



**Adopted by Council on 15<sup>th</sup> May 2024**

## **1. Background to this Code of Conduct**

- 1.1 This section sets out general interpretation and background to the Code of Conduct, including definitions used within the code, the purpose of the code, the principles the code is based on and when the code applies. It does not form part of the Code of Conduct itself and consequently does not contain any obligations for you to follow, as these are contained in the 'Code of Conduct' section below.

### **Purpose of the Code of Conduct**

- 1.2 The purpose of this Code of Conduct is to assist you, as an officer in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, Council and other officers and the reputation of the council and local government. It sets out general principles of conduct expected of all officers and your specific obligations in relation to standards of conduct. The fundamental aim of the Code is to create and maintain public confidence in the role of local government.

### **General principles of conduct**

- 1.3 Everyone in public office at all levels; i.e. all who serve the public or deliver public services, including ministers, civil servants, members and council officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles, which are set out in Appendix A.
- 1.4 Building on these principles, the following general principles have been developed and these principles underpin the obligations in the Code of Conduct that follows.
- 1.5 In accordance with the public trust placed in you, you should:
- act with integrity and honesty
  - act lawfully
  - treat all persons fairly and with respect
- 1.6 In undertaking your role, you should:

- impartially exercise your responsibilities in the interests of the local community
- do not improperly seek to confer an advantage, or disadvantage, on any person
- avoid conflicts of interest
- exercise reasonable care and diligence
- ensure that public resources are used prudently in accordance with your Council's requirements and in the public interest; and
- uphold high standards of conduct

## **Application of the Code of Conduct**

1.7 This Code of Conduct applies to you as an officer of the Council. It applies as soon as you commence work for the Council and continues to apply to you until you cease to be an officer.

1.8 This Code of Conduct applies to you when you:

- act in your capacity as an officer of the Council; and
- conduct the business of the Council

1.9 The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

## **2. THE CODE OF CONDUCT**

### **Standards of conduct**

2.1 This section sets out your obligations, which are the minimum standards of conduct required of you as an officer. Should your conduct be perceived to fall short of these standards or the Nolan Principles, a complaint may be made against you, which may result in action being taken.

2.2 Guidance is included to help explain the reasons for the obligations and how they should be followed.

### **General Conduct**

#### ***Respect***

2.3 **As an officer:**

2.3.1 **I will treat others with respect.**

**2.3.2 I will treat fellow officers, representatives of partner organisations and those volunteering for the council with respect and respect the role they play.**

- 2.4 Respect means politeness and courtesy in behaviour, speech, and in the written word.
- 2.5 In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in the Council.
- 2.6 In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and notify them to the Council, the relevant social media provider or the police. This also applies to fellow officers where concerns should be raised in line with the council's Disciplinary Policy

***Bullying, harassment and discrimination***

**2.7 As an officer:**

**2.7.1 I will not bully any person.**

**2.7.2 I will not harass any person.**

**2.7.3 I will promote equalities and will not discriminate unlawfully against any person.**

- 2.8 The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.
- 2.9 The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.
- 2.10 Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

## ***Impartiality of officers of the Council***

**2.11 I will not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the council.**

2.12 Officers work for the council as a whole and must be politically neutral. They should not be coerced or persuaded to act in a way that would undermine their neutrality. You must not try and force them to act differently, change their advice, or alter the content of a report, if doing so would prejudice their professional integrity.

## ***Confidentiality and access to information***

**2.13 As an officer:**

**2.13.1 I will not disclose information:**

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
  - i. I have received the consent of a person authorised to give it**
  - ii. I am required by law to do so**
  - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
  - iv. the disclosure is:**
    - 1. reasonable and in the public interest; and**
    - 2. made in good faith and in compliance with the reasonable requirements of the Council; and**
    - 3. I have consulted the Clerk prior to its release.**

**2.13.2 I will not improperly use knowledge gained solely as a result of my role as an officer for the advancement of myself, my friends, my family members.**

**2.13.3 I will not prevent anyone from getting information that they are entitled to by law.**

2.14 Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the council must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

## ***Disrepute***

- 2.15 **As an officer I will not bring my role or Council into disrepute or conduct myself in a manner which could reasonably be regarded as bringing my role or Council into disrepute.**
- 2.16 You should be aware that your actions might have an adverse impact on the Council and may lower the public's confidence in you or the Council's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring the Council into disrepute.

## ***Use of Council resources and facilities***

### **2.17 As an officer:**

**2.17.1 I will not misuse council resources.**

**2.17.2 I will, when using the resources of the Council or authorising their use by others:**

**a. act in accordance with the Council's requirements**

- 2.18 You may be provided with resources and facilities by the Council to assist you in carrying out your duties as an officer. Examples include:
- stationery
  - equipment such as phones, iPad, dongles computers etc.
  - access and use of council buildings and rooms.

2.19 These are given to you to help you carry out your role as an officer more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the council's own policies regarding their use.

## ***Complying with the Code of Conduct***

### **2.20 As an officer:**

**2.20.1 I will cooperate with any Code of Conduct investigation and/or determination.**

**2.20.2 I will not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**

**2.20.3 I will comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

## **Appendix A**

### **The Seven Principles of Public Life**

The principles are:

#### **Selflessness**

Holders of public office should act solely in terms of the public interest.

#### **Integrity**

Holders of public office 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 material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

#### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### **Openness**

Holders of public office 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.

#### **Honesty**

Holders of public office should be truthful.

#### **Leadership**

Holders of public office 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