



**Ventnor**  
Town Council

Created date – November 2023

## **Draft 1**

# **Employees Code of Conduct**

Review date – December 2025



### Code of Conduct for Employees

#### Aims and Objectives

The residents of Ventnor are entitled to expect the highest standards of conduct, integrity and professionalism of Town Council employees. The aim of this Code is to ensure that the rules and standards that the Council expects are clear, and to bring together existing laws, regulations and conditions of service to provide a comprehensive collection of the requirements of which employees should be aware. In most circumstances, conduct in breach of this Code will also be in breach of the Disciplinary Code and the Civility & Respect Pledge, via Appendix A.

#### Scope

The provisions of the Code will apply to all council employees, volunteers, casual workers, consultants and anyone else who is providing a service on behalf of the Council in all activities in which they are engaged in the course of their employment, whether or not they take place at their normal place of work. This includes work-related functions that take place outside of normal working hours.

#### Roles and Responsibilities

It is the responsibility of all employees to read, understand and work in accordance with the Code of Conduct and to:

- maintain conduct of the highest standard such that public confidence in their integrity is sustained;
- to be fair and honest in all activities at work;
- incorporate and promote equality and diversity in all that is done;
- ask for clarification on any aspects of the Code when there is uncertainty;
- role model the required standards of behaviour; and
- take appropriate action at the earliest opportunity to report with non-compliance with the standards of the Code.

#### Principles of Conduct

This Code is in keeping with, the seven principles of public life articulated by the Nolan Committee on Standards in Public Life, which emphasise that those in public life should practice:

- **Selflessness** –Employees should act solely in terms of the public interest;
- **Integrity** – Employees must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other



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material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships;

- **Objectivity** – Employees must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias;
- **Accountability** – Employees are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this;
- **Openness** – Employees should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing;
- **Honestly** – Employees should be truthful;
- **Leadership** – Employees should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## The Employee Code of Conduct

### 1. Standards of Behaviour, Impartiality and Conflicts of Interest

Council employees (and others as defined above) are expected to conduct themselves with integrity and honesty in carrying out their duties and must provide the highest possible standard of service to the public.

Where it is part of their duties to provide appropriate advice to councillors and fellow employees this must always be done with impartiality.

Employees will be expected, without fear of recrimination, to bring to the attention of the appropriate officer or councillor any deficiency in the provision of service or illegal or unethical conduct, impropriety or breach of this Code. (see section 22).

Responsibility is placed on every member of staff to disclose to an appropriate officer every potential conflict of interest in which they may be involved. Employees must declare any new interests to the Town Clerk as soon as they become aware of them. In general, employees' private interests must not have the potential for allegations of impropriety or partiality which might bring the Council into disrepute. This includes standards of behaviour outside the working environment where the employee is known to be working for the Council, and to the use of social media outside of work.

Employees must ensure that, in their use of social media, they do not make comments about other employees, councillors or the Council that could be seen as derogatory, abusive, damaging to reputation or amount to harassment. No



information, including photos, should be made available without permission from the Clerk.

Employees should not use their official position, or information acquired in their official duties, to further their private interest or those of others.

## **2. Disclosure of Information**

The law requires that certain types of information must be available to councillors, auditors, government departments, service users and the public. The Council itself may also decide to be open about other types of information. The Council should therefore make clear to employees:

- the types of information which must be made available, and to whom;
- the types of information which the Council has voluntarily made open, and to whom;
- The types of information which the Council does not wish to be disclosed without specific permission.

The law also requires that personal information held about individuals must be treated in accordance with the General Data Protection Regulation 2016 (GDPR) and the Data Protection Act 2018. Employees must ensure that they process data lawfully in accordance with the Council's Data Protection Policy. The Freedom of Information Act 2000 also gives a right of access to information held by public authorities.

Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way. This could be a potentially criminal or fraudulent act.

Any particular information received by an employee from an individual, (including a councillor) which is personal to the individual should be kept confidential, except where such disclosure is required or sanctioned by law, for example, where an individual shares information which may be a safeguarding issue, this must be shared with the Town Clerk and passed on to the relevant agency, or where the individual provides their permission to disclose the information.

Employees must not disclose to the public or media the contents of a confidential or exempt report made to a Committee or Full Council. Where a Committee considers matters in confidential session, those proceedings, including all documentation before the Committee, must not be disclosed to members of the public unless required by law or expressly authorised. Employees must not make statements on matters of policy to the media without consulting the Clerk.



### **3. Political Neutrality**

Employees serve the Council as a whole. They must serve all councillors equally, regardless of their position and any party-political identification, and must ensure that the individual rights of all councillors are respected.

Any advice given should be available to all councillors, if requested. Employees must not let their own personal or political opinions interfere with their work. While the Council recognises and respects the rights of all employees to hold personal or political opinions; employees should ensure that the expression of those opinions does not constitute a conflict of interest for their role within the Council. This does not compromise an employee's rights in relation to collective trade union representation and engagement, and lawful trade union activity.

An employee of a council cannot stand, be elected or co-opted as a councillor for the council in which they are employed. An employee may stand and be elected as a councillor in a council different to that in which they are employed.

### **4. Potential Conflict of Interest Situations**

Employees are expected to conduct themselves with integrity, impartiality and honesty and their private interests should not have the potential for allegations of impropriety or partiality to be sustained thereby bringing the Council into disrepute.

Attention is drawn to the following examples of situations where potential conflicts of interest can occur:

#### **4.1 Relationships with Councillors**

Employees are responsible to the Council through its senior managers and in many cases in carrying out their duties they also give advice to councillors. Mutual respect between employees and councillors is essential to good local government.

Employees should deal with councillors in a polite, professional and efficient manner. They should not approach or attempt to influence councillors in relation to personal or contractual matters (for example, a potential regrading of their post) but should use the existing employment procedures within the Council such as the Grievance Procedure. Employees should not report any issues or concerns regarding the operation of the council, which have come to their attention in the course of carrying out their duties, to a councillor. These should be raised with their line manager or the Town Clerk, or by following the whistleblowing procedures, if appropriate.



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This does not compromise an employee's rights as a Council Taxpayer to access and/or question the provision of Council services to them through open and transparent Council procedures, for example, in relation to a planning issue.

Employees should notify an appropriate manager if a councillor attempts to pressurise them to deal with a matter which is not in accordance with Council procedure or policy. Employees who have concerns about whether there is a potential conflict of interest should raise the matter with an appropriate manager.

## **4.2 Contact with the Community and Service Users**

The community and service users have a right to expect a high standard of professional service from the Council. Employees have a responsibility to the community they serve, and should ensure courteous, effective and impartial service delivery to all groups and individuals within the community. Employees should always try to be positive, constructive and inclusive. This may require reasonable adjustments for effective communication with people with disabilities in accordance with the provisions of the Disability Discrimination Act 1995. In addition, the language needs of someone whose first language is not English need to be considered.

Employees have a right not to be verbally or physically abused by the community and service users. Any incidents should be reported immediately to the employee's line manager, or to the Chair of the HR Committee in the case of the Clerk.

## **4.3 Relationships with Contractors, Planning Applicants and those applying for Council Grant**

All relationships with external contractors or potential contractors or applicants for planning consent or grant must be made known to the appropriate manager. Similarly, any beneficial interest or licence in respect of land which is affected by a planning application must be made known to the appropriate manager.

Orders and contracts, grants, and planning decisions/recommendations must be decided on merit and no special favour should be shown in the procurement process to any businesses or potential suppliers particularly those run by, for example, friends, persons to whom the employee owes (or is owed) an obligation, partners or persons where a family relationship is deemed to exist.

Employees who deal with, engage or supervise contractors or process or determine applications under delegated powers with whom they have previously had, or currently have, a relationship in a private or domestic capacity, should declare that relationship to the appropriate manager as soon as they are aware and a decision on their suitability to be part of the process should be made and recorded.



Employees must not accept money or any other reward from any organisation, body or individual who may benefit from work or funding provided by the council. To do so would, in law, be corrupt.

#### **4.4 Bribery & Corruption**

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

- Offer, promise or give someone a reward to induce them to perform their functions or activities improperly;
- Accept, agree to accept or request a reward in return for performing a relevant function or activity improperly;
- Bribe a foreign public official in order to win business, keep business or gain business advantage for the organisation.

#### **5. Appointments and Other Employment Matters**

Employees involved in appointments should at all times act in accordance with the Local Government Staff Commission's Code of Procedures on Recruitment and Selection. This states: "Responsibility is placed on every panel member to disclose to an appropriate manager or officer of the council where potential conflict of interest may be present, for example partners or persons where a family relationship is deemed to exist, or if an individual has agreed to act as a referee for an applicant".

And:

"Where a potential conflict of interest exists, the issue is not about satisfying the conscience of the individual. Public perceptions and also those of other candidates must be considered and, in such cases, it may be appropriate for the individual to withdraw from the recruitment exercise."

Similarly, employees should not be involved in decisions in relation to discipline, promotion or pay adjustments for any other employee with whom they have a close personal relationship, a person to whom the employee owes (or is owed) an obligation, partner or person where a family relationship is deemed to exist (refer to the Appendix for definitions).

Employees should declare an interest and, if appropriate, remove themselves from discussions or meetings where they personally could potentially be a beneficiary and/or be impacted by decisions made.



### **6. Outside Commitments**

Employees must not have any external business, external employment or external appointment without advising their line manager. Employees should adhere to the requirements regarding declaration of interests (seeking clarification from their line manager if required) if any of the following apply to the business, employment or appointment, and engagement in it would, in the Council's view:

- not be in the Council's interests;
- put the employee in a position where duty to the Council and external interests would conflict, or are likely to conflict;
- Weaken public confidence in the impartiality of the Council or in the effective conduct of the Council's work.

Engagement in any external business, employment or appointment will be deemed to act detrimentally to the Council's interests where it may give rise to or contribute to an employee's sickness absence, or deterioration in performance.

Employers and employees should be aware of their responsibilities under The Working Time Regulations.

### **7. Personal Interests**

Employees should review regularly their personal circumstances and take steps to deal with any potential conflict of interest. As soon as they become aware of a potential conflict, employees must declare to an appropriate manager any financial or non-financial interests that they consider could bring about conflict with the Council's interests, for instance:

- membership of an organisation receiving grant aid from the council;
- membership of an organisation or pressure group which may seek to influence the Council's policies;
- membership of an organisation which may seek to influence the performance of an employee in carrying out their duties;
- having a beneficial interest in land which is within the Council's parish that is subject to any planning application;
- having a beneficial interest in a company which is seeking to or doing business with the council.

Employees who have an interest, financial or non-financial, should not involve themselves in any decision or allocation of Council services or resources from which they, their friends, persons to whom they owe (or are owed) an obligation, or family





might benefit and should ensure that the matter is referred immediately to their line manager.

The Council recognises and respects the right of all employees to become members of organisations. However, employees must declare personal interests where there is, or could be perceived to be, a conflict of interest between their duties as an employee and their membership of the organisation.

### **8. Equality Issues**

All members of the community, customers and employees have a right to be treated with fairness and equality. In this regard employees must:

- be made aware of the Equality Act 2010, which legally protects people from discrimination in the workplace and in wider society;
- be made aware of their obligations under relevant equality law and the Human Rights Act 1998;
- co-operate with the Council in ensuring a neutral working environment and in the application of policies agreed by the Council relating to equality issues;
- not take discriminatory action or decisions or encourage or put pressure on fellow employees to take discriminatory action or decisions;
- Report any concerns about discriminatory conduct to their line manager or other appropriate employee.

### **9. Procurement**

Employees must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors. Employees who are privy to confidential information relating to the tendering process should not disclose that information to any unauthorised party or organisation.

Employees should ensure that, in awarding contracts, no special favour is shown to current or former employees or someone with whom they have a close personal relationship, partners or persons where a family relationship is deemed to exist, or to businesses run by them or employing them in a senior or relevant managerial capacity. If any such relationship exists, a decision on the suitability of an employee to be part of the process should be made and recorded.

### **10. Fraud and Corruption**

Employees must be aware that, under the Bribery Act 2010, it is a serious criminal offence for them to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in his/her official



capacity. Employees must adhere to the highest principles of integrity and must comply with all relevant policies in relation to expenses, travelling and mileage allowances.

### **11. Use of Financial and other Council Resources**

Employees must ensure that they use public funds entrusted to them in a responsible manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the Council. An employee who, in their role in the Council, is responsible for a budget and becomes insolvent or bankrupt, must inform their line manager promptly.

### **12. Hospitality and Gifts**

Employees should only accept offers of hospitality or invitations to attend social or sporting functions where the Council should be seen to be represented. They must be properly authorised and recorded in accordance with the Council's policy. If an employee is in any doubt about the propriety of accepting any hospitality, they should take advice from their line manager.

When hospitality has to be declined, those making the offer should be courteously advised of the procedures and standards operating within the Council. Offers of hospitality which are declined should also be recorded in the Gifts and Hospitality register.

Employees should not accept personal gifts from contractors, members of the public, outside suppliers and organisations or groups in receipt of funding from the Council, although the Council may wish to allow employees to keep items of token value such as pens, diaries etc.

When considering whether or not to accept authorised hospitality, employees should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality, for instance during a tendering period of a contract for which the provider may be bidding.

Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where:

- it is clear that the hospitality is corporate rather than personal;
- any offers of hospitality are reported and agreed by the employee's line manager in advance, or
- where the Council is satisfied that any procurement decisions are not compromised.



Where a visit is necessary, to inspect equipment for example, the Council should consider meeting the cost of the visit to avoid jeopardising the integrity of the Council in subsequent procurement decisions.

### **13. Sponsorship - Giving and Receiving**

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

Where the Council wishes to sponsor an event or service, neither an employee nor any friends, partners or persons where a family relationship is deemed to exist, must benefit from such sponsorship in a direct way without there being full disclosure to an appropriate manager of any such interest. Similarly, where the Council through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

### **14. Health and Safety**

The Health & Safety at Work Act 1974 places a duty on employees, whilst they are at work, to take reasonable care for the health and safety of themselves, others and the premises. Consequently, employees are legally bound to comply with all safety rules and instructions set by the Council.

### **15. Record Keeping**

Employees are responsible for making relevant records of their dealings with outside bodies including members of the public so that they can be accessed by colleagues if this is appropriate or necessary.

### **16. Attendance**

Employees must comply with all relevant policies regarding attendance.

### **17. Alcohol, drugs and other substance misuse**

The Council takes the health and well-being of employees seriously and wishes to minimise problems at work arising from the effects of alcohol and drugs (whether prescribed or illegal). Where the behaviour or performance of employees falls below expected standards and presents a risk to colleagues, councillors, members of the public or others due to alcohol, drugs or other substance misuse, this will be addressed under the Disciplinary policy. Employees have a duty to report any



problems associated with their ability to drive, use equipment or perform other work-related tasks and must not drive or use such equipment whilst their judgment and/or physical ability may be impaired by the use of alcohol, drugs, medicines or fatigue.

### **18. Fidelity**

The Council expect employees to obey lawful and reasonable instructions; to serve the employer personally and faithfully; exercise reasonable care and skill whilst carrying out their duties; abide by legislation; and not to disclose confidential information after the employment ends.

### **19. Monitoring Officer**

Where the County Council's Monitoring Officer is undertaking an investigation into any allegation of misconduct by a councillor, employees must comply with any reasonable request made by the Monitoring Officer in connection with the investigation.

### **20. Use of Council Property**

Employees should follow the Council's rules on the use of Council facilities including administrative or technical support, ownership of intellectual property or copyright created during their employment. All records, documents and other papers relating to the Council's business which are made or obtained by employees in the course of their employment are the property of the Council, and the copyright on all such documents belongs to the Council.

Council assets, which includes stationary, office equipment, tools, machinery, vehicles and car parks must only be used for official Council business unless prior permission has been obtained from the Clerk. All resources must be used with care to avoid wastage, loss or damage. All Council property must be returned on leaving employment.

### **21. Notification of Criminal Investigation**

This Code places a general obligation on all employees to disclose information which is relevant to their capability, capacity and suitability to carry out the duties and responsibilities for which they are employed. This general obligation applies irrespective of the role undertaken by the employee and is not limited to information which relates to a conviction, caution, reprimand or warning. For the avoidance of doubt an employee must immediately inform the Clerk in writing, if they are:

- advised that they are under investigation for a criminal act;
- arrested in connection with a criminal act;



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- notified that criminal charges are being considered against them;
- in receipt of a summons to appear before a Court of Law for an alleged offence;
- found guilty and convicted of any offence;
- receive a police caution;
- are involved in any other matter which it would be reasonable to think would impact upon their role and or professional standing.

## 22. Raising Concerns

If an employee becomes aware of activities which they believe to be illegal, improper, unethical, dangerous or otherwise inconsistent with this Code, the employee should report the matter, acting in accordance with the employee's rights under the Public Interest Disclosure Act 1998. Any employee raising such concerns need have no fear of recrimination. They will be properly supported and the Council will do everything possible to keep the matter confidential.

## 23. Further Advice

Advice must be sought from the Clerk or Mayor if an employee is in any doubt as to the interpretation of this Code.

## Appendix: Relationships and conflicts of interest

"Persons who owe you an obligation, or to whom you owe an obligation" might include a debtor, creditor, or fellow member of an organisation. Very close personal relationships may also create a conflict, e.g. a good friend.

For the purposes of the Code of Conduct, a relevant "family relationship" shall be deemed to exist between an employee and another person if they are:

- Married, Civil Partners, cohabiting as if they were married, or cohabiting as if they were civil partners (partners), or
- If the other person is a biological, adopted, foster or step relative to an employee or of that employee's married partner, civil partner, or partner under one of the following categories: child, parent, sibling, son-in-law or daughter-in-law, mother-in-law or father-in-law, sister-in-law or brother-in-law, uncle or aunt, nephew or niece, grandson or granddaughter, or grandparent.

For the avoidance of doubt, a personal relationship for the purposes of the Code of Conduct includes:

- a family relationship other than that specified above;



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- a business/commercial/financial relationship;
- a sexual/romantic relationship;
- a friendship.

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## APPENDIX A

### Civility and Respect Pledge

#### Definition of Civility and Respect

Civility means politeness and courtesy in behaviour, speech, and in the written word.

Examples of ways in which you can show respect are by listening and paying attention to others, having consideration for other people's feelings, following protocols and rules, showing appreciation and thanks, and being kind.

The National Association of Local Councils (NALC), the Society of Local Council Clerks (SLCC), and One Voice Wales (OVW), believe now is the time to put civility and respect at the top of the agenda and start a culture change for the local council sector.

By our council signing up to the civility and respect pledge we are demonstrating that our council is committed to treating councillors, clerks, employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role.

Signing up is a simple process, which requires councils to register and agree to the following statements:

Statement	Tick to agree
Our council has agreed that it will treat all councillors, clerk and all employees, members of the public, representatives of partner organisations, and volunteers, with civility and respect in their role. Ventnor Town Council expects all it's staff to abide by the same parameters of operation.	
Our council has put in place a training programme for councillors and staff	
Our council has signed up to Code of Conduct for councillors and has a broad, but bespoke framework of expectation on ethical leadership available upon induction of elected members and for staff training purposes.	
Our council has good governance arrangements in place including, staff contracts, and a dignity at work policy.	
Our council will commit to seeking professional help in the early stages should civility and respect issues arise.	
Our council will commit to calling out bullying and harassment, when and if it happens.	



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<p>Our council will continue to learn from best practice in the sector and aspire to being a role model/champion council e.g., via the Local Council Award Scheme</p>	
<p>Our council supports the continued lobbying for the change in legislation to support the Civility and Respect Pledge, including sanctions for elected members where appropriate. Ventnor Town Council further commits to reaffirming our commitment bi-annually to this set of values by way of a simple signature of elected members.</p>	

### **Bi-annual commitment from employees**

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