



**London Borough
of Hounslow**

Code of Conduct

Transformation & Human Resources

Issued by HR Policy Team
Effective from 2 May 2017

CODE OF CONDUCT FOR EMPLOYEES

FOREWORD

Employees of Hounslow Council provide vital services to our community and our aim is to achieve excellence in every service we deliver. To do this we expect the highest standards from everyone who works for the council. The purpose of the code of conduct is to ensure that everyone is aware of these standards and knows how to address any potential breach of them. The code also exists to protect employees by setting out clear expectations and behaviours which colleagues, members of the public and elected members are expected to maintain.

This code sets out the standards that apply to all employees. It is the responsibility of employees to read the code and ensure awareness of the standards. If there is anything you are unclear about you must seek advice from your line manager or your Human Resources team.

The code has been developed in consultation with trade union representatives and has the approval of elected members.

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1 INTRODUCTION

Purpose

- 1.1 The purpose of having a code of conduct is to:
- support the maintenance of the highest standards of conduct by employees throughout the London Borough of Hounslow
 - identify corporate standards, which may be in addition to departmental codes and professional codes and guidelines
 - help all employees to act in a way which upholds the council's standards and, at the same time, protect them from criticism, misunderstanding or complaint
 - ensure that behavioural standards reflect the council's values across the organisation.

Scope

- 1.2 This code of conduct applies to:
- a. all employees of the council, except teachers and those employed in schools under the control of governing bodies for whom other codes already exist. Employees are as defined in section 230 of the Employment Rights Act 1996 or any substituting or amending legislation; and
 - b. individuals providing services for the council, e.g. contractors, agencies, self-employed, those working in partnership with the council; and
 - c. employees when they are working away from the council offices, regardless of their work location.
- 1.3 Any reference to the term 'employees' throughout this code, should be taken to mean those workers defined in paragraph 1.2.

Failure to abide by the code

- 1.4 Any failure to observe the standards set out in this code may lead to disciplinary action being taken under the council's Disciplinary Policy.
- 1.5 Where standards are breached by a worker who is not an employee of the council (as defined in paragraph 1.2 (a)), appropriate arrangements will be made with the external organisation to ensure that the matter is properly addressed. Serious breaches in standards would normally lead to termination of the contract.

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Development of the code

- 1.6 The code will need to be updated from time to time as a result of changes to council policy or legislation. Any such changes can be introduced in line with the normal protocol for policy development within Human Resources.

Accessing policies and documents referred to in the code

- 1.7 Employees are urged to use links to other policies and documents, which are contained within this Code.

Useful information

- 1.8 The final section of this code (Section 17) contains a list of contact points, which will be useful to all employees.

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2 STANDARDS

- 2.1 The London Borough of Hounslow expects the highest standards of conduct from its employees to ensure that public confidence in their integrity is sustained.

Fundamental standards

- 2.2 The fundamental standards for employees are:
- a. To serve the populations living within the borough
 - b. To use public money to serve the needs of borough residents in the best way
 - c. To be fully accountable for the use of all resources
 - d. To ensure that their conduct does not damage public confidence in the honesty and integrity of the council
 - e. To report, through agreed procedures and without fear of recrimination, breaches of procedure or impropriety
 - f. To work safely to protect their own safety and that of others
 - g. To respect and value the diversity, including an appreciation of the cultural differences, which exist amongst the community and the workforce.

Further information

- 2.3 Employees who are unclear about the standards required should contact:
- Line manager
 - HR Team
 - Trade union

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3 THE EMPLOYMENT RELATIONSHIP

- 3.1 Employees are engaged under a contract of employment, which regulates the terms and conditions of the employment relationship. The existence of this relationship creates a number of obligations on both parties and these are summarised below. It is expected that these principles will apply where workers are not employees of the council (as defined in paragraph 1.2(a)).

(a) Employees can expect that the council will:

- i Provide a safe and healthy working environment
- ii Pay the agreed salary for the post
- iii Follow its own agreed policies and procedures
- iv Comply with employment legislation
- v Treat seriously concerns which are reported
- vi Provide protection, including anonymity where appropriate, for those who report concerns
- vii Address grievances raised
- viii Always treat staff fairly and with respect
- ix Not tolerate harassment, bullying, victimisation or discrimination or any inappropriate bias in relation to its staff

(b) The council can expect that employees will:

- i Attend work in a timely manner
- ii Carry out the duties of the post for which they are employed
- iii Work the number of hours for which they are paid
- iv Be fit to carry out their duties effectively (i.e. not under the influence of drink or drugs or be subject to any substance misuse)
- v Follow the agreed procedures, policies, guidance and / or practices
- vi Report concerns about known or possible wrongdoing
- vii Treat colleagues and service users impartially and with respect
- viii Work collaboratively with colleagues and partner organisations
- ix Dress appropriately and professionally for the work to be carried out, including wearing protective clothing or corporate uniforms when required
- x Not behave in any way which damages public confidence in the council or brings the council into disrepute

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4 RESPECT FOR OTHERS

Fundamental principle

- 4.1 Every employee has the right to be treated with respect and has the responsibility to treat others respectfully. Employees are expected to uphold these principles and values when at work.

Harassment, bullying, victimisation and discrimination

- 4.2 The council will not tolerate the harassment, bullying or victimisation of employees nor will it tolerate discrimination against staff.

Unacceptable behaviour/actions

- 4.3 Employees must not act or behave in ways that disadvantage others or undermine the effectiveness and well-being of employees. In addition to other references to behaviour and standards in this code, it is expected that the actions set out below will be observed by all employees. This list is not, nor should it be taken as, exhaustive:
- a. Employees must not touch others inappropriately
 - b. Employees must be sensitive in their use of language and the ways they communicate with others
 - c. Employees must be aware of the effect of non-verbal conduct as it is not only the words or physical contact made that can cause offence e.g. displaying inappropriate pictures or making inappropriate gestures
 - d. Employees should exercise any power¹ (for definition, see footnote below) they hold in a responsible and equitable manner. This standard should be upheld despite the pressures involved in delivering a high quality service.
 - e. Employees should not fight, physically assault or verbally threaten physical assault on members, employees, service users, contractors or members of the public.

How to deal with problems

Formal approach

Power¹ can be derived not only from status (e.g. management positions) but also from age, length of service, popularity, strength of a group etc. Employees must not, for example, unnecessarily exclude someone from a conversation, deny development opportunities, victimise someone for challenging actions.

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- 4.4 Employees who experience behaviour that they feel is unpleasant, disrespectful or threatening have redress through the council's Grievance Policy. If a person is found to be acting inappropriately, in breach of the Grievance Policy or this Code of Conduct, the council will consider taking action under the Disciplinary Policy.

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5 HEALTH, SAFETY AND WELLBEING

Fundamental principle

- 5.1 All employees must work safely to protect their own safety and that of others.

Health, safety and wellbeing strategy

- 5.2 The council has a Health, Safety and Wellbeing Strategy that is designed to meet its legal obligations as an employer and service provider. It has the full endorsement and backing of the Cabinet and the Corporate Leadership Team.

Other key documents

- 5.3 The other key documents concerning health, safety and wellbeing are:
- The council's Health and Safety Manual which is available on the intranet and contains Corporate Health & Safety policies procedures and guidance.
 - The Corporate Health, Safety and Wellbeing Strategy
 - Corporate health and safety policies and specific procedures.
 - Departmental health & safety policies. These are available on the internet and from service managers.
 - The "Health and Safety Staff Leaflet", which can be downloaded from the intranet.
 - Locally produced risk assessments and safe working and operational procedures. These are available from service managers.

Employees' obligations

- 5.4 The key obligations for all employees are:
- a. To read and understand their health and safety responsibilities outlined in the council's Health, Safety and Wellbeing Strategy and their Department's Health and Safety Policy
 - b. To work safely and in accordance with policies, procedures and risk assessments

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- c. Not to interfere with or use any equipment unless they have been appropriately trained, instructed or are under direct supervision
- d. To be alert to any health and safety hazards or defects and report to their supervisor/manager anything which they cannot immediately make safe.

Obligations for managers/supervisors

5.5 In addition to those set out at paragraph 5.4, managers and supervisors have the following obligations:

- a. To ensure daily operational activities feed into support the departmental Health and Safety Policy and Plan
- b. To complete risk assessments of their service and take appropriate action to reduce the risk to an acceptable level
- c. To implement necessary safe working and operational procedures and monitor them periodically to ensure they remain fit for purposes in accordance with the council's Continuous Improvement Process
- d. To provide their Director with all information relating to the collation of monthly Divisional Health and Safety KPI's and to ensure this information is periodically updated
- e. Ensure mandatory Health and Safety training as specified within the L&D section of each employee's PDA file is undertaken
- f. To ensure that they and their staff are fully aware of relevant health and safety issues affecting their service
- g. To actively promote and comply with the council's Health, Safety and Wellbeing Strategy, other corporate policies and procedures and guidance and their departmental Health and Safety Policy
- h. To fully understand the consequences both potential and actual of failure to comply with corporate policies and procedures and to ensure employee health and safety performance is established, monitored and reviewed as part of the PDA process.

Imminent or serious risk of injury

5.6 No employee should continue working in circumstances where there is an imminent or serious risk of injury. In such cases employees are advised to always remove themselves and anyone in their care from the immediate danger and report directly to their supervisor/manager, as soon as is reasonably practicable.

Incident reporting

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- 5.7 In the event of an accident, near miss or dangerous occurrence, the incident must be reported to the employee's manager as soon as possible but no later than 24 hours after the incident, and recorded using the council's incident reporting system, via "Report an Accident" available on the intranet.
- 5.8 The manager MUST notify the Health and Safety Team if the employee is absent for more than 7 days as a result of the incident, on the 8th day. This notification is required whether the absence is immediately after the incident or at a later date, but due to the incident.
- 5.9 Managers are responsible for conducting root incident investigations and to ensure appropriate mitigation is in place to prevent a recurrence. Associated or requisite safe working procedures are reviewed and where necessary updated and communicated to all employees concerned.

Failure to comply with health and safety requirements

- 5.10 A failure to comply with health and safety requirements and instructions or the council's stated policies or procedures will be regarded seriously and will normally be dealt with under the council's Disciplinary Policy. This applies whether or not an accident or injury has occurred.

Contacts for further advice

- 5.11 Employees who have any queries about health and safety issues should contact their line manager in the first instance.
- 5.12 For further advice, please contact either The Health & Safety Team (020 8583 2167) or health.safety.askus@hounslow.gov.uk

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6 WORKING WITH HONESTY AND INTEGRITY

Fundamental principle

- 6.1 Employees are expected to perform their duties honestly, with integrity, impartiality and objectivity. This principle applies to all employees, regardless of their position within the council.

Anti-fraud statement

- 6.2 The council is committed to the proper accountability of public funds and condemns fraud and corruption in public life. The Anti-Fraud and Corruption Strategy and Sanction Policy sets out the way the council views and deals with fraud and corruption within the organisation.

Breach of the principle

- 6.3 Any breaches of the fundamental principle, set out in paragraph 6.1, will be treated very seriously. In particular it should be noted that:
- a. Fraud and corruption (including benefit fraud) will be regarded as very serious matters and dealt with through the council's Disciplinary Policy.
 - b. Acts of theft, fraud and corruption will usually constitute gross misconduct and could therefore result in dismissal from the council's service (even for a first offence). Criminal proceedings may also follow.
 - c. At all times employees must be aware of the reputation and integrity of the council. For employees who are involved in theft, fraud or corrupt practices not directly related to the council there might be implications for their continued employment with the council.

Council's expectations and fiduciary relationship

- 6.4 It is expected that all employees will:
- a. pay all monies due to the council e.g. council tax, parking fines, residential parking zone fees etc
 - b. promptly pay what they owe to the council, without further demand, and avoid any suspicion that they may abuse council finances
 - c. immediately declare any links and interests in groups or organisations who either work for, or supply goods and services to, the council or get grants or other benefits from the council (see section 9 - 'Personal Interests')

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- d. make a formal declaration if their job could enable them to exploit council information or procedures improperly (e.g. access to council records on their own, a relative's, a friend's, a partner's housing benefit claim) (see section 9 - 'Personal Interests')
- e. not abuse their position with the council for the benefit of themselves, relatives or friends e.g. fraudulently altering records to make enhanced payments
- f. report concerns regarding possible wrongdoing (see paragraphs 6.5 and 6.6).

If employees suspect fraud or corruption

- 6.5 Employees who wish to seek advice about suspected fraud, corruption or wrongdoing should contact Internal Audit in the first instance.
- 6.6 Employees are under a duty to report any suspicions of fraud, theft, corruption or other wrongdoing (see section 16 - 'Reporting Concerns') whether this involves a colleague, manager or elected member.

Contacts for further advice

- 6.7 For further information about fraud or corruption, the council's Anti-Fraud and Corruption Strategy and Sanction Policy (see section 6.2) please contact Internal Audit on 020 8583 2350 or the Corporate Anti Fraud Team on 020 8583 2375.

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7 CONFIDENTIALITY

Fundamental principle

- 7.1 The council recognises the importance of an open, transparent culture with clear communication and public accountability. It is the council's aim to be as open as possible about all its activities.
- 7.2 On occasions it will be appropriate for some information, particularly concerning individuals, to be kept confidential in order to maintain the privacy of both staff and clients and to meet the statutory requirements of the Data Protection Act (see paragraph 7.3(d)).

Council's expectations

- 7.3 Employees are expected to:
- a. make themselves familiar with both the Information Matters Guide for Staff and their own departmental confidentiality procedures
 - b. be fully aware of what information can be released and to whom
 - c. maintain the privacy at all times of all employees, potential employees, clients, customers, individuals or organisations with whom the council comes into contact
 - d. handle personal or sensitive information in a professional and confidential manner, in accordance with the Data Protection Act.
 - e. provide information as required by law, to members, auditors, government departments, service users and the public.

Breach of confidentiality

- 7.4 Employees must not breach confidentiality. There will be a breach of confidentiality in the following circumstances, although this list is not exhaustive:
- a. where employees gain access or attempt to gain access to information they are not authorised to have
 - b. where information obtained in the course of an employee's employment is used for personal gain or benefit
 - c. where information obtained in the course of an employee's employment is passed onto others, who may use it for personal gain or benefit

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- d. where information, received from a councillor or colleague that is personal to that person (e.g. home telephone number), is divulged without the prior approval of that person, except where such disclosure is required by law.

Consequences of a breach of confidentiality

- 7.5 Any breach of confidentiality (whether this is deliberate or comprises persistent accidental breaches or a one-off accidental breach which is so serious that it breaches the contractual relationship) will be treated as a serious matter and may lead to action being taken under the council's Disciplinary Policy.

Informed consent

- 7.6 There may be occasions when there is a legitimate reason to disclose information. All employees are informed about particular circumstances in which information may be disclosed without their prior consent (e.g. where computer usage is monitored following a suspicion of misuse).
- 7.7 In other circumstances, it will usually be appropriate to obtain the 'informed consent' of an individual before information is disclosed. This means that an individual will be made aware of why the information is wanted (for example to access services provided by the council), who will have access to it and the consequences of agreeing or not agreeing to disclose the information.

Further information

- 7.8 If employees are unclear about whether information should be disclosed or kept confidential they should speak to one of the following:
- their line manager
 - their HR team
 - the corporate communications team, where the information is to be provided to the media (see section 14)
 - the Information Governance team

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8 WORKING RELATIONSHIPS

Fundamental principle

- 8.1 The council wishes to maintain a working environment that enhances the performance and well-being of employees and constantly improves services to the community. This section sets out the council's expectations for the various working relationships that exist in the course of employment.

Colleagues

- 8.2 In all dealings with colleagues, employees are expected to be well-mannered, polite and to behave in a way which:
- enhances the performance and well-being of others and the effectiveness of council services
 - is supportive, co-operative, professional and respectful
 - respects and values the diversity in the council's workforce.

Service users

- 8.3 In all dealings with the local community and service users, employees must behave in such a way that ensures individual residents, groups, customers are:
- treated with dignity and respect
 - treated impartially, receiving fair and equal services
 - protected from harm or abuse.
- 8.4 All employees are required to make themselves familiar with, and implement, the council's policies on customer charter and equalities. Employees must ensure that the principles within these policies and those of individual departments are followed.

Elected members

- 8.5 Mutual respect between employees and members is essential to good local government. The protocol on staff-councillor relationships in the council's Constitution, sets out the council's expectations in this area.
- 8.6 The key expectations of the member-employee relationship are that:
- Employees will maintain the highest level of professional standards and personal integrity in all their dealings with elected members
 - Members must promote equality and well-being, treat others with respect and ensure they do not do anything which compromises, or

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is likely to compromise, the impartiality of those who work for, or on behalf of, the council.

- 8.7 Employees are required to declare any relationship they have with an elected member (see paragraph 9.3 under 'Personal Interests').

Contractors, suppliers and other partners in service provision

- 8.8 Employees are expected to:

- a. work within the terms of the contracts and agreements made between contractors / suppliers / partners and the council
- b. develop effective co-operative working relationships with contractors, suppliers, and service partners and at all times to behave in a professional manner
- c. use corporate contracts where appropriate.

Colleagues and managers who have a close personal relationship

- 8.9 If an employee has managerial responsibility for someone with whom they have a close personal relationship (e.g. partners and family members) it may cause difficulties both for the individuals concerned and other team or departmental colleagues and jeopardise the cohesion and harmony of the team.
- 8.10 Every effort should be made to avoid such situations arising wherever possible. If these circumstances do exist or develop, the line manager should be informed and appropriate measures agreed.
- 8.11 A failure to declare a relationship may be considered under the council's Disciplinary Policy.

Problems with working relationships and potential conflict

- 8.12 Employees who are experiencing difficulties in a working relationship may wish to try and resolve these. In the first instance, employees are encouraged to raise issues at an early stage with their line manager. There are a variety of other ways in which issues can be raised, though the appropriate route will depend on the nature of the concern:
- An employee who considers they are being treated in a manner which is other than professional and respectful should raise this through the council's Grievance Policy.
 - An employee who considers that a colleague has behaved inappropriately towards a service user has a duty to report this (see

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paragraph 16.2 under 'Reporting Concerns').

- An employee who wishes to raise concerns about the behaviour of an elected Member should refer to section 8 of the protocol on staff-councillor relationships, in the council's Constitution.
- An employee who feels threatened or jeopardised in any way by the actions or intent of any service user should take appropriate action under the council's Avoidance of Violence to Staff policy and any departmental guidelines.

Contacts for further information

8.13 A copy of council policies referred to in this section is available on the council's intranet.

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9 PERSONAL INTERESTS

Fundamental principle

- 9.1 Employees may have a variety of personal interests. In most cases it is likely that these will not impinge on their work at the council. However, it is important that an employee's personal interests do not arouse any suspicion about their honesty or integrity or that these cannot in any way bring the council into disrepute. For this reason employees are required to declare particular personal interests in accordance with this section.

Personal interests which must be declared

- 9.2 Employees must declare any interests which:
- prevent, in any way, the impartial performance of their duties or create the perception that it would prevent the impartial performance of their duties
 - are not compatible with public service or create the perception that they are not compatible with public service
 - put them under suspicion of improper behaviour.

Examples of personal interests

- 9.3 Personal interests include the following, though this should not be taken as an exhaustive list:
- friendships
 - relationships (including relationships with elected members)
 - associations
 - financial interests
 - interests of friends - the degree to which a person can be described as a 'friend' is a matter of judgement. If any doubt exists, employees should speak to their line manager for advice.
 - interests of relatives - a relative includes a spouse, civil partner, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner / civil partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse, civil partner or partner of any of the preceding persons

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- membership of any organisation not open to the public with formal membership and commitment of allegiance or which has secrecy about rules or membership or conduct
- membership of commercial or voluntary organisations that may be involved directly or indirectly with the council.

Employees' responsibilities

- 9.4 Employees must not allow any personal interests to conflict with the performance of their duties whilst employed by the council.
- 9.5 The decision about whether an interest conflicts with, or may be considered improper, is not necessarily what an employee may think but is also about what a member of the public, knowing the facts, would make of the matter.

Sponsorship

- 9.6 Where the council is seeking to sponsor an event, it is important that no employee, relative or friend (see definitions in the footnote on previous page) benefits from this. Where an outside organisation wishes to sponsor a council event or service, the normal conventions regarding acceptance of gifts and hospitality apply (see section 10 - 'Gifts / Hospitality').

Misuse of position/influence

- 9.7 Employees must not, in their official or personal capacity, use their position improperly to confer an advantage or disadvantage on any person.
- 9.8 In particular, employees:
- a. must declare any interest, relationship or association when dealing with contracts (e.g. letting, tendering, managing etc), recruitment, management responsibilities, allocation of resources and services, provision of services and access to information.
 - b. 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 a friend (see definitions in paragraph 9.3). Panel members will need to exercise their judgement about whether they could be compromised if they participate. If any doubt exists, the panel member must contact their HR Manager for advice before proceeding.

Process for declaring personal interests

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9.9 Employees must:

- a. complete and sign the corporate 'Declaration of Interests' form
- b. submit the declaration of interest to their line manager
- c. confirm, at their annual PDA, whether or not their circumstances have changed and complete a new form where this is the case.
- d. Complete a form whenever their circumstances change

9.10 Managers' responsibilities:

- a. Review the declaration submitted by the employee, and complete the form indicating whether further action is necessary or not
- b. Send form to Chief Officer for approval (regardless of whether further action is recommended)
- c. Discuss with HR in any cases where it may be necessary to amend the employee's role in order to address any conflict of interest
- d. Update the employee's iHounslow record to confirm that the form has been completed and indicate whether or not a declaration was made
- e. Review the Declaration of Interest form with the employee, at their annual PDA, and ensure an updated form is completed where circumstances have changed

9.11 Chief Officers must ensure that an employee is not placed in a position where private interests and official duties conflict.

Access to the record

9.12 The departmental register of employees' personal interests is not available to the public. It is possible for the register to be accessed in the following circumstances:

- a. by the chief executive
- b. by councillors, on application to the chief executive
- c. during an investigation where the employee's conduct is brought into question. Application must first have been made to the relevant chief officer or Head of Human Resources
- d. employees are entitled to see their own record

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- e. by authorised agents of HMRC, the Police or any other party holding a warrant or court order

Failure to declare an interest

- 9.13 A failure to declare personal interests (whether or not the matter undisclosed has been found to have influenced the actions of the individual) would normally be dealt with under the council's Disciplinary Policy.

Declaration of interests form

- 9.14 The declaration of interests form is available on the council's intranet, or from HR.

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10 GIFTS AND HOSPITALITY

Fundamental principle

- 10.1 It is a serious criminal offence for employees to corruptly receive or give any gift, loan, fee, reward or advantage in order to influence official conduct.
- 10.2 It is also an offence to accept any gift or consideration in the knowledge or belief that it is intended as inducement or reward, whether the employee receiving it is influenced or not.

Council's expectations

- 10.3 Although gifts and hospitality are generally meant as a sign of appreciation, acceptance of them can leave employees in a compromised position and open to allegations of corruption.
- 10.4 Gifts and Hospitality includes not only 'physical' gifts for example a box of chocolates, but also items such as cash, travel, conferences, events, tickets, meals and so on.
- 10.5 If an employee is in any doubt about whether an offer should be declared they must check this with their line manager.

Decline in most cases

- 10.6 The general expectation is that employees will decline offers of gifts or hospitality, for the reasons set out above.
- 10.7 In most cases where gifts or offers of hospitality are declined it is not essential for this to be declared. However if employees consider that an offer could cast any doubt on their integrity or jeopardise the council's reputation, they should always declare the offer and its refusal to their line manager using the Gifts and Hospitality Form.

Where acceptance is legitimate

- 10.8 There are situations in which it will be legitimate to accept a gift or offer of hospitality. Examples of this are as follows:
- Where the gift is of a nominal value and proportionate to the work for which thanks are being expressed (e.g. a pen, diary, small box of chocolates).
 - Where refusal may cause offence. In this situation the gift may be accepted but must be donated to the mayor's charity. This must be declared using the Gifts & Hospitality Form and included on the

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register.

- In the rare circumstances where it is not practical to seek approval in advance (e.g. an impromptu lunch organised by a client), the hospitality must be declared at the earliest opportunity and the approval of the line manager and Chief Officer must still be obtained to confirm that acceptance was appropriate. If approval is given the matter may be considered under the Disciplinary Policy.

Process for acceptance

- 10.9 If an employee considers that it may be appropriate to accept a gift or offer of hospitality they must complete the Gifts & Hospitality Form in full and gain their line manager and chief officer's approval in order to accept the offer.
- 10.10 Where the hospitality involves attendance to a conference or event, including travel to that event, chief officer approval **must** be obtained in advance.
- 10.11 The completed Gifts & Hospitality Form must be sent to the Executive Director's PA for entry on the register.

Gifts & Hospitality Register

- 10.12 The Executive Director's PA (EDPA) will file each Gifts and Hospitality form received alphabetically by calendar year. This will form the register for the relevant directorate.
- 10.13 The EDPA will maintain the Summary Sheet, recording key information about each instance declared. At the end of each calendar year, the Summary Sheet will be sent to the Head of Internal Audit, Monitoring Officer and Director Finance and Corporate Services for information.

Employees providing personal care

- 10.14 Employees who provide personal care, such as care workers and home helps, can be particularly vulnerable in this area. For this reason, employees who are offered any gifts or bequests from clients or their relatives / friends (see definitions in paragraph 9.3) **must** complete the Gifts & Hospitality Form and **must** obtain their Chief Officer's approval for acceptance before this can be accepted.

Access to the record

- 10.15 The departmental register of gifts / hospitality is not available to the public. It is possible for the register to be accessed in the following circumstances:

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- a. by the chief executive
- b. by councillors, on application to the chief executive
- c. during an investigation where the employee's conduct is brought into question. Application must first have been made to the relevant chief officer or Head of Human Resources
- d. employees are entitled to see their own record
- e. by authorised agents of HMRC, the Police or any other party holding a warrant or court order

Failure to declare an interest

10.16 A failure to declare a gift / hospitality would normally be regarded as a disciplinary matter and dealt with under the council's Disciplinary Policy.

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11 USING INFORMATION & COMMUNICATION TECHNOLOGY (ICT)

Fundamental principle

- 11.1 The council wants employees to use ICT equipment and business systems to the full and to feel competent and comfortable about doing so. However, it is essential that all ICT business systems are used appropriately.
- 11.2 Any reference to ICT in this section should be taken to mean all forms of ICT including PCs, laptops, and other authorised personal devices provided e.g. smart phones and tablets etc. as well as associated technology (e.g. e-mail, internet, intranet etc).
- 11.3 The use of ICT incorporates the governance of data and business systems. Employees are strongly advised to ensure that all Council information is managed and handled lawfully and securely.

Misuse of ICT

- 11.4 The misuse of ICT and information is a serious offence and may result in employees being subject to disciplinary and legal action.
- 11.5 The council's Information Management Framework (IMF) is a series of policies, procedures and guidelines which deals with appropriate use of ICT and how information governance.

Council's expectations

- 11.6 The council expects that all employees will fully adhere to the following standards regarding the use of ICT:
- a. Employees must be familiar with, and abide by, the council's IMF. In particular they should ensure that they understand the Using Hounslow's ICT Systems Policy, which sets out broad standards.
 - b. An employee who is aware of or suspects any abuse of ICT business systems or the information held on them is under a duty to report this immediately under the council's Whistleblowing Policy (see paragraph 16.2).

Monitoring use

- 11.7 The council will monitor the use of ICT etc without notice. A record of any sites accessed by staff is automatically stored on the system and may be examined later if misuse is suspected.

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Further advice

11.8 Any employee who is at all unsure about the appropriate use of ICT should contact one of the following:

- Line manager
- HR Team
- ICT on telephone number 020 8583 3838

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12 POLITICAL ACTIVITY / NEUTRALITY

Fundamental principle

- 12.1 Employees serve the council as a whole and it follows that they must serve all members of the council, not just those of the controlling group. The individual rights of all councillors must be respected. In so far as employees may be required to advise political groups, they must do so in ways that do not compromise their own political neutrality.

Politically restricted posts

- 12.2 As a result of provisions introduced under the Local Government and Housing Act (LGHA) 1989 and other associated legislation, some employees' posts are subject to 'political restriction' as these could conflict with their responsibilities at work.

Consequences of holding a politically restricted or sensitive post

- 12.3 Employees in a politically restricted or sensitive post must not:
- (a) Stand for office as:
 - Local councillors
 - MPs
 - MEPs
 - Members of the Welsh Assembly
 - Members of the Scottish Parliament
 - (b) Canvass on behalf of a political party or a person who seeks to be a candidate.
 - (c) Speak to the public at large or publish any written or artistic work that could give the impression they are advocating support for a political party.

The politically restricted posts

- 12.4 Posts that are politically restricted fall into two broad groups:

(a) Specified posts

The following posts have been designated as politically restricted:

- i Head of Paid Service (i.e. chief executive)
- ii Statutory Chief Officers (this includes the Director of Children's and Adults' Services, the Director of Public Health and the Chief Finance Officer, also known as the s151 officer)

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- iii Non-Statutory Chief Officers – officers reporting to the Chief Executive, excluding administrative support staff
- iv Deputy Chief Officers – officers reporting to a chief officer, excluding administrative support staff
- v Monitoring Officer, under section 5 of the Local Government and Housing Act
- vi Officers exercising delegated powers i.e. persons whose posts are for the time being specified by the authority in a list maintained in accordance with s100G of the LGA 1972
- vii Political Assistants

(b) Sensitive posts

A sensitive post is one which meets one or both of the following duties-related criteria:

- i giving advice on a regular basis to the authority itself, any committee / sub-committee / joint committee on which authority is represented
- ii speaking on behalf of the authority on a regular basis to the media.

Challenging political restrictions

12.5 Employees in sensitive posts can apply for exemption from political restriction. The process is set out in the 'Politically Restricted Posts procedure'.

12.6 There is no right to challenge political restriction for any of the specified posts named at paragraph 12.4 (a) above.

Failure to abide by political restrictions

12.7 Where an employee, who holds a politically restricted post, fails to comply with the restrictions, this may be treated as misconduct and dealt with under the council's Disciplinary Policy.

Access to information

12.8 The council maintains a list of politically restricted posts.

12.9 Further information is available in the 'Politically Restricted Posts procedure' on the intranet.

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13 LIFE OUTSIDE WORK

Fundamental principle

- 13.1 The council acknowledges and respects the fact that employees are entitled to their private lives. In general, an employee's choices and actions outside of work are not the council's concern. However in order to protect both the employee and the council there are exceptions to this principle and these are set out in this section.

Conduct

- 13.2 Whether in or outside work, employees must not conduct themselves in any way that creates doubt as to their suitability for the post or brings the council into disrepute.

Additional work

- 13.3 The term 'additional work' refers to any further contracts with the council or any work with a different employer, self employment and consultancy work. It also encompasses voluntary work (ie as a trustee or office holder) for any organisation that has formal transactions with the council e.g. is a recipient of a council grant.
- 13.4 Employees are able to take on work in addition to their existing contract of employment, providing it does not conflict with the performance of their duties in the role for which they are employed.
- 13.5 However, under the Working Time Regulations, employees are not able to work more than 48 hours per week on average – taking into account all the jobs they are working in.

Employees' responsibilities

- 13.6 An employee who wishes to take on additional work must ensure that:
- a. the additional hours worked do not contravene the Working Time Regulations by taking their average total to more than 48 hours per week
 - b. the additional work does not give the council cause for concern about health and safety at work
 - c. the additional work does not place the employee in a position where their duties and private interests conflict
 - d. the additional work does not damage, or potentially damage, public confidence in the council's conduct or business

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- e. the outside work does not involve the employee being in direct competition with the council for work / contracts.
- f. any potential employer is aware of their employment with the council.

Process

- 13.7 When an employee wishes to take on work in addition to their existing contract of employment with the council which either takes their average weekly working hours above 48 or involves them working in a role which may conflict with their duties at the council, the following process will apply:
- a. all employees must complete the Declaration of Interest Form, declaring any intention to take on any additional work to their line manager
 - b. the manager will review the declaration and consider whether any further action needs to be taken – seeking the approval of the Chief Officer whether further action is required or not

Refusal of a request to take on additional work

- 13.8 If an employee has their request to take on additional work refused and wishes to challenge this, they should speak to their line manager or consider raising a grievance under the council's Grievance Policy.

Further information

- 13.9 A copy of The Working Time Regulations 1998 is available from:
<http://www.legislation.gov.uk/ukxi/1998/1833/contents/made>

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14 DEALING WITH THE MEDIA

Fundamental principle

- 14.1 Dealing with the media, whether the press, television or radio, requires specific skills and expertise. The only employees who can deal with the media are those specifically authorised to do so.

Those authorised to deal with the media

- 14.2 Only the following employees are authorised to deal with the media:
- a. Those working in the council's corporate communications unit
 - b. An employee for whom dealing with the media is an integral and explicit part of their responsibilities
 - c. An employee who has been specifically authorised to do so by the head of corporate communications or the chief executive
 - d. An employee who is acting as a spokesperson for one of the council's recognised trade unions in pursuit of legitimate industrial relations activities

Those not authorised to deal with the media

- 14.3 Employees who do not fall into the categories set out at paragraph 14.2 are not authorised to deal with the media and should ensure that:
- a. they do not speak, write or give interviews to the media
 - b. they do not bring the council into disrepute by publicising material which is confidential or against the interests of the council or its employees
 - c. if approached by the media, they immediately refer all enquiries to the corporate communications unit without answering questions

Media and the whistleblowing policy

- 14.4 The protocol for dealing with the media does not affect an employee's right to raise a concern about possible wrongdoing via the council's Whistleblowing Policy (see section 16 - 'Reporting Concerns'). Employees should be aware that protection exists, when making a disclosure to the media, providing that the strict legal requirements set out in the Public Interest Disclosure Act 1998, as amended, are satisfied.

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Further information

- 14.5 A copy of the Public Interest Disclosure Act 1998 is available from:
www.legislation.gov.uk

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15 PROTECTING THE COUNCIL'S INTERESTS

Fundamental principle

- 15.1 All employees are bound by a duty of fidelity not to breach confidence and not to participate in competing activities. The council has the right to take necessary and reasonable steps to protect its legitimate business interests.

Council property

- 15.2 During the course of employment, staff may be issued with council property (e.g. equipment, protective clothing, corporate uniform, keys, ID badges) for the effective performance of their duties. Employees are expected to take appropriate care of all property that is made available in these circumstances.
- 15.3 Equipment loaned to employees during the course of employment remains the property of the council at all times and must be returned when requested. Employees who leave the council must return all property on or before their last working day. The council will seek to recover any property that has not been duly returned.

Intellectual property

- 15.4 The council retains intellectual property rights for work undertaken by employees. Research, reports, designs, drawings, software, developments or similar work, when created in the course of an employee's normal duties, remain the property of the council. These should not be removed from council premises or passed on to third parties by any employee acting in a private capacity without the express consent of the council.

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16 REPORTING CONCERNS

Fundamental principle

- 16.1 The council is committed to tackling wrongdoing and will deal seriously with any reports or suspicions raised.

Duty to report

- 16.2 Employees who witness wrongdoing or suspect that any wrongdoing is taking place, including breaches of procedure or any other impropriety, are under a duty to report these concerns.

Process

- 16.3 An employee who needs to report a concern can do so either by speaking to their line manager or by reporting the matter via the council's Whistleblowing Policy.
- 16.4 Line managers must keep a record of all concerns reported to them and of any action taken. If further advice is needed, the line manager should contact HR.
- 16.5 An employee who wishes to raise concerns about the behaviour of an Elected Member should refer to section 8 of the Protocol on Staff-councillor relationships, in the council's Constitution.

Protection for employees

- 16.6 Employees who report concerns, in accordance with this Code, can expect to receive the following protection from the council:
- a. Employees can report concerns without fear of recrimination. The council will not tolerate the harassment or victimisation of employees who report a concern in good faith.
 - b. Any employee who is found to have treated an employee inappropriately as a direct result of their having reported a concern will be dealt with under the council's Disciplinary Policy.
 - c. In addition to the protection offered by the Whistleblowing Policy, employees who raise a concern are also protected against detriment and dismissal under the Public Interest Disclosure Act 1998, providing the nature and means of disclosure meet the specified legal requirements.

Malicious allegations

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- 16.7 Malicious allegations, that is deliberately raising false complaints with the intention of harming someone, will be regarded as misconduct. Employees who make malicious allegations will be dealt with under the council's Disciplinary Policy.

Employees raising personal concerns

- 16.8 Employees who are concerned about any action being taken, or being contemplated, in relation to them should seek to have this addressed through the council's Grievance Policy.

Further information

- 16.9 A copy of the Public Interest Disclosure Act 1998 is available from:
www.legislation.gov.uk

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17 USEFUL INFORMATION

HR Managers 020 8583 3464/6447

HR Policy Team 020 8583 2124/2
askhr@hounslow.gov.uk

Health, Safety & Wellbeing Team 020 8583 2167
health.safety.askus@hounslow.gov.uk

Trade Unions
Staff Side Secretary for LGS 020 8583 2446

Corporate Communications Team 020 8583 2180
communications@hounslow.gov.uk

ICT 020 8583 3838
Contact.ict@hounslow.gov.uk

ACAS 08457 474747
<http://www.acas.org.uk>

Public Concern at Work 0207 404 6609
<http://www.pcaw.co.uk>

The Audit Commission 0303 444 8346
(External Auditors)
<http://www.audit-commission.gov.uk>

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