

# Code of Conduct for Employees



# Introduction

The public is entitled to expect the highest standards of conduct from all local government employees. This Code of Conduct sets out the minimum standards of conduct that are expected of you as a Council employee and incorporates the Council's existing policies, regulations and conditions of service.

It is based on the recommendations of the Nolan Committee on the Standards of Conduct in Local Government in England, Scotland and Wales and has been agreed with all Trade Unions representing all employees with Glasgow City Council. It applies to employees' conduct both within the Council and when dealing with other organisations as a representative of the Council.

The principles detailed below are the basic ones governing all Glasgow City Council employees but each Head of Department may wish to issue further guidance specifically relating to his/her departmental service requirements which will supplement but not contradict the basic principles contained in this Code.

It is not intended that these principles will impinge in any way on the requirements set down by any employees' professional body.

The Code does not affect an employee's rights and responsibilities under the law; its purpose is to provide clear and helpful advice. Because of the nature of their work, parts of the Code may apply to some employees more than others, but all employees must comply with the Code.

A breach of the Code may give rise to disciplinary action, which will be taken in accordance with the Council's Code of Discipline. As far as possible, employees must also comply with the Code of Conduct if they are appointed as a representative of the Council on any organisation, trust or company.

# Seven principles of public life

The Code incorporates the following seven principles identified by the Nolan Committee on Standards in Public Life:

### **Selflessness**

Employees should not take decisions, which will result in any financial or other benefit to themselves, their family, or their friends. Decisions should be based solely on the Council's best interests.

### **Integrity**

Employees should not place themselves under any financial or other obligation to an individual or an organisation, which might influence them in their work with the Council.

### **Objectivity**

Any decisions, which employees take in the course of their work with the Council, including making appointments, awarding contracts, or recommending individuals for rewards or benefits, must be based solely on merit.

### **Accountability**

Employees are accountable to the Council as their employer. The Council, in turn, is accountable to the public.

### **Openness**

Employees should be as open as possible in all the decisions and actions that they take. They should give reasons for their decisions and should not restrict information unless this is clearly required by Council policy or by the law.

### **Honesty**

Employees have a duty to declare any private interests, which might affect their work with the Council.

### **Leadership**

If they are in a managerial position, employees should promote and support these principles by their leadership and example.

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### Areas where the principles apply

Standards

Recruitment

Relationships

Fair and reasonable treatment at work

Conflicts of interest

Acceptance of other remunerative

employment/private professional practice

Other outside duties or services during

business hours

Openness and disclosure of information

Fraud detection and misuse of information

Bribery and corruption

Use of financial resources

Use of other resources

Social media

Hospitality

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### Standards

Local government 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. Employees will be expected to bring to the attention of the appropriate level of management any significant impropriety or breach of procedure which would impact on the provision of the service.

More detailed guidance is contained within the [Council's Policy on Whistleblowing](#).

### Recruitment

Employment of relatives/disclosure of relationships

Employees involved in appointments must ensure that these are made on the basis of merit. It is unlawful for an employee to make an appointment, which was based on anything other than the ability of the candidate to undertake the duties of the post.

If employees are conducting interviews as part of their job, they must disclose, prior to the interviews taking place, any relationship known to exist between

them and the candidate for interview. This should be reported to their Line Manager in the first instance.

Advice on the application of this paragraph is contained within the [Conditions of Service Recruitment & Selection](#).

No relative of a Chief Officer or Directorate of a Department shall be offered an appointment in that Department without consultation with the Executive Director, Corporate Services and/or Chief Executive and the prior consent of the departmental committee where appropriate. Employees must also not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner, etc.

Canvassing of members or employees of the Council

Canvassing of members or employees of the Council directly or indirectly in connection with any appointment within the Council, will disqualify the candidate. Employees must not solicit for any person for any appointment within the Council or recommend any person for such appointment or for promotion. This, however, will not prevent them from giving a

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written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

See our [Conditions of Service Recruitment & Selection](#) for more information.

### Politically restricted posts

In terms of the Local Government and Housing Act 1989, a person who holds a "politically restricted post" is disqualified from being or becoming a member of a local authority, member of the House of Commons or member of the European Parliament and Scottish Parliament. Certain other restrictions on the political activities of these officers have been introduced by regulations by the Secretary of State for Scotland. Details of these restrictions and the posts covered by these restrictions are contained in the [Conditions of Service Political Restrictions](#).

The public expects all employees to carry out their duties in a politically neutral way, and Councillors must respect this. The political activities of a small number of employees are restricted by law.

Employees must serve the Council and all Councillors, regardless of their personal political outlook. The Chief Executive and Senior Officers have ultimate responsibility to help ensure that the policies of the Council are implemented.

Employees must implement the policies of the Council irrespective of their personal views.

If any employee is asked by a Councillor to provide assistance with a matter which is clearly party political or which does not have a clear link with the work of the Council, a polite refusal should be given and the Councillor should be informed that the matter will be referred to the employee's line manager.

## Relationships

### The public

Employees should always remember their responsibilities to the community which they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community. Each member of the public should be dealt with fairly, equitably and consistently in line with the Council's Equalities Policy.

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### Councillors

Employees are responsible to the Council through its senior managers. For some employees, their role is to give advice to Councillors and senior managers and all are there to carry out the Council's work. 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.

### Political groups

Political groups may sometimes seek advice from Council employees. Employees must follow the Council's procedure, detailed below.

The office bearers (of the group) must first approach the Chief Executive or relevant Director and employees should check whether this has happened. If not they should refer the matter to the Chief Executive.

The office bearers must tell the Chief Executive what type of advice they are seeking.

The Chief Executive will decide whether attendance at the meeting is appropriate and which employee or employees should attend and notify them accordingly.

Once the employee has given the advice to the group the employee must leave the meeting before any decision is made.

The employee must observe strict confidentiality. The discussion in one political group should not be disclosed to another political group or to any member of such a group.

### Access to Councillors

Employees are entitled to raise with their Councillor any complaint which they have about the services of the Council. If their complaint concerns any aspect of their work with the Council, however, they must make use of the Council's [Grievance procedures](#).

### Contractors

In accordance with the Council's conditions of service, all senior officers (defined as grade 12 and above) are required to submit annual declarations of interest and to notify the Chief executive in writing of any change of circumstances as soon as that change has

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occurred. This also applies to certain other employees in posts below the rank of Chief/Depute Chief official particularly those involved in competitive tendering procedures. The [Declaration of Interest Guidance](#) should be referred to for further information.

Employees must be fair and impartial in the procurement process and in their dealing with contractors, sub-contractors and suppliers.

Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process.

All personal relationships with contractors of a business of private nature with external contractors or potential contractors must be made known to the appropriate manager.

If employees are involved in the tendering process they must follow the Council's procedures and rules about tenders and contracts. Contracts must be awarded in accordance with the Council's standing Orders Relating to Contracts.

In particular, if any employees are contemplating a management buyout of a contractor or potential

contractor, they must, as soon as they have formed a definite intent, inform their appropriate manager and withdraw from the contract awarding processes.

If they have access to confidential information on tenders or costs for either internal or external contractors, they must not disclose that information to any unauthorised individual or organisation.

### **Fair and reasonable treatment at work**

Employees are entitled to expect fair and reasonable treatment from their colleagues, managers and from Councillors.

The Council recognises that all employees have the right to be treated with dignity and respect and is committed to providing a work environment free from discrimination, harassment, bullying and victimisation.

Our commitment to achieving this is set out in our [Equal Opportunities Policy](#).



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If employees feel that they have been unfairly treated or have been discriminated against, they are entitled to make use of the Council's [Bullying and Harassment Policy](#), [Grievance Procedures](#) and/or [Whistleblowing Procedure](#).

There may be rare occasions when they feel that they have been required by a colleague, a Councillor or a member of the public, or by an organisation, to act in a way which might be illegal, improper or unethical, or which is otherwise in conflict with the principles of this Code of Conduct. They must inform their line manager accordingly.

### Conflicts of interest

Council employees have an obligation to act in the best interest of the Council and to avoid situations where there may be a potential conflict of interest.

Conflict of interest may arise when an individual's personal or family interests and/or loyalties conflict with those of the Council.

Interests can be financial or non-financial and can include other paid/unpaid employment, membership

of a professional body, trade association or trade union of shareholding where the nominal value of interest exceeds 1/100<sup>th</sup> of the total nominal value of the issued share capital or £1,000 which is less. Accordingly, all Council employees should declare their interests to their line manager. This should be recorded in a register by their line manager.

In addition all employees who sit on the boards of external bodies, or who are involved with them are required to submit annual declarations of interest (to notify the Chief Executive of any changes) if they or a closely connected person to them is involved in any of the following areas of work:

- Advice and/or assistance on the availability of council grant funding to external organisations.
- Amendment and monitoring of application for and of Council grant funding.
- Council grant funding administration.

A closely connected person is a spouse, partner, cohabite, close relative (parent, sibling, child or grandchildren) or more distant relative who is part of your family unit, or a business partner.

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Employees are required to notify the Chief Executive in writing of any change of circumstances as soon as that change has occurred.

### **Acceptance of other remunerative employment/private professional practice**

Heads of Department and Deputes excepted, no restriction shall be placed on employees undertaking other employment of a remunerative nature out with normal working hours, provided the additional employment does not interfere with or impair their ability for the efficient execution of their duties within the Council's service.

Employees shall not engage, however, in work for any individual firm or body where the Council has been, or could be involved in the transaction or other business, or where the work in any other way impinges on the Council's interests.

Employees must not do private work for submission to any Department of the Council, nor act for any person who is in negotiation with the Council, in view of the possibility of conflict of interest and the implications which might be taken from such action.

The onus is on employees to ascertain whether any conflict occurs and to raise the matter in the first instance with their Head of Department.

If employees wish to market, patent or otherwise exploit ideas, inventions, or other products, where they are using knowledge or information gained in the employment of the Council, they must advise their Head of Department accordingly.

### **Other outside duties or services during business hours**

During the period of their employment, employees will not be permitted to hold any outside office, position of employment, the duties of which would entail their absence from work during normal business hours, without the consent of the departmental committee involved, but this instruction does not debar a Head of Department from authorising an employee:

- to be absent occasionally and temporarily during business hours to attend to duties or services of an honorary, charitable or philanthropic character, so long as these do not interfere with efficient discharge of Council duties, or

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- to take leave of absence during office hours for similar duties or services.

All employees may accept invitations to undertake lectures appropriate to their professional qualifications. Where such lectures are given out with normal office hours, or are given within normal office hours, but are of an infrequent nature, any fees may be retained. For lectures given within normal office hours, where the lectures cover a given period of pattern, prior permission must be sought from the Executive Director, Corporate Services and any fees that received, excluding out-of-pocket expenses, must be paid to the Council or the time off must be set against the employee's annual leave entitlement. See the [Declaration of Interest Guidance](#) for further information.

### **Openness and disclosure of information**

The Council's decision making process must be transparent and open. The Council must provide the public with clear and accessible information about how it operates. It must also ensure that there is an effective complaints procedure in place for the public to use when things go wrong.

The council is committed to ensuring that all data collected, held or obtained under its control is dealt with in an ethical and legally responsible manner. Failure to do so would jeopardise the credibility of the council and may cause the council to breach disclosure legislation.

The Council's policy is that in general information will be made available. There are exceptions, however, to this principle of openness where confidentiality is involved, and information may be withheld if, for example, it would compromise a right of personal or commercial confidentiality.

This does not apply where there is a legal duty to provide information. Employees must not break the law in this area. In particular, information must not be supplied concerning employees to any person out with the service of the Council unless the consent of the employee is first obtained. This will not apply where there is a statutory duty to provide information, e.g. Inland Revenue, DSS etc. or in the process of prevention or detection of fraud, as detailed below. If there is any doubt employees should raise the matter with their line manager.

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Breaches of confidentiality will constitute a breach of the code of conduct for employees which could result in disciplinary action, up to and including dismissal. Under the Data Protection Act 1998, breaches of confidentiality can lead in certain circumstances, to legal proceedings against employees as individuals.

Employee may be required to sign a confidentiality or non-disclosure agreement for specific posts.

### **Fraud detection and misuse of resources**

All Local Authorities have a responsibility to prevent fraud. As a result of the decision by the Policy and Resources Committee at its meeting on 17th June 1997, any information collected by the Council will be used and disclosed where necessary to prevent and detect fraud. It will also be shared for the same purpose with Public Bodies or other Organisations which handle Public Funds. This is covered under the criteria laid down by the Data Protection Act 1998.

Action may also be taken under the Council's Code of Discipline against any Council employees detected fraudulently completing Council Tax/Housing Benefit forms or misusing a Blue Badge (disabled parking permit).

### **Bribery and corruption**

Under the Bribery Act 2010 it is important that employees are aware that is a serious criminal offence to:

- Offer, promise or give someone a reward to make them 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.

The Council will not employ individuals who do not abide by the terms of the Act.

Any suspected contravention will be investigated internally and where the Council consider that a breach of the Act has occurred this will be referred to the relevant regulatory authority for further action as appropriate. Furthermore disciplinary action may be taken against the employee including dismissal.

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### Use of financial resources

Employees must ensure that public funds entrusted to them are used in a responsible and lawful manner. They must strive to ensure value for money to the local community and to avoid legal challenge to the Council.

### Use of other resources

All employees serve the public, and they must remember the seven principles when they use Council equipment, materials and resources, in order to ensure value for money.

Employees must not breach the policy of the Council on the personal use of Council equipment. In particular, employees should follow guidance detailed in our [Acceptable use of our Information and Communications Technology facilities](#) guidelines which stress that the Council and its employees are legally required to follow good security practices by:-

- keeping personal data secure (Data Protection Act)
- only using licensed software (Copyright, Designs and Patents Act)
- not attempting to gain unauthorised access to data and systems (Computer Misuse Act)

### Social media

The Council does not allow access to social media websites from its computers or mobile technology at any time.

‘Social media’ is the term commonly given to any type of interactive online media that allows parties to participate in discussions and share information in a public forum. This includes online social forums such as Twitter, Facebook and LinkedIn and also covers blogs and video and image sharing websites such as YouTube and Flickr.

A limited number of employees have access to some social media sites for business purposes only.

Certain professions, such as teaching and social work, also have a code of professionalism and specific standards employees must follow.

Some employees are in politically restricted posts and must be mindful of this even in their personal social media posts.

The use of social media sites, email or other online resources to post or access messages or images which are defamatory, obscene, libellous or

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inappropriate will be treated as misconduct under the Code of Discipline, Disciplinary and Appeals Procedure and may lead to dismissal in cases of gross misconduct.

Employees should ensure that they do not conduct themselves in a way that is detrimental to the Council, colleagues, clients or Service Users either during working hours or in their personal lives when using their own equipment.

Employees should not add clients, pupils or service users as friends on social networking sites; as well as being unprofessional, this could potentially breach confidence and trust.

Our [Acceptable use of our Information and Communications Technology facilities](#) guidelines provide more information. Employees have the responsibility to familiarise themselves with these guidelines.

### Hospitality

Employees must follow the Council's policy on declaring offers of hospitality and follow the current procedures for having any offers authorised, as detailed in the [Hospitality/Acceptance of Gifts Policy](#).

### 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 conditions concerning acceptance of hospitality or gifts apply.

Particular care must be taken when dealing with contractors or potential contractors.

Where the Council wishes to sponsor an event or service, no employee, or their partner, spouse or any relative may benefit from such sponsorship in a direct way without there being full disclosure to their line manager of any such interest. Similarly, where the authority 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.

### Contacts with the Media

All contact with the media should normally be directed through the Council's Public Relations Department where media officers are assigned to deal with enquiries from the press.

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Directors/Heads of Department and designated officers can, however, speak to the media only on issues related to their direct area of responsibility.

Employees in any doubt regarding this should contact their immediate line manager.

### Public Statements

Employees are entitled to express their views about the Council, provided they do not make use of any private information gained through their work with the Council. But, in their work capacity, they must not criticise the Council either through the media or at a public meeting, or in any written communication with members of the public including through social media.

### Conditions of Service

All employees are governed by the Council's Conditions of Service. Copies of the Council's Conditions of Service and Personnel Policies and Procedures are available, for inspection, within their employing Department or on [Connect](#).

### Legal assistance

If an employee is charged with a criminal offence or is subject to a civil action arising from action taken within the scope of his/her employment duties, and the Chief Executive is satisfied that the employee has acted responsibly, the Chief Executive has delegated authority to refund to the employee any reasonable legal costs incurred.