - Political Neutrality 2
 - 2 ACCOUNTABILITY 2
 - Safeguarding 3
 - Conditions of Service..... 3
 - 3 RESPECT FOR OTHERS 3
 - Dignity at Work 4
 - Employees..... 4
 - Councillors..... 4
 - The Local Community and Service Users 4
 - Contractors..... 4
 - Financial 4
 - 4 STEWARDSHIP 4
 - Patent and Copyright..... 5
 - Patent..... 5
 - Copyright 5
 - Care and Use of Council Resources 5
 - Security and Use of Computer Data/Equipment..... 5
 - 5 PERSONAL INTERESTS 6
 - Alcohol/Drugs 6
 - Other Personal Interests..... 7
 - Additional Employment..... 7
 - 6 REGISTRATION OF INTERESTS, GIFTS AND HOSPITALITY 8
 - Registration of Interests..... 8
 - Registration of Gifts and Hospitality 8
 - Guidance Notes..... 10
 - 7 REPORTING PROCEDURES 11
 - Anti-Fraud and Anti-Corruption..... 12
 - 8 OPENNESS 12
 - Openness and Use of Information 12
 - Media Contacts 13
 - 9 APPOINTMENT OF STAFF 14
 - Appointment of Staff and other Employment Matters 14
 - 10 DUTY OF TRUST..... 14

SCHOOL BASED EMPLOYEES

This policy applies to all employees in community and voluntary controlled schools, where Lincolnshire County Council is the employer and is advisory for employees in foundation and voluntary aided schools, where the governing body is the employer.

The policy is written in the context of a corporate council employee, school based employees should interpret this as follows:

- References to the Council would refer to the school
- References to council members would refer to the governors
- References to Manager / Director would refer to headteacher or in the case of the headteacher would relate to the chair of governors.

Where reference is made to an associated employment policy if there is a school specific policy the link will be clearly differentiated between a corporate policy and a school specific policy.

PURPOSE

The purpose of the Code of Conduct is to supplement an employee's terms and conditions of employment and to support the Council's Core Values and Behaviours Framework, which can be found on the Council's Intranet, George.

LINKS WITH OTHER POLICIES

The Code of Conduct draws together policies and requirements of the Council and aims to assist employees in performing their duties to the best of their ability.

Employees are required to familiarise themselves with the contents of the Code and the documents referred to therein. It cannot cover every eventuality and if in any doubt or any additional guidance is required, employees should consult their Manager, who may seek advice where necessary from their HR Adviser.

The Code applies to all employees of the Council. A breach of the Code may lead to disciplinary action – see the disciplinary rules in the [Council's Disciplinary Policy](#) or the [School's Disciplinary Policy](#).

This Code of Conduct also encompasses guidelines from the National Code of Conduct. It is also based upon the key principles of public life recommended by the Committee on Standards in Public Life (The Nolan Committee) and a complementary set of guidelines are issued to County Councillors.

These principles are as follows:

1 HONESTY, INTEGRITY, IMPARTIALITY AND OBJECTIVITY

An employee must perform their duties with honesty, integrity, impartiality and objectivity.

Employees serve the Council as a whole and have individual responsibility as part of their job roles for implementing policy, delivery of services and operational management of the Council.

Those employees, where it is part of their duties, will work at senior level with political sensitivity to advise and support members, will ensure members have appropriate and timely information on key issues and decisions; and will give members independent and professional advice, not influenced by political views or preferences.

It is also vital that employees understand that it is not just about reality it is also about perception. The public has a right to expect the highest levels of integrity and responsibility from all employees. This must be capable of demonstration and therefore actions, which would lead to a loss of confidence through perceptions, are as critical as any others.

Political Neutrality

Employees serve the Council as a whole and are required to serve all councillors and not just those of the controlling group. Employees in their job may also be required to advise political groups. Employees should not be involved in advising any political group, nor in attending any of their meetings, without the express consent of their Manager/Director and must not compromise their political neutrality.

As an employee of the Council, employees are required to serve the Council and cannot, therefore, be accountable to individual Political Groups and must not allow their personal political opinions to interfere with their work.

All School employees are eligible to stand for office as a Member of Parliament or as a member of a County, District, Borough or Parish Council, provided any resultant conflict of interest is declared. The exception will be those staff employed in Community and Voluntary Controlled Primary, Secondary and Special Schools with delegated budgets, who are employees of the County Council and are therefore barred from standing as a County Councillor.

The Local Democracy, Economic Development and Construction Act 2009 places certain restrictions on employees of local authorities if their job role is known as a politically restricted post or 'politically sensitive'.

The terms of restriction constitute contractual provisions.

Employees seeking further details should check with their Manager/, who may seek advice where necessary from their HR Adviser, or see the Council's [Policy and Procedure on Politically Restricted Posts](#) which incorporates advice on Local Authority Employees standing for Election.

2 ACCOUNTABILITY

An employee must be accountable to the authority for their actions.

Compliance with Legislation, Terms and Conditions of Service and other written guidelines

During the course of work employees should at all times be aware of and comply with legislation covering Health & Safety, Equality, Data Protection and all other relevant legislation.

Safeguarding

Employees working with children and vulnerable adults have a responsibility to safeguard and promote the welfare of children and adults during the course of their work.

Conditions of Service

Employees should also have read and understood the conditions of service under which they are employed, including all local policies, which take into account all legislation and the local and national schemes. These policies are contained within the Council's Employment Manual or the School's Employment Manual. For further information employees should consult their manager, who may seek advice where necessary from their HR Adviser. In particular employees should be aware of:

- The Grievance Policy and Dignity at Work Guidance in order to express individual and personal concerns)
- The Disciplinary Policy which also contains the disciplinary rules
- Equality and Diversity in Employment Policy

All Council employees must ensure that policies relating to equality issues are complied with in addition to the requirements of the law. All members of the community, clients and other employees have the right to be treated with fairness and equity regardless of race, colour, nationality, ethnic or national origins, religion or belief, gender, gender reassignment, sexual orientation, marital status, civil partnership status, disability or age.

Employees should ensure that they are aware of and follow the advice and guidance about using 'social media' as contained in the [Social Media in Employment Policy](#) and the [LCC Social Media Policy](#). The term 'social media' includes websites, online tools, blogs and other Interactive Communication Technologies (ICT). The [LCC Social Media Policy](#) applies to all service areas, employees engaged on council business and employees' personal use of social media where it could be deemed to have a negative impact on the Council's reputation.

The [LCC Social Media Policy](#) and [Social Media in Employment Policy](#) is available on the Council's internet, and other related policies, including the IT and E-mail Policies, can be viewed via George. Employees should also comply with the related legislation and guidance that informs Information Governance.

Employees should be suitably dressed for their duties and responsibilities, including the wearing of appropriate safety clothing and equipment, in accordance with all Health and Safety regulations.

In addition, employees should be conscious of, and ensure that they are complying with, any other specific guidelines issued by their Service/Director Area. If an employee is a member of a professional institute or association they are also obliged to comply with any professional code and/or standards of practice pertaining to that organisation e.g. GTC Teachers code of conduct, accountancy professional bodies' codes of conduct, social care codes of conduct.

3 RESPECT FOR OTHERS

An employee must:

- a) Treat others with respect,**

- b) Not discriminate unlawfully against any person; and**
- c) Treat members and co-opted members of the authority Council professionally.**

Dignity at Work

Employees

The working environment of the Council is one where all its employees are treated with dignity and respect. There should be mutual respect between all employees and the Council has a number of policies, procedures and guidance in place that deal with harassment, discrimination, victimisation and bullying.

Councillors

For some employees, their role is to give advice to councillors and all are there to carry out the business of the Council. Mutual respect between employees and councillors is essential to good local government. Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors, and should therefore be avoided. Employees who have or enter into a personal relationship with a councillor should declare this to their Line Manager.

The Local Community and Service Users

As a local government employee, employees are expected to give the highest possible standard of service to the public and where it is part of their duties, to provide appropriate advice to councillors and fellow employees with impartiality. In carrying out duties and responsibilities, an employee's honesty and integrity must be beyond question. Employees must never use their authority or position for personal gain, or to enable colleagues or others to gain personally. An employee's own Service or Director Area may have its own customer care policy in addition to these guidelines. Please also refer to the Council's Corporate Customer Service Policy where relevant.

Contractors

All relationships of a business or private nature with external contractors or potential contractors of the Council should be made known to the appropriate manager in the department. Orders and contracts must be awarded on merit in fair competition with other tenders and no part of the local community should be discriminated against or special favours shown.

Financial

If an employee discovers that a contract in which they have a financial or other interest has been or could be entered into by the Council they are required under Section 117 of the Local Government Act 1972 to advise their Manager/Director in writing.

4 STEWARDSHIP

An employee must:

- a) Use any public funds entrusted to or handled by them in a responsible and lawful manner,**
- b) Not make personal use of property or facilities of the Council unless properly authorised to do so.**

Patent and Copyright

Patent

Any matter, item or idea capable of being patented under the Patents Act, which is developed or discovered by an employee, alone or together with colleagues, in the course of their duties, must be disclosed to their manager, and subject to provisions of the Act belongs to the Council.

It is the responsibility of the Council in the first instance to decide whether to apply for patent or other protection in law for any invention, which belongs to the Council by virtue of the Patents Act.

Copyright

All records, documents and other papers relating to the finance and administration of the Council and which are compiled or acquired by an employee in the course of their employment are and will remain the property of the Council, and the copyright in all such cases belongs exclusively to the Council.

In the case of academic work, such as projects undertaken as part of a course to further their professional career, and including books, contributions to books, articles and conference papers, the copyright will belong to the employee.

Care and Use of Council Resources

Council resources, whether tangible assets such as materials, equipment and cash, or business information such as trade secrets, may not be used other than for the proper advancement of the business of the authority.

All equipment belonging to the Council should be treated with due care and respect. Any employee wishing to use an item of equipment, for example a photocopier, word-processor or printer, for business other than that of the Council, must gain permission from their manager in advance.

Security and Use of Computer Data/Equipment

The information stored and processed on the information technology systems operated by the Council is of paramount importance to its day to day activities. It is essential that data and systems are adequately secured against risks such as operator errors, theft of equipment, unauthorised access to or copying of programmes, use of unauthorised software on Council machines (which increases the risk of importing computer viruses) and natural hazards such as fire, flood and power failures.

Relevant data protection legislation must be complied with, and copies are available from Legal Services.

Further advice is available from [Information Governance](#).

Employees must ensure that no unauthorised person gains access to equipment/data, which is within their responsibilities. No data should be released unless finally approved and that conforms with data protection legislation. User identifications and passwords must not be disclosed to anyone, and passwords must be changed regularly to a previously unused password. For further guidance on

computer security and Information Governance, please see the [Corporate Information Security Policy](#).

Council policies apply to e-mail use in the same way as normal mail and use of the telephone. Misuse and time wasting is unacceptable and personal messages should be kept to a minimum. E-mail must not be used to undertake personal business for monetary gain.

Under the law, if an e-mail message is sent during the course of an employee's employment which is defamatory, the employer is liable even if the message is sent between one employee and another. E-mails are not normally deleted from the system and are available for audit purposes. The tone and content of messages should be appropriate and consistent with any other form of Council communication.

For further guidance on email use please refer to the Council's Email Policy contained in the Corporate Information Security Policy via George. Personal use of the Internet, including Social Media, is permitted by employees provided that the Internet and Intranet Policy contained in the Corporate Information Security Policy, [LCC Social Media Policy](#) and [Social Media in Employment Policy](#) are adhered to and it does not impact on their job or interfere with the performance of other staff doing their job. There should be no access to sites which have a terrorist, offensive, sexual or game playing/gambling content. Access to the internet is monitored on a regular basis.

Any breaches of the Corporate Information Security Policy may lead to disciplinary action being taken against the employee(s) involved.

Employees should have read and understood the [Corporate Information Security Policy](#) which is available on LCC Connects.

5 PERSONAL INTERESTS

An employee must not in their official or personal capacity:

- a) Allow their personal interests to conflict with the Council's requirements;**
or
- b) Use their position improperly to confer an advantage or disadvantage on any person.**

Alcohol/Drugs

The Council has a policy on the Prevention of Alcohol and Drug misuse, which is aimed at ensuring that employees report fit for work and remain fit to perform their duties. The consumption of alcohol is not permitted on Council premises unless specifically approved by the Manager. The Council prohibits the use, possession, distribution or sale of drugs at the work-place, or when conducting Council business (see the [Prevention of Alcohol and Drug Misuse Policy](#) in the Health and Safety Manual).

Where it is established that there is an alcohol or drug dependency problem, this will be considered as a treatable illness and managers will provide assistance wherever possible. The Employee Support and Counselling Service is also available to provide counselling and advice. Where an employee refuses help or drops out of a

treatment programme this will not be automatic grounds for dismissal; however any unacceptable behaviour or level of performance thereafter will be subject to appropriate action.

Other Personal Interests

Employees are also required to declare an interest if it comes to their attention that they have a connection or potential connection with any business or organisation (including voluntary bodies) which deals with the Council.

An employee's life away from work is their personal concern. An employee should not however, subordinate their work to their private interests or put themselves in a position where their job, or the Council's interests and their own personal interests conflict. This includes behaviour, which because of the nature of employment would undermine the Council's confidence or trust in the employee.

An example of such behaviour relates to Council employees facing criminal charges. The Council requires all employees to notify their Manager/Director without delay of any criminal investigation, charge or caution imposed upon them, with the exception of minor driving offences if their job does not include the use of a car. These rules apply for charges incurred on or off duty.

Additional Employment

Health & Safety

Employees have a duty to take reasonable care of their own health and safety.

All employees must inform their Manager if they have/take up additional employment, particularly where this means that their total number of hours worked, exceed an average of 48 hours per week, or which could have a detrimental effect on their health and safety (see the Health and Safety Manual - [Working Time Regulations](#)).

Conflict of Interest

The Council will not prevent an employee from undertaking additional employment providing it does not conflict with the interests of, or in any way weaken public confidence in the Council and does not in any way affect performance of their duties and responsibilities whilst they are at work, or where their current position could confer advantage to their private interest/personal gain. If there is a conflict the manager can ask for an employee to discontinue with the conflicting private business interests.

Employees whose salary is above Pay Grade 8 are specifically required to obtain prior consent from their Manager if they wish to take up any additional employment.

A related issue concerns payment received by employees for work which arises principally as a result of work-related skills and is carried out for private purposes during working hours (by prior agreement) or annual or special leave from the Council, or when using Council information, equipment or facilities.

Examples might be when an employee writes a book using Council-owned information and equipment, an employee who marks examination papers during annual leave periods or an employee who produces computer software which is capable of being marketed outside the Council for profit. The question then arises of

who should retain payments for such work (i.e. the Council, the employee or a split between the Council and the employee).

Should an instance of this nature arise employees should consult Human Resources/ People Management, prior to commencement of any such work, who will make a decision regarding the acceptability of the project and, if applicable, how resultant payments will be handled.

6 REGISTRATION OF INTERESTS, GIFTS AND HOSPITALITY

Registration of Interests

- a) Employees must register any interest they or their spouse or partner have which may conflict with the Council's interests, by providing written notification to their line manager, using the [Officer Interests Registration Form](#), of any employment by, substantial shareholding in, or membership of any external company or body, including voluntary organisations, which has or may enter into a contractual relationship with the Council or which is involved in campaigning or lobbying in respect of any Council activity. The line manager will then pass that information to the Democratic Services Manager who will enter it in a register of interests held for that purpose.
- b) If an employee lets contracts or are involved in any way in engaging or supervising contractors the employee must make a declaration to their manager immediately if either they or a relative or friend has any personal interest in respect of the contractor or potential contractor. That interest may arise through employment, by a substantial shareholding in or membership of the contracting company or body.
- c) The manager must then take steps to ensure any potential problems arising from the conflict of interests are addressed. This may be by identifying another employee to carry out the tendering process or deal with the contractor or potential contractor, or may involve putting in place any necessary safeguards to protect the Council's position and also to protect the employee's position.
- d) A 'significant interest' in a company is one where an employee, their relatives and members of the same household in total have more than a 20% shareholding in a company. However, it may be that a shareholding below 20% is 'significant' for example, where the individual has veto rights or exercises control/influence over the company in other ways. If in doubt, employees should seek further clarification from their line manager.
- e) A 'Relative' of the employee means a spouse, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, cousin, or the spouse or partner of any of the preceding persons, and partner means a member of a couple who live together.
- f) A 'friend' can be regarded as someone well known to another and regarded with liking, affection and loyalty by that person. A closer relationship is implied here rather than mere acquaintance.

Registration of Gifts and Hospitality

Employees are expected to refuse personal gifts and hospitality offered to them or members of their family by any person or body that has or seeks dealings of any kind with the Council, subject to the following:

- gifts and hospitality of 'token value' may be acceptable, e.g. a pen, diary or a modest lunch, provided it is not a regular practice, and
- where the acceptance of refreshments or a meal would in any event be appropriate in the conduct of normal business

Particular care should be taken if an employee is purchasing goods or services on behalf of the Council. Where any gift or hospitality is offered, it should be recorded using the [Officer Interests Registration Form](#) in the Corporate Register in Democratic Services, whether or not it is to be accepted. Where it is to be accepted, approval should be obtained, preferably in advance, from the employee's manager.

In the case of an employee becoming a beneficiary in a service user's will, employees must refuse to accept the legacy/bequest regardless of its size or value if it is as a consequence of their employment. Employees must also report the legacy/bequest to their manager/executive director. Acceptance of such legacies/bequests will result in disciplinary action.

Offers from companies of promotional sales should be declined. Employees should bring such matters to the attention of their manager in order that a decision can be made as to whether it is appropriate to inform the Executive Director of Finance and Public Protection, who can write to the company concerned, indicating that improved discounts are the only form of promotion acceptable to the County Council.

It is unacceptable for employees to use their own, relatives or friends personal loyalty cards while making purchases on behalf of the Council or service users.

Any prizes won while on Council business or while using Council funds should be reported immediately to their manager/executive director who will make a decision on the acceptability of such a prize.

Where an external organisation wishes to sponsor or is seeking to sponsor a Council activity, whether by invitation, tender negotiation or voluntarily, the conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

From time to time the Council sponsors or gives grants for sporting and cultural events such as exhibitions, plays or performances, or games. The general rule is that no employee, nor any partner, spouse or relative shall receive any benefit from such sponsorship or grant in a direct way without there being full disclosure to their manager/executive director of any such interest. Similarly, where the Council, through sponsorship, grant aid, financial or other means, gives support in the community, employees must ensure that impartial advice is given and that there is no conflict of interest involved.

Gifts

When deciding whether or not to accept an offer of a gift, the context is very important. An offer from a company seeking to do business with the Council made to an employee involved in letting a contract is unlikely ever to be acceptable, regardless of the value of the gift.

By contrast, a small gift given at Christmas by a service user as a gesture of appreciation to an employee will generally be acceptable and could cause offence if returned.

Employees must never accept monetary gifts of any kind, whether in the form of cash, or cheques, vouchers or coupons.

Employees must always record the reason for accepting any gift worth over £25. It may be that the manager agrees the gift is accepted on the basis it is shared by a staff group or, where appropriate, it is used as a raffle prize or for a fund-raising event to benefit service users. A series of gifts which altogether total more than £25 in value should be registered.

Hospitality

Examples of hospitality which can be accepted are:

- refreshments or a meal given during or at the conclusion of business
- invitation to a Society or Institute dinner

Examples of hospitality which are not acceptable are:

- a holiday or business trip paid for by business contacts
- use of a company flat/hotel suite

Offers of free hotel accommodation/tickets for concerts or sporting events should be treated with extreme caution. These will invariably be valued substantially in excess of £25 and you must record why such hospitality has been accepted. If in doubt, any offer of hospitality should be declined. In addition, any prizes offered at a hospitality event and won by an employee must be entered in the Register as a separate item.

Any breaches of the requirements relating to interests, gifts and hospitality will result in disciplinary action being taken against the employee(s) involved.

If an employee is concerned about a particular gift or offer of hospitality, they should obtain advice on the operation of this guidance from the Democratic Services Manager or People Management Managers.

Guidance Notes

Registering/Declaring an Interest

The principles on which these requirements are based are that employees must ensure their personal interests do not conflict with their public duty or the interests of the Council, and the Council and the public must be able to be confident that decisions of whatever nature are made for good and proper reasons and are not influenced inappropriately by the interests of individual employees, their relatives or friends.

The requirement to enter an interest onto a register relates only to the employee's own interests, or those of their spouse or partner. The requirement to declare an interest during the course of employment is much wider and relates both to the employee's interests and those of their friends or relatives. An employee can only make a declaration of interest they themselves know about, and the requirement

does not imply any obligation to make enquiries of an employee's friends and relatives as to the interests they hold.

The same principles apply to work carried out through partnerships, and care is needed to ensure that potential conflicts of interest are identified, declared and addressed appropriately.

If in doubt, employees should register and/or declare an interest. A helpful question to ask is; would a member of the public, knowing the facts; think that an employee's or their relatives' or friends' interests would influence the employee in their decision making?

The obligation to register an interest includes external employment which may conflict with the Council's interests. Whenever an employee is considering taking up employment outside the Council, the employee should always notify their manager as a matter of good practice.

Gifts and Hospitality

All offers of gifts or hospitality must be recorded, whether or not they are accepted.

This ensures that the system is transparent and acts as protection for the employee concerned. However, there is no need to record receipt of promotional material of token value such as desk diaries or pens. Where the reasons for acceptance of a gift or hospitality cannot be expressed in a simple form of words and included in the Register, the reasons should be recorded separately and a cross-reference to the relevant document included in the Register.

Many Council employees have dealings with people outside the Council, particularly members of the public, suppliers, contractors and other private organisations. Employees should treat with extreme caution any offer of a gift, favour or hospitality that is made to them personally. The person or organisation making the offer may be doing or seeking to do business with the Council, or may be applying to the Council for planning permission or some other kind of decision.

It is essential that employees adhere to the overriding principle that they do not compromise their position as public service workers by accepting gifts/hospitality and allowing themselves to reach the position where they might be, or might be thought by others, to have been influenced in making an important decision as a consequence.

A helpful question to ask is whether a member of the public, knowing the facts, would think that an employee of the Council might be improperly influenced by the gift or hospitality.

It is also important that the Council is seen to conduct its activities with integrity, and does not leave itself or its employees open to allegations of corruption and to bad publicity.

7 REPORTING PROCEDURES

An employee must not treat another employee of the Council less favourably than other employees by reason that that other employee has done, intends to

do, or is suspected of doing anything under or by reference to any procedure the authority has for reporting misconduct.

It is a breach of an employee's terms and conditions of employment if they victimise another employee who has used the Council's reporting procedures to report the misconduct of others.

The Confidential Reporting Code is intended to encourage and enable anybody who works for or on behalf of the Council to raise serious concerns within the Council rather than overlooking a problem, and to make it clear that reporting can happen without fear of reprisal.

Employees are contractually expected to report non-compliance of other employees within the Code.

Under the Public Interest Disclosure Act 1998 (PIDA), employees are legislatively protected in the event that they raise any concerns. PIDA was further strengthened by the Enterprise and Regulatory Reform Act 2013. For further guidance please refer to the Council's Confidential Reporting Code (Whistle Blowing Policy) on George.

Employees will be expected, through agreed procedures and without fear of recrimination, to report any deficiency in the provision of service. Employees must report to the appropriate manager any impropriety or breach of procedure.

Anti-Fraud and Anti-Corruption

The Council is committed to ensuring the maintenance of high standards in every aspect of its activities. As part of this commitment the Council will ensure that opportunities for fraud and corruption are identified and actively managed to reduce possible risks. Where there is a suspicion of fraud or corruption the Council will deal with it in a firm and controlled manner. This has been accepted by the full Council within their Policy.

8 OPENNESS

An employee must:

- a) Not disclose information given to them in confidence by anyone, or information acquired which they believe is of a confidential nature, without the consent of a person authorised to give it, or unless they are required by law to do so; and**
- b) Not prevent another person from gaining access to information to which that person is entitled by law.**

Openness and Use of Information

During the course of employment employees will come across confidential information. All employees must understand and comply with Information Governance requirements. This refers to the correct handling and management of information to comply with relevant legislation, confidentiality and security standards.

Employees may be working in areas other than their normal office or in premises shared with staff working in other services provided by the Council. If an employee views, overhears or otherwise comes into contact with such information the privacy and confidentiality of this must be maintained at all times, unless an employee is

expressly authorised to divulge it, or is required to do so by law, for example to members, auditors, government departments, service users and the public.

Employees should use their discretion to determine the appropriateness of where they hold conversations of a confidential nature (particularly when using a touchdown point or in a public place, for instance when using a mobile phone). They should ensure that they are aware of the Information Governance guidance document, 'Be Vigilant with Information.'

The duty of confidentiality is imposed on all staff no matter what their function or capacity within the Council. A breach of confidentiality may be considered a disciplinary matter.

Information Governance is the framework of law and best practice that regulates the manner in which information, (including information relating to and identifying individuals) is managed, i.e. obtained, handled, used and disclosed. It is a complex and rapidly developing area and one of the upmost importance since information is central to any organisation and underpins everything we do.

Information concerning an employee's private affairs must not under any circumstances be supplied to any person outside the service of the Council without the consent of the employee, nor to anyone within the Council unless that person has authority or responsibility for such information.

Employees must never use their authority or position for personal gain, or to enable colleagues or others to gain personally. Any particular information received by an employee from a councillor which, is personal to the councillor and does not belong to the Council must not be divulged by the employee without prior consent of the councillor, except where disclosure is required or sanctioned by law.

If any employee has any reservations about any request to supply information they should immediately refer the matter to their Manager/Director.

I.D. Cards

To prevent security breaches the Council has an Identification Card scheme for all employees. Employees should ensure that they have their ID card with them at all times and if challenged by an appropriate person i.e. another county council employee, Councillor, or somebody working for the authority on a long term contract, they are to show the ID card to confirm their identity. The ID cards carry a passport style photograph.

Media Contacts

Employees must not make statements to the media, or any other public statement which concerns the business of the Council unless they have been authorised by their Manager/Director to act generally as a spokesperson or have been expressly authorised to act as a spokesperson in relation to a particular situation, or are acting as an authorised Trade Union spokesperson. See the Protocol for Dealing with the Media on Employment Issues in the Employment Manual.

9 APPOINTMENT OF STAFF

- a) **An employee must not be involved in the appointment or any other decision relating to the discipline, promotion, pay or conditions of another employee, or prospective employee, who is a relative or friend.**
- b) **In this paragraph**
 - 1) **“Relative” means a spouse, civil partner, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons; and**
 - 2) **“Partner” in sub paragraph (1) above means a member of a couple who live together.**

Appointment of Staff and other Employment Matters

Employees involved in appointments should ensure that those appointments are made only on the basis of merit. In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant, or have a personal relationship with them outside of work.

Similarly, employees should not be involved in decisions relating to discipline, promotion, recruitment or pay and conditions for any other employee who is a relative, partner, etc.

10 DUTY OF TRUST

An employee must, at all times act in accordance with the trust that the public is entitled to place in them.

Attention is drawn to Part V of the LCC Constitution, which applies to all employees.

Employees are reasonably expected to be ready and able at the agreed times of working to carry out their job.

Politeness and courtesy should be expressed to the public and to internal and external clients at all times.

Customer care and courtesy must be maintained with appropriate professional boundaries and particular attention should be paid when in contact with vulnerable service user groups.

In carrying out their duties and responsibilities employees' honesty and integrity should be beyond question.

This includes the covert electronic, audio or video recording, by any device, of meetings or discussions in the workplace or whilst on LCC business unless express authorisation has been received from the appropriate senior manager prior to any such recording taking place.