

## Cyngor Sir CEREDIGION County Council

REPORT TO:	Corporate Resources Overview & Scrutiny Committee
DATE:	13 March 2023
LOCATION:	Hybrid
TITLE:	Report on the Amended Code of Conduct of Local Government Employees, Declarations of Interest Form and Declarations of Hospitality Form
PURPOSE OF REPORT:	To consider the proposed amendments to the Code of Conduct of Local Government Employees, Declarations of Interest form and Declarations of Hospitality & Gifts form
REASON SCRUTINY HAVE REQUESTED THE INFORMATION:	Not requested
BACKGROUND:	

A review has been carried out of the following documents:

- Code of Conduct for Local Government Employees ('the Code') (draft amended version with tracked changes attached at **Appendix 1**);
- Code of Conduct for Local Government Employees ('the Code') (draft amended version attached at **Appendix 2**);
- Officer Declaration of Interests form (draft amended version attached at **Appendix 3**); and
- Officer Declaration of Hospitality & Gifts Form (draft amended version attached at **Appendix 4**).

In reviewing these documents a small Scale DPIA was prepared.

The documents have been approved by Leadership Group, and also circulated to relevant Trade Unions for their views.

### CURRENT SITUATION:

The amended Code of Conduct for Local Government Employees is attached with changes shown using tracked changes (**Appendix 1**) and as a clean copy (**Appendix 2**). The proposed changes to the forms are marked using tracked changes (**Appendices 3 & 4**):

Code of Conduct for Local Government Employees (**at Appendix 1 & 2**)

- Updating references to Council Policies and linking Service Standards to these Policies.
- Developing references to Political Neutrality.

- Declarations of Personal Interests, Gifts and Hospitality:
  - o Adding in details regarding an employee's life being their own concern and personal interests to the Personal Interests section;
  - o Clarifying the procedure for Declarations;
  - o Streamlining references to close personal associates/family;
  - o Inserting the full list of different interests to declare;
  - o Ensuring the description of any other disclosable interests, other than the examples listed, is sufficiently wide and clear;
  - o Ensuring the 'test' for whether to declare an interest is sufficiently clear;
  - o Explicitly referencing the continuing duty for declarations;
  - o Detailing the roles of various Staff clearly;
  - o Separating the sections on *Gifts* and *Hospitality* and inserting more detail on what is/is not acceptable; and
  - o Detailing the rules around multiple gifts/offers of hospitality.
- Linking the section on Council Services and Regulatory Functions to the duties regarding declarations.
- Clarifying what is considered a business/organisation and deletion of current paragraph 6.8.
- Added that section on Appointment and Other Employment Matters should be read in conjunction with the Council's Recruitment and Selection Policy.
- Clarifying the meaning of 'Corruption', linking to the Council's Strategy on Countering Fraud, Corruption and Bribery (to include Anti-Money Laundering), and expanding references fraud, bribery and corruption.
- Developing the section on *Use of Financial Resources*.
- Added that the section on Sponsorship – Giving and Receiving does not place any limitation on an Employee's ability to carry out their own charitable activity.
- Adding reference to exempt reports in the *Confidentiality* section and removal of:
  - o sentence commencing '*Any particular information received by an employee from a Member...*' (currently at 14.3)
  - o sentence commencing '*While staff are encouraged to be open to the press...*' (currently at 14.5)
- Linking the *Other employment/Private Work/Other Activities* section to the Employee Handbook, rephrasing this section and:

- Removal of '*Where employees undertake private work which overlaps or conflicts in any way...*' down to '*....any possibility of suspicion of undue influence*' (current 15.8).
- Addition of guidance for dealing with conflicts related to other employment (sections 18.1 and 18.3 of amended).
- Addition of clarification that employees are not required to give the Council any money they receive for work they do outside of their duties as an Employee in their own time (section 18.5 of amended).
- Updating the *Investigations by Monitoring Officer* section to include *Internal Audit*;
- In the *Behaviour Outside Work* section:  
  
Adding in the requirement for Employees to inform their Line Manager/HR regarding any criminal investigations, cautions etc; and
- Inserting new sections for:
  - *Social Media*;
  - *Data Protection and UK GDPR*; and
  - *The Central Register*

### **Declarations of Interest form (at Appendix 3)**

The main changes are as follows:

- Adding in reference to disclosure of '*close family members relatives/close personal associates/related-parties who are employees/officers of the Council or teachers within schools in the County*' and requirement to state their name, role and relationship to the Employee if they are CLO level or above.
- Adding in reference to disclosure of '*close family members relatives/close personal associates/related-parties who are a Councillor of the Council*'.
- In relation to '*details of external contractors, or potential contractors to the Council, managed or run by friends, partners or relatives*', changing the reference to '*close personal associates/family*'.
- Changing reference from '*financial or non-financial interests*' which the Employee considers could bring about a conflict with the Council's interests to '*any other interests (whether financial or non-financial)...*'.

- Including the requirement to disclose sponsorships provided to any of the employee's '*close personal associate/ family*' (including members of their household) by an outside organisation likely to have dealings with the Council.
- Including disclosure requirements for Town/Community Councils where the employee or close personal associates are Clerks or Members, and to include memberships of governing bodies likely to have dealings with the Council.
- Including that the form shall be sent to the Monitoring Officer, who will consider whether their CLO/Line Manager need to be made aware of the declarations.

### **Declaration of Hospitality & Gifts form (at Appendix 4)**

The main changes are as follows:

- Clarifying that the name of any other organisation which will be or did attend the event, should be provided '*if associated with the hospitality to be received/received*';
- Requesting that the form is filled in within 7 working days;
- Detailing and developing when Employees should not accept Gifts/Hospitality; and
- Confirming that the acknowledgment form shall be sent to the Monitoring Officer.

### **WELLBEING OF FUTURE GENERATIONS:**

**Has an Integrated Impact Assessment been completed?**

**If, not, please state why**

No, updates to existing Code and Forms only.

**Summary:**

**Long term:**

**Integration:**

**Collaboration:**

**Involvement:**

**Prevention:**

### **RECOMMENDATION(S):**

To recommend to Cabinet to approve the amendments to the:

1. Code of Conduct of Local Government Employees (at **Appendix 2**)
2. Declarations of Interest Form (at **Appendix 3**)
3. Declarations of Hospitality Form (at **Appendix 4**)

### **REASON FOR RECOMMENDATION(S):**

To ensure that the Code of Conduct of Local Government Employees, Declarations of Interest Form and Declarations of Hospitality Form are:

- kept up to date and fit for purpose; and

- provide clarity and transparency for Officers.

**Contact Name:** Elin Prysor, CLO Legal & Governance  
**Designation:** Legal & Governance  
**Date of Report:** 20/2/2023  
**Acronyms:** CLO – Corporate Lead Officer  
DPIA – Data Protection Impact Assessment

# CEREDIGION COUNTY COUNCIL

## CODE OF CONDUCT FOR LOCAL GOVERNMENT EMPLOYEES

### The Council

Employees working for ~~the Ceredigion County~~ Council (~~'the Council'~~) serve the whole Local Authority, are accountable to, and owe a duty to the Council.

They must act in accordance with the principles set out in the Schedule to 'The Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001' (and S82 of the Local Government Act 2000) recognising the duty of all public sector employees to discharge public functions reasonably and according to the law.

The link to the 2001 Order is shown here:

<https://www.legislation.gov.uk/wsi/2001/2280/schedule/made>

### 1. Introduction

The public is entitled to expect the highest standards of conduct from all ~~E~~employees of the Council.

### 2. Status of ~~The the~~ Code of Conduct for Local Government Employees ('the Code of Conduct')

The Code of Conduct sets out the **minimum** standards that ~~employees~~ Employees should observe and will form part of their Contract of Employment. Its aim is to lay down guidelines for employees that will help maintain and improve standards, and also protect them from misunderstanding or from criticism.

Any breaches of this Code of Conduct may lead to disciplinary action being taken under the Council's Disciplinary Policy (available on the Council's intranet site (Cerinet)).

### 3. Principles of Public Life

3.1 The Nolan Report on Standards in Public Life defined good conduct for employees of public bodies as that of acting:

- Fairly;
- In good faith;
- In an impartial way; and
- So as to meet the specified objectives of the body to which ~~he/she has~~ they have been appointed.

### 3.2 The following principles underpin this Code of Conduct:

#### 3.2.1 **Selflessness**

Holders of public office should take decisions solely in terms of the public's interest. They should not do so in order to gain any benefits whether financial or otherwise for themselves, their family or their friends.

#### 3.2.2 **Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations which might influence them in the performance of their official duties.

### 3.2.3 Objectivity

In carrying out public business including public appointments, awarding contracts or recommending individuals for rewards and benefits, holders of public office should make choices purely on merit.

### 3.2.4 Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### 3.2.5 Openness

Holders of public office should be as open as possible about all decisions and actions they take. They should give the reasons for their decisions and restrict information only when the wider public interest clearly so demands.

### 3.2.6 Honesty

Holders of public office have a duty to declare any personal interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

### 3.2.7 Leadership

Holders of public office should promote and support these principles by leadership and example.

## 4. Service Standards

4.1 Employees must give the highest possible standard of service to the public and, where it is part of their duties, provide appropriate advice to Members of the Council and fellow employees. Employees should deal with the public, Members and other Employees sympathetically, efficiently, and without bias.

4.1 Mutual respect between Employees and Members is essential to good local government, and working relationships should be kept on a professional basis.

4.2

4.2.3 Employees must always remember their responsibility to the community they serve and ensure courteous, efficient and impartial delivery of services to all groups and people within that community according to Council Policies.

4.4 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner, and must not utilise property, vehicles or other facilities of the Authority-Council for personal use unless authorised to do so.

4.5 Employees must also be aware of and abide by the Council's Strategy on Countering Fraud, Corruption and Bribery (to include Anti-Money Laundering), which is available on the Council's website.

4.6 Subject to 4.9 below, in the event that an Employee becomes aware of activities which that employee-~~Employee~~ believes to be illegal, improper, unethical, particularly when it involves



~~children and vulnerable adults~~, or otherwise inconsistent with this Code of Conduct, the ~~employee~~ Employee should must report the matter immediately to their Line Manager or Chief Corporate Lead Officer acting in accordance with the ~~employee's~~ Employee's rights under the Public Interest Disclosure Act 1998, and the Council's Whistleblowing Policy (see 4.7 below).

4.7 In the event that an Employee becomes aware of activities, which that Employee believes to be a breach of the Council's Whistleblowing Policy, the Employee must raise a concern and follow the procedures set out in the Council's Whistleblowing Policy.

4.8 In the event that an Employee becomes aware of activities, which that Employee believes to be inconsistent with the Council's Strategy on Countering Fraud, Corruption and Bribery (to include Anti-Money Laundering), the Employee must report the matter immediately using the reporting procedure set out in the Council's Strategy on Countering Fraud, Corruption and Bribery (to include Anti-Money Laundering).

4.9 In the event that an Employee becomes aware of activities, which that Employee believes to be illegal, improper, unethical, or otherwise inconsistent with this Code of Conduct AND involves children and vulnerable adults, the Employee must follow the procedures and guidelines set out in the Council's Policy and Guidelines for Safeguarding Children & Adults at Risk ('the Safeguarding Policy').

4.10 In the event that an Employee becomes aware of activities, which that Employee believes to be inconsistent with the Council's Modern Slavery Policy, the Employee must report it in line with the Council's Modern Slavery Policy and associated procedures.

4.34.11 ——— Employees have a duty to ensure compliance with the law and Employees should be aware that, ~~per the Strategy~~, incidents of malpractice will be dealt with swiftly and could result with the Employee facing disciplinary action, other action in accordance with the Council's HR Policies and, depending on the circumstances and available evidence, the investigation may be referred to the Police or another appropriate external body.

## **5. Political Neutrality**

5.1 Where Employees are politically restricted (by reason of the post they hold, the nature of the work they do, or the salary they are paid), they must comply with any statutory restrictions on their political activities.

5.2 Employees must also be aware of and abide by the Council's Policy on Political Restrictions ~~o~~On Local Government Employees (the 'Political Restriction Policy'), including the restrictions upon them should they hold a Specified or Sensitive post, as defined in the Political Restriction Policy. Employees should also be aware that any breach of restrictions may be deemed to be an offence which will be dealt with in accordance with the Council's disciplinary procedure.

5.3 Employees should be aware that they serve the Local Authority as a whole. They are accountable to, and owe a duty to the Council. It follows that they must serve all Members and not just those of the controlling group, and must ensure that the individual rights of all Members are respected.

5.15.4 Subject to rules laid down from time to time, Employees may be required to provide information or clarification to political groups. They must do so in ways consistent with the Employee's political neutrality.

5.2 Whether or not ~~E~~employees are politically restricted by the law, they must follow the lawfully expressed policies of the Council and must not allow their own personal or political opinions to interfere with their work.

5.5

5.35.6 -An Employee who holds a politically restricted post is disqualified from becoming or remaining a member of a relevant authority (see the Council's Political Restriction Policy on the Council's intranet site (Cerinet)).

## 6. Personal Interests

6.1 Whilst Employees' private lives are their own concern, they must not allow their private interests to conflict with their public duty. They must not misuse their official position or information acquired in the course of their employment for personal gain to further their private interests, or the interests of others, such as their close relatives and associates, nor for causing disadvantage to any person or organisation. Employees must not pass on any information acquired in the course of their employment to others.

6.2 Employees must make a declaration regarding any actual personal interests or potential personal interests by filling in the Declaration of Interests form available on the Council's intranet site (Cerinet). Employees should also declare any such interests in writing to their Line Manager.

6.3 In completing the Declaration of Interests Form, the Employee will be required to provide any relevant information as is available to them at that time in order for a decision to be made as to whether there is a conflict (or potential conflict) of interest with their employment/role as a Council Employee.

6.4 ~~Employees must declare in writing to their Chief Officer any financial or non-financial interests which~~ that they consider could bring about conflict with the Authority's interests. ~~The Employee must declare all interests as listed under 6.4.1 to 6.4.12 below. In addition, the Employee must declare an interest under 6.4.13 if the interest is one which a member of the public with knowledge of the relevant facts would reasonably consider could bring about a conflict with the Council's interests.~~

6.4.1 Remunerated directorship of companies (public or private);

6.4.2 a) Relationships with close family members/close personal associates /related-parties who are employees/officers of the Council or teachers within schools in the County. If they are a Chief Officer (CLO level or above) state:

- their name;
- their role; and
- your relationship to them.

b) Relationships with close family members/close personal associates/related-parties who are a Councillor of the Council.

State their:

- name
- ward

~~Relationships with close personal associates/family (including members of their household) who are Council Employees or Council Members;~~

- 6.4.3 Remunerated employment, offices, trades or professions (other than Ceredigion County Council);
- 6.4.4 Details of external contractors, or potential contractors to the Council, managed or run by close personal associates/family (including members of their household) or with whom the Employee has been or is now closely connected (giving details);
- 6.4.5 Membership of any organisation not open to the general public without formal membership and commitment of allegiance and which has secrecy about rules of membership or conduct;
- 6.4.6 Membership of any society (see also 7. below), party or organisation whose aims and/or constitution conflicts with any Rule of Law or with the Equal Opportunities Policy adopted by the Council;
- 6.4.7 Details of any sponsorships provided to the Employee or any close personal associate/family (including members of their household) by an outside organisation likely to have dealings with the Council;
- 6.4.8 Details of any Town or Community Council, of which the Employee or any close personal associate/family (including members of their household) hold the position of Clerk or Member;
- 6.4.9 Details of the Employee's membership of any governing bodies (including schools) or other organisations likely to have dealings with the Council;
- 6.4.10 Positions of responsibility in any societies, clubs, trade unions or other organisations (apart from recognised Employee Trade Unions) where the interests of such bodies may be affected by the actions of the Council;
- 6.4.11 The names of any company or other body (which are likely to have significant dealings with the Council) that the Employee, or a close family member, or any person or organisation acting on the Employee's behalf is on the board of (directors or trustees), or is a member of a management committee or controlling group of the company or other body.
- 6.4.12 The names of any company or other body (which are likely to have dealings with the Council) in which the Employee, or ~~their partner~~ a close family member (whether in their own right or on behalf of their infant children), or any person or organisation acting on the Employee's behalf, has a beneficial interest in the shareholdings of a nominal value greater than £25,000 or greater than 1% of all shares which have been issued;
- 6.4.13 Land ownership within the County exceeding 5 acres; and
- 6.4.14 Any other interests (whether financial or non-financial), which a member of the public with knowledge of the relevant facts would reasonably consider could bring about a conflict with the Council's interests.

- 6.5 In making a declaration, the Employee should provide any relevant details, such as the name of the relevant Company, Council, or organisation, the Employee's (or close personal associate/family member's) relationship/role (e.g. Councillor or Clerk for Town and Community Councils, as well as the date of the first election or appointment), and the relationship with the close personal associate (e.g. friend/family member/household member). This duty is in addition to any declaration to any appropriate Town or Community Council.

- ~~6.1.1 Employees must also declare any membership of secret societies. This includes any lodge, chapter, society, trust or regular gathering or meeting (other than professional association), which is not open to members of the public who are not members of that lodge, chapter, society, trust; and~~
- ~~6.1.2 Includes in the grant of membership an obligation on the part of the member a requirement to make a commitment (whether by oath or otherwise) of allegiance to the lodge, chapter, society, gathering or meeting; and~~
- ~~6.1.3 Includes, whether initially or subsequently, a commitment (whether by oath or otherwise) of secrecy about the rules, membership or conduct of the lodge, chapter, society, trust, gathering or meeting.~~
- 6.6 The Employee will be asked to declare that the information provided is correct, to the best of their knowledge and belief, and provide their email address, which shall be used as their signature.
- 6.7 Once the Employee has completed the Declaration of Interests Form an endorsed receipt of the form is produced and it will be entered in the Central Register of Declarations. Further details on how to declare interests and access to the Declaration of Interests Form can be found on the Council's Intranet Site under 'Policies and Procedures' (under the heading 'Declaration and Registration of Hospitality and Interests Policy').
- 6.8 [If the Employee is unsure whether](#) a member of the public with knowledge of the relevant facts would reasonably consider the interest could bring about a conflict with the Council's interests, [they](#) must make the declaration and can contact [the Monitoring Officer for advice](#). The presumption towards declaring an interest is required in order not only to protect the Council but also the Employee and for transparency.
- 6.9 The requirement to make a declaration does not mean that the Employee will [necessarily](#) be prevented from being involved with a particular piece of work associated with any interest declared, as it could be concluded that a conflict does not exist, but this will need to be carefully considered by the Monitoring Officer and/or [LineCorporate](#) Manager of the Employee (rather than the Employee), who may decide that the conflict should be avoided in some other way. [Employees should refer to section 18.1 below for guidance on personal interests relating to other employment. ~~Until told~~Unless informed otherwise by the Monitoring Officer or their Line ManagerCorporate Manager](#), if an Employee has an interest in an item under consideration, that Employee should not take any part in any discussions on that matter.
- 6.10 In considering whether a conflict of interest with the Council's interests might reasonably be seen to occur (by a member of the public with knowledge of the relevant facts) it must be remembered that the public see the Council as one organisation, not a set of separate sections and departments. The aim of declaring a potential conflict of interest is so that the Council and the Employee can be seen to be above any possibility of suspicion of undue influence.
- 6.11 Employees have a continuing duty throughout their employment to consider and declare any such personal interests. [Chief Officers must make annual declarations \(even if only to confirm the interests have not changed\).](#)

6.12 The Monitoring Officer may raise a query regarding any declaration as necessary, in order to consider whether there is a conflict (or potential) conflict of interest and whether the Employee should cease to be involved with any particular piece of work giving rise (or which could give rise) to the conflict, or whether the conflict should be avoided in some way.

6.2 The Monitoring Officer shall consider whether the Employee's Corporate Lead Officer and/or Line Manager need to be made aware of any of the -

6.13 All declarations, and shall inform them of any such declarations, if deemed necessary. - madeIn considering whether it is necessary to inform the Employee's Corporate Lead Officer and/or Line Manager, the Monitoring Officer shall have regard to any lawful basis for disclosing the information including, but not limited to, Data Protection legislation. -will be disclosed to the relevant Chief Officer.

## 7 Secret Societies

### **Contractors**

7.1 Employees must declare any membership of secret societies (see also 6.4.6 above). This includes any lodge, chapter, society, trust or regular gathering or meeting (other than professional association), which:

7.1.1 Is not open to members of the public who are not members of that lodge, chapter, society, or trust; and/or

7.1.2 Includes in the grant of membership an obligation on the part of the member a requirement to make a commitment (whether by oath or otherwise) of allegiance to the lodge, chapter, society, gathering or meeting; and

7.1.3 Includes, whether initially or subsequently, a commitment (whether by oath or otherwise) of secrecy about the rules, membership or conduct of the lodge, chapter, society, trust, gathering or meeting.

## 8 Contractors

6.38.1 All relationships of a business or private nature with external contractors, or potential contractors, ~~should must~~ be ~~made known to the Chief Officer in writing~~ declared by the Employee. -Orders and contracts must be awarded in accordance with the Council's Financial Regulations and Contract Standing Orders (or Contract Procedure Rules), on merit, by fair and open competition against other tenders and no special favour should be shown to businesses run by, for example, friends, partners, close relatives or associates in the tendering process. No part of the local community should be discriminated against.

6.48.2 Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, ~~should must~~ declare that relationship ~~to their Chief Officer in writing.~~

## **79 Council Services and Regulatory Functions**

**9.1 The same principles referred to in 6. above (i.e. Employees must declare an interest, whether or not the interest is one which a member of the public with knowledge of the relevant facts would reasonably consider could bring about a conflict with the Council's interests) apply to employees who may have conflicts of interest in relation to:**

**9.1.1 ~~S~~Services the Council provides or where the Council has a regulatory function i.e. the ~~Employees~~ must, as soon as possible, declare and also make known in writing to their Chief Officer, all relationships of a business or private nature which they have with businesses, organisations or individuals for whom the Council provides services or acts in a regulatory capacity;**

**9.1.2 Employees who have interests in companies, businesses or firms with whom the Council contracts, or which provide a service to the Council including Employees who themselves, or their close personal associates/immediate family (including members of their household) are company directors, partners in a partnership, sole traders and/or have an interest in such businesses or organisations; and**

**9.1.3 Employees who themselves (or, to the best of their knowledge, their close personal associates/immediate family (including members of their household)) are involved in the overall running and/or control of a business or organisation that has applied for funding, loans or grants from the Council, including, for example, the Welsh Government Grants administered by the Council.**

**~~, where a conflict of interest might be thought to occur.~~**

**~~In considering whether a conflict of interest might be thought to occur, it must be remembered that the public see the Council as one organisation, not as a set of separate sections and departments. The aim of declaring a potential conflict of interest is so that the Council and the employee can be seen to be above any possibility of suspicion of undue influence.~~**

**9.2 Employees shall not recommend any particular businesses used by individuals or other businesses, where this could be misconstrued as a recommendation of the Council or a recommendation by the Employee in their official capacity.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**9.3 The businesses and organisations referred to in this section include but are not limited to private companies, public limited companies, partnerships, limited liability partnerships, sole traders, holding companies, subsidiary companies, associations and charities.**

**9.4 The Employee can also contact the Monitoring Officer for further advice.**

### **Town or Community Councils**

**7.1** \_\_\_\_\_

**7.2** \_\_\_\_\_

**7.3 Employees shall not recommend that particular businesses are used by individuals or other businesses, where this could be misconstrued as a recommendation of the Council or a recommendation by the employee in their official capacity.**

**7.4** \_\_\_\_\_



~~In any of the above cases, the Chief Officer will decide whether the employee who has a conflict of interest should cease to be involved with the particular piece of work giving rise to the conflict, or whether the conflict should be avoided in some other way.~~

~~7.5 The Monitoring Officer will advise accordingly.~~

~~Any disclosure in relation to 6.1 to 6.8 must also be declared to the Council's Monitoring Officer by completing the Council's Declaration and Registration of Hospitality and Interests form which is available on Ceredigion's intranet site under "Policies and Procedures".~~

## **10 Separation of Roles during Tendering**

~~7.6~~10.1 Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the Council. Senior ~~employees~~ Employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.

~~7.7~~10.2 Employees in contractor or client units must exercise fairness, transparency, impartiality as well as acting ethically when dealing with all customers, suppliers, other contractors and sub-contractors.

~~7.8~~10.3 Employees who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.

10.4 Any eEmployee contemplating a management buyout of a contractor should, as soon as they have formed a definite intent, inform the appropriate Corporate Lead Officer and withdraw from the contract awarding processes.

~~7.9~~10.5 Employees should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

## **11. Appointment and Other Employment Matters**

~~7.10~~11.1 Employees involved in the recruitment and appointment of ~~staff~~ Staff must ensure that appointments are made on the basis of merit. In order to avoid any possible accusation of bias, employees must not be involved in any appointment or any other decisions relating to discipline, promotion or pay and conditions for any other ~~employee~~ Employee, or prospective ~~employee~~ Employee, to whom they are related, or with whom they have close personal relationship outside work.

11.2 Employees shall not canvass any Member or Officer of the Council in respect of candidates seeking employment with the Council.

~~7.11~~11.3 This section should be read in conjunction with the Council's Recruitment and Selection Policy.

## **812 Equality Issues**

12.1 ~~8.1~~ All local government ~~E~~employees must comply with policies relating to equality

issues, as agreed by the Council Authority, in addition to the requirements of the law. All members of the local community, customers and other Employees have a right to be treated with fairness and equity. Ceredigion County The Council has adopted the principle, in the transaction of public business and the administration of justice in Wales, that it will treat the Welsh and English languages on the basis of equality. Information on the Council's Welsh Language Scheme is available on Ceredigion's intranet site (Cerinet) under "Policies and Procedures".

## Corruption

### 13

8.13.1 Employees in their official capacity must be aware that it is a serious criminal offence under the Prevention of Corruption Acts for them to receive or give any gifts, loans, fees, rewards or any other advantage for doing or not doing anything or showing favour or disfavour to any person or organisation.

13.2 Corruption involves a wide range of unethical behaviour and includes but is not limited to the abuse of entrusted power for private gain and the offering, giving, receiving or soliciting, directly or indirectly, anything of value to influence improperly the actions of another party. Employees must promptly report the matter in line with the Council's Strategy on Countering Fraud, Corruption and Bribery (to include Anti-Money Laundering) if:

13.2.1 The Employee is in doubt as to whether an act of corruption has, will or may occur (potential act of corruption);

13.2.2 If a Anyone makes an approach to an Employee which seems (or might seem to a third party) to be aimed at obtaining some form of preferential treatment or in any suspicious circumstances in connection with a service provided by the Council, a regulatory function of the Council or a contract, then for the Employee's ir-own protection the Employee must report the matter; or directly to their

13.2.3 The uccDuplication?Employees suspects money laundering activity, fraud, bribery or corruption. -Duplication?

13.3 In raising concerns regarding fraud, bribery and corruption, Employees should note that their concerns will be treated confidentially, as far as possible. A suspicion of wrongdoing must be reasonably held and the Council will ensure that any allegation of any kind, including anonymous letters or telephone calls, will be looked at and thoroughly investigated in an appropriate manner.

8.213.4 The Council will deal swiftly and thoroughly with any incidents of malpractice and Employees may face disciplinary or other action in accordance with the Council's HR Policies. Disciplinary or other action may be taken in addition to, or instead of criminal proceedings (this depends on the circumstances of each individual case), in keeping with the Council's Disciplinary Policy, which is available on the Council's Intranet Site (Cerinet).

## 914 Use of Financial Resources

14.1 11.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner so that the Council obtains value for money and avoids legal challenge to the Authority Council, and must not utilise property, vehicles or other facilities of the Council for personal use unless authorised to do so.



14.2 Employees must maintain a separation of their duties within all declare an interest and not be involved in any financial transactions systems by not dealing with public funds with which they, nor any partner, spouse, close relative or associate have a personal or financial interest.

14.3 A personal or financial interest includes any business or organisation for which the Employee, their partner, spouse, close relative or associate (including members of their household) is a company director, partner (for a partnership), or sole trader, or is involved in the overall running and/or control of a business or organisation that has applied for funding, loans or grants from the Council, including, for example, the Welsh Government Grants administered by the Council.

10.114.4 Managers Employees should ensure that there is a separation of duties within any financial transactions that they arranged using public funds, by ensuring that there are at least two employees involved in the process. ; Furthermore these transactions should also be are verified by an independent Officer.

## **4015 Hospitality/Gifts**

### Gifts

~~12.1 Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the local authority in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the Authority should be seen to be represented. It should be properly authorised and recorded.~~

~~When hospitality has to be declined, the person offering hospitality should be courteously but firmly informed of the procedures and standards operating within the Authority.~~

15.1 Employees must be aware that anyone with whom they have dealings may provide gifts and/or hospitality and by doing so may be seeking to influence Council Employees. To maintain transparency, integrity and the trust of the public, colleagues and all suppliers, Employees should not generally accept any gifts or hospitality.

15.2 Employees:

15.2.1 should not accept personal gifts of a value of greater than £10 ('significant gifts') from contractors, outside suppliers, other organisations or individuals.

15.2.2 can keep gifts of token value such as pens, diaries, chocolates, wine etc. up to the value of £10 ('insignificant gifts') from contractors, outside suppliers, other organisations, individuals or sources ('donors').

15.3 It is the responsibility of the Employee to consider whether a gift has a significant value (of greater than £10). Reasonable enquiries must be taken by the Employee to ascertain the value of the gift. Such steps could include, but are not limited to, carrying out an internet search/researching the value of the gift.

15.4 Employees should not accept multiple insignificant gifts from the same donor(s), as these would constitute significant personal gifts when considered together e.g. more than 3 gifts during a 1 year period.

15.5 Employees should not to accept any gifts from contractors or suppliers of the Council during the time of (or leading up to) contract renewals/tender processes.

15.6 The Employee must make a Declaration in all circumstances, whatever the value of the gift.

Hospitality

15.7 Employees:

15.7.1 should generally refuse all offers of hospitality wherever possible.

15.7.2 can accept hospitality of a value of £10 or less ('insignificant hospitality').

15.7.2 should not accept hospitality of a value of greater than £10 ('significant hospitality') unless there is a genuine and integral need to represent the Council at an event or in the community and they have obtained the consent of their Corporate Lead Officer or Corporate Manager.

—— Employees should not accept multiple offers of hospitality from the same donor(s), as these would constitute significant hospitality when considered together e.g. more than 3 offers of hospitality during a 1 year period.

15.8

15.9 Employees should not accept any hospitality from contractors or suppliers of the Council during the time of (or leading up to) contract renewals/tender processes.

15.10 All hospitality accepted must be declared.

15.11 It is the responsibility of the Employee to consider whether an offer of hospitality has a significant value (of greater than £10). Reasonable enquiries must be taken by the Employee to ascertain the value of the hospitality. Such steps could include, but are not limited to, carrying out an internet search/researching the value of the hospitality.

15.12 If in doubt as to whether there is a genuine and integral need to accept the hospitality, the Employee should check with the Monitoring Officer (see also acceptable examples at 15.16 below).

15.13 When hospitality has to be declined, the person offering hospitality should be courteously but firmly informed of the procedures and standards operating within the Council.

~~12.2 Employees should not accept significant personal gifts from contractors, outside suppliers, other organisations or individuals although the Authority will allow~~

~~12.3 employees to keep insignificant gifts of token value such as pens, diaries, chocolates, wine etc. up to the value of £10. If in doubt you must check with your line manager.~~

15.14 When receiving authorised hospitality, ~~E~~employees should be particularly sensitive as to its timing and public perception in relation to decisions which the ~~Authority~~ Council may be taking affecting those providing the hospitality.

~~12.4~~ Acceptance by ~~E~~employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, where the line manager gives consent in advance and where the

~~12.5~~ 15.15 Authority Council is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment, etc. are required, ~~e~~Eemployees should ensure the Council Authority meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

~~12.6~~ Acceptable examples of hospitality/gifts include:

15.16

~~An offer of a drink following a site inspection;~~

15.16.1 An offer of refreshment following a site inspection; invitations

15.16.2 Invitations to attend functions where the Officer represents his/her the Council, or to functions attended by virtue of a professional position e.g. awards ceremony;

15.16.3 some hospitality offered by other non-commercial bodies;

and a working lunch of a modest standard provided to enable the parties to continue to discuss business; or

15.16.4 insignificant gifts of token value such as pens, diaries, chocolates, wine, tickets for an event etc. up to the value of £10.

15.17 Unacceptable examples of hospitality/gifts include:

15.17.1 Holidays;

15.17.2 Personal invitations to have evenings out with representatives of a company or a firm which have dealings with the Council;

15.17.3 Offers of hotel or tickets for theatres/sporting events; or

15.17.4 The use of a company property.

15.18 Any Employee wishing to accept gifts/hospitality must ensure that the Council's Employee Hospitality and Gifts Declaration Form is fully completed, which is available on the Council's internet site (Cerinet). Employees must complete the Hospitality and Gifts Declaration Form, in order to comply with the Code of Conduct.

15.19 All declarations must be made as soon as reasonably practicable following receipt of the gift/hospitality and at least within 7 working days.

Chief Officers

15.20 In completing the Hospitality and Gifts Declaration Form, the Employee will be required to provide any relevant information, including:

15.20.1 The name of the organisation providing the hospitality;

15.20.2 The organisation sponsoring the hospitality (if different from above);

15.20.3 The date the hospitality is to be/was received;

15.20.4 The nature of the event and the context in which the hospitality is to be/was provided;

15.20.5 The name of any other Employee/Employees of Ceredigion County Council who will be attending/attended the event;

15.20.6 The name of any other organisation which will be attending/attended the event, if associated with the hospitality to be/that was received;

15.20.7 The type of hospitality/gift received and estimated approximate value; and

15.20.8 Whether acceptance of the hospitality was authorised in advance (and if so, provide details and records).

Estimated approximate value of the hospitality

15.21 The Employee will also be asked in the Hospitality and Gifts Declaration Form to declare that the information provided is correct to the best of their knowledge and belief (email provided as signature).

15.22 Once the Employee has completed the Hospitality and Gifts Declaration Form an endorsed receipt of the form is produced. It will be entered in the Central Register of Declarations. Further details on how to register hospitality declarations and access to the Hospitality Declaration Form can be found on the Council's intranet site (Cerinet) under "Council Policies and Procedures" (under the heading "Declaration and Registration of Hospitality and Gifts Interests Policy").

~~42.7~~

~~44~~

## **42.16 Sponsorship – Giving and Receiving**

~~13.1~~16.1 Where an outside organisation wishes to sponsor, or is seeking to sponsor, a local government activity, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or sub-contractors.

~~12.8~~ Where the Authority Council wishes to sponsor an event or service, neither an Employee nor any partner, spouse, close relative or associate must benefit from such sponsorship in a direct way, without there being full disclosure, and through completion of the Declaration of Interests Form (available on the Council's Intranet Site (Cerinet)) ~~in writing to an appropriate Chief Officer of any such interest~~. Similarly, where the Authority Council, through sponsorship, grant aid, financial or other means, gives support in the community, ~~employees~~ Employees should ensure that impartial advice is given and that there is no conflict of interest involved.

## 16.2

16.3 This section does not place any limitation on an Employee's ability to carry out their own charitable activity outside their employment duties and to seek sponsorship from their colleagues for such activity.

## 17 Confidentiality

17.1 Openness in the dissemination of information and decision-making should be the norm in the Council. However, certain information may be confidential or sensitive and therefore not appropriate for a wide audience, including information contained in exempt reports reported in public meetings.

17.2 Where confidentiality is necessary to protect the privacy or other rights of individuals or bodies, information should not be released to anyone other than a Member, ~~employee~~ Employee or other person who is entitled to receive it, or needs to have access to it for the proper discharge of their functions.

17.3 Nothing in this Code of Conduct ~~code~~ can be taken as overriding existing statutory or common law obligations to keep certain information confidential, or to divulge certain information.

17.4 Employees who are not aware of which information is open and which is not, must seek clarification from their Line Manager who will seek advice from the Monitoring Officer and/or Data Protection Officer where appropriate.

~~14.3 Employees should not use any information obtained in the course of their employment for personal gain, benefit or furthering their private interests and those of their close relatives or associates nor for causing disadvantage to any person or organisation, nor should they pass it on to others who might use it in such a way. Any particular information received by an employee from a Member which is personal to that Member and does not belong to the Authority, should not be divulged by the employee without the prior approval of that Member, except where such disclosure is required or sanctioned by law.~~

17.5 All press releases must be placed through the Council's Corporate Communications Team or in his/her/their absence through the relevant Chief Corporate Lead Officer.

~~14.5 While staff are encouraged to be open to the press, the press should only be given information which would normally be available publicly. If the employee is in any doubt as to whether or not the information can be disclosed to the press, prior approval from the Chief Officer must be sought in the first instance or alternatively obtain advice from the Council's Corporate Communications Officer or Monitoring Officer.~~

## 18 Other employment/Private Work/Other Activities

~~15.118.1 Unless your contract specifies otherwise you~~ An Employee wishing to may carry out other employment may only do so if permitted by their Contract of Employment and by the Employee Handbook. If so, provided that you he Employee must inform your line their Line managerManager in. Where there is deemed to be a conflict, a discussion will take place between the Employee, the Service and Human Resources to consider how the conflict may be avoided. advance and the Line Manager must consent to that employment. Any other employment must not affect the work that you do for Ceredigionthe Employee does for the County Council or affect youraffect the Employee's ability to do yourdo their job. It must not damage the Council's reputation or have a negative effect on its duties or

interests.

~~15.2~~18.2 ~~You~~ Employees cannot carry out other employment in the Council's ~~offices and offices~~ and you must not use any of the Council's facilities, for example, phones, computers, printers, faxes, photocopiers etc.

~~15.3~~18.3 ~~You~~ Employees must not carry out other employment during ~~your~~ their paid working time. If they do wish to do so, they should discuss this with their Corporate Manager and Human Resources, and must not normally carry out other employment during sick leave which includes when you are off sick. If they do carry out other employment, they must inform their Line Manager.

~~15.4~~ You Employees can provide a service to voluntary or other organisations during ~~your~~ their own time. However,

18.4 ~~time. However,~~ it is important that the service that the Employee ~~you~~ provides does not affect ~~your~~ their job or the Council's reputation. ~~You~~ Employees must tell ~~their~~ your Line Manager if ~~yet~~ they provide a service to an organisation where there may be a conflict of interest relating to ~~their~~ your employment.

~~15.5~~ 18.5 Employees You must not use ~~their~~your position as a Council ~~employee~~ Employee to favour any voluntary or other organisations.

~~15.6~~ You should not do any private work for Ceredigion County Council tenants or to Council property unless you have written permission from your Chief Officer.

~~15.7~~ 18.6 Employees You must give the Council any money ~~they~~you receive for work ~~you~~they do such as lectures, broadcasts or magazine articles that are part of ~~the Employee's~~your ~~job~~duties and must not retain any payment in such circumstances, if the external organisation provides a payment for the Employee's time. If the Employee is taking part in such an event as part of their Employment, any charges/payments must be arranged through the Council. Employees are not required to give the Council any money they receive for work they do outside of their duties as an Employee in their own time. However, you can keep money for any work which the Council does not pay you for and which you do in your own time, or when you are on holiday or flexi-leave.

~~Where employees undertake private work which overlaps or conflicts in any way with the duties and responsibilities of their post, or causes a conflict of interest or makes use of material to which the employee has access by virtue of his/her position they shall declare that interest to their Chief Officer and take no further part in the process for, or on behalf of, the Council. In considering whether a conflict of interest might be seen to occur, it must be remembered that the public see the Council as one organisation, not a set of separate sections and departments. The aim of declaring a potential conflict of interest is so that the Council and the employee can be seen to be above any possibility of suspicion of undue influence.~~

## **1519 Patent Rights**

19.1 In respect of any invention that belongs to Ceredigion County Council by virtue of the Patents Acts, it shall be for the Council in the first instance to decide whether to apply for patent or other protection in law.

~~16.1~~ 19.2 Any matter or thing capable of being patented under the Patents Acts which is made, developed or discovered by the ~~e~~Employee, either alone or in concert, while in the performance of ~~his/her~~their normal duties or duties specifically assigned to the Employee, will forthwith be disclosed to their ~~Chief Corporate Lead~~ Officer or Chief Executive and, subject to the provisions of the Patents Acts/Patents Rules, shall belong to and be the absolute property of Ceredigion County Council.

~~16.2~~ An Employee must, notwithstanding the termination of ~~his or her~~their contract of employment, sign and execute all such documents and do all such acts as the Council may reasonably require:

### 19.3

19.3.1 To apply for and obtain in the sole name of Ceredigion County Council, unless it otherwise directs, any patent, registered design or other protection of any nature whatsoever in respect of the invention in any country throughout the world and, when so obtained or vested, to renew and maintain the same.

19.3.2 To resist any objection or opposition to obtaining, and any petitions or applications for revocation of, any such patent, registered design or other protection.



~~16.2.1~~

~~16.2.2~~ 19.3.3 To bring any proceedings for infringements against a third party of any such patent, registered design or other protection.

~~16.3~~ Ceredigion County Council hereby undertakes to indemnify the Employee in respect of all costs, claims and damages, howsoever and wheresoever incurred in connection with the discharge by the Employee of any and all such requirements as explained in 19.3.1 to 19.3.3 (a) to 19.4(c) above.

~~16.4 In respect of any invention that belongs to Ceredigion County Council by virtue of the Patents Acts, it shall be for the Council in the first instance to decide whether to apply for patent or other protection in law.~~

## 1620 Copyright

~~17.120.1~~ All records, documents and other papers, including copies and summaries thereof, which pertain to the finance and administration of the Council and which are made or acquired by the ~~employee~~ Employee in the course of ~~his/her~~ their employment shall be the property of the Council. The copyright in all such original records, documents and papers shall at all times belong to the Council.

~~17.220.2~~ The copyright in any work or design compiled, edited or otherwise brought into existence by the Employee as a scholarly work produced in furtherance of ~~his or her professional~~ their professional career shall belong to the Employee. For this purpose, 'scholarly work' includes items such as books, contributions to books, articles and conference papers.

~~17.320.3~~ The copyright in any material produced by the ~~employee~~ Employee for ~~his/her personal~~ their personal use and reference shall belong to the Employee. However, the copyright in documents produced by the Employee in the course of ~~his/her~~ their employment for the purposes of the Council and produced, used or disseminated by the Council shall belong to the Council.

## 1721 Investigations by Monitoring Officer & Internal Audit

~~21.1 18.1 Where~~ Where the Council's Monitoring Officer is undertaking an investigation in accordance with regulations made under section 73(1) of the Local Government Act 2000, Employees must comply with any requirement made by the Monitoring Officer in connection with such an investigation.

~~Employees must also comply with any requirements made by Internal Audit, as authorised by their rights of access set out in per~~ the Council's Constitution and the Internal Audit Charter of the Council.

~~21.2 As part of the Council's Financial Regulations and Accompanying Financial Procedures contained in the Council's Constitution, Internal Auditors have the right to:~~

~~21.2.1 Enter any Council premises or land at any reasonable time;~~

~~21.2.2 Access all assets, records, documents, correspondence and control systems relating to any financial and other transactions of the Council;~~

~~21.2.3 Require and receive any such information and explanations considered necessary concerning any matter under consideration/examination;~~

~~21.2.4 Require any Employee of the Council to account for cash, stores or any other Council property under their control; and~~

~~21.2.5 Have access to records belonging to third parties, such as contractors or partnership agencies, according to the relevant contractual terms.~~

~~18.221.3 18.3~~ The Council may, from time to time, also be subject to audit, inspection or investigation by external bodies that have statutory rights of access. Employees are expected to co-operate fully with requirements in these instances.

## **1822 Behaviour Outside Work**

22.1 ~~19.1~~ As a general rule, an ~~E~~mployee's private life is ~~his/her~~their own concern. However, some forms of behaviour occurring away from work, such as violence or dishonesty can have a significant impact on the Council and the service it provides. Employees must therefore ensure that their behaviour in and away from work will not bring the name of the ~~Authority~~Council into disrepute or attract damaging publicity for the Council.

Employees must, as referenced in their Contract of Employment, inform their Line Manager and Human Resources at the earliest opportunity and in writing if they are under investigation for a criminal offence or are cautioned, reprimanded, given a final warning or are convicted of a criminal offence, and ~~report any allegations of criminal activity, or~~ must report similarly any activity falling within the Safeguarding procedure to their Chief OfficerLine Manager and Human Resources at the earliest opportunity. -

### **23 Social Media**

23.1 Employees must comply with the Council's Social Media Policy, including associated guidance at Appendix 1 to the Council's Social Media Policy (available on the Council's Intranet Site (Cerinet)), and including relating to safeguarding vulnerable adults and children and regarding politically restricted posts.

23.2 Employees should be aware that failure to abide by the guidelines in the Council's Social Media Policy could lead to disciplinary action under the Council's disciplinary procedure.

### **24 Data Protection and UK GDPR**

24.1 Employees must comply with the Council's Data Protection and GDPR Policy, which is available on the Council's Intranet Site (Cerinet) including the requirement to consult with the Data Protection Officer regarding any Data breach or potential breach, and adhere to the rules of the Policy regarding Data Protection Impact Assessments.

24.2 Employees must be aware that they, as Council Staff, are responsible and accountable for following established corporate and departmental procedures with regard to data protection and for keeping their training and understanding up-to-date and in particular for undertaking all mandatory training, as confirmed in the Policy.

24.3 As stated in the Data Protection and GDPR Policy, failure to comply with the Policy and Data Protection Act 2018 may be regarded as serious misconduct and, if so, will be dealt with in accordance with the Council's Disciplinary Policy. Employees must also be aware that, as stated in the Data Protection and GDPR Policy, misuse and unauthorised disclosure of personal data can lead to personal prosecution.

24.4 Employees are also responsible for ensuring that volunteers, apprentices, trainees and work experience interns working alongside them temporarily are given, where necessary, an appropriate basic training as part of their induction about data protection, and respect for individual privacy rights.

### **25 Central Register**

25.1 Employee declarations referred to in this Policy shall be maintained on a central register, with copies provided to the Monitoring Officer. The Monitoring Officer shall consider whether the Employee's Corporate Lead Officer and/or Line Manager need to be made aware of any of the declarations, as referred to at 6.13 above.

DRAFT

# CEREDIGION COUNTY COUNCIL

## CODE OF CONDUCT FOR LOCAL GOVERNMENT EMPLOYEES

### The Council

Employees working for Ceredigion County Council ('the Council') serve the whole Local Authority, are accountable to, and owe a duty to the Council.

They must act in accordance with the principles set out in the Schedule to The Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001 (and S82 of the Local Government Act 2000) recognising the duty of all public sector employees to discharge public functions reasonably and according to the law.

The link to the 2001 Order is shown here:

<https://www.legislation.gov.uk/wsi/2001/2280/schedule/made>

### 1. Introduction

The public is entitled to expect the highest standards of conduct from all Employees of the Council.

### 2. Status of the Code of Conduct for Local Government Employees ('the Code of Conduct')

The Code of Conduct sets out the **minimum** standards that Employees should observe and will form part of their Contract of Employment. Its aim is to lay down guidelines for employees that will help maintain and improve standards, and also protect them from misunderstanding or from criticism.

Any breaches of this Code of Conduct may lead to disciplinary action being taken under the Council's Disciplinary Policy (available on the Council's intranet site (Cerinet)).

### 3. Principles of Public Life

3.1 The Nolan Report on Standards in Public Life defined good conduct for employees of public bodies as that of acting:

- Fairly;
- In good faith;
- In an impartial way; and
- So as to meet the specified objectives of the body to which they have been appointed.

3.2 The following principles underpin this Code of Conduct:

#### 3.2.1 Selflessness

Holders of public office should take decisions solely in terms of the public's interest. They should not do so in order to gain any benefits whether financial or otherwise for themselves, their family or their friends;

### **3.2.2 Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations which might influence them in the performance of their official duties;

### **3.2.3 Objectivity**

In carrying out public business including public appointments, awarding contracts or recommending individuals for rewards and benefits, holders of public office should make choices purely on merit;

### **3.2.4 Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office;

### **3.2.5 Openness**

Holders of public office should be as open as possible about all decisions and actions they take. They should give the reasons for their decisions and restrict information only when the wider public interest clearly so demands;

### **3.2.6 Honesty**

Holders of public office have a duty to declare any personal interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest; and

### **3.2.7 Leadership**

Holders of public office should promote and support these principles by leadership and example.

## **4. Service Standards**

4.1 Employees must give the highest possible standard of service to the public and, where it is part of their duties, provide appropriate advice to Members of the Council and fellow Employees with impartiality. Employees should deal with the public, Members and other Employees sympathetically, efficiently, and without bias.

4.2 Mutual respect between Employees and Members is essential to good local government, and working relationships should be kept on a professional basis.

4.3 Employees must always remember their responsibility to the community they serve and ensure courteous, efficient and impartial delivery of services to all groups and people within that community according to Council Policies.

4.4 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner, and must not utilise property, vehicles or other facilities of the Council for personal use unless authorised to do so.

4.5 Employees must also be aware of and abide by the Council's Strategy on Countering Fraud, Corruption and Bribery (to include Anti-Money Laundering), which is available on the Council's website.

- 4.6 Subject to 4.9 below, in the event that an Employee becomes aware of activities, which that Employee believes to be illegal, improper, unethical, or otherwise inconsistent with this Code of Conduct, the Employee must report the matter immediately to their Line Manager or Corporate Lead Officer acting in accordance with the Employee's rights under the Public Interest Disclosure Act 1998, and the Council's Whistleblowing Policy (see 4.7 below).
- 4.7 In the event that an Employee becomes aware of activities, which that Employee believes to be a breach of the Council's Whistleblowing Policy, the Employee must raise a concern and follow the procedures set out in the Council's Whistleblowing Policy.
- 4.8 In the event that an Employee becomes aware of activities, which that Employee believes to be inconsistent with the Council's Strategy on Countering Fraud, Corruption and Bribery (to include Anti-Money Laundering), the Employee must report the matter immediately using the reporting procedure set out in the Council's Strategy on Countering Fraud, Corruption and Bribery (to include Anti-Money Laundering).
- 4.9 In the event that an Employee becomes aware of activities, which that Employee believes to be illegal, improper, unethical, or otherwise inconsistent with this Code of Conduct AND involves children and vulnerable adults, the Employee must follow the procedures and guidelines set out in the Council's Policy and Guidelines for Safeguarding Children & Adults at Risk ('the Safeguarding Policy').
- 4.10 In the event that an Employee becomes aware of activities, which that Employee believes to be inconsistent with the Council's Modern Slavery Policy, the Employee must report it in line with the Council's Modern Slavery Policy and associated procedures.
- 4.11 Employees have a duty to ensure compliance with the law and Employees should be aware that incidents of malpractice will be dealt with swiftly and could result with the Employee facing disciplinary action, other action in accordance with the Council's HR Policies and, depending on the circumstances and available evidence, the investigation may be referred to the Police or another appropriate external body.

## **5. Political Neutrality**

- 5.1 Where Employees are politically restricted (by reason of the post they hold, the nature of the work they do, or the salary they are paid), they must comply with any statutory restrictions on their political activities.
- 5.2 Employees must also be aware of and abide by the Council's Policy on Political Restrictions on Local Government Employees (the 'Political Restriction Policy'), including the restrictions upon them should they hold a Specified or Sensitive post, as defined in the Political Restriction Policy. Employees should also be aware that any breach of restrictions may be deemed to be an offence which will be dealt with in accordance with the Council's disciplinary procedure.
- 5.3 Employees should be aware that they serve the Local Authority as a whole. They are accountable to, and owe a duty to the Council. It follows that they must serve all Members and not just those of the controlling group, and must ensure that the individual rights of all Members are respected.

- 5.4 Subject to rules laid down from time to time, Employees may be required to provide information or clarification to political groups. They must do so in ways consistent with the Employee's political neutrality.
- 5.5 Whether or not Employees are politically restricted by the law, they must follow the lawfully expressed policies of the Council and must not allow their own personal or political opinions to interfere with their work.
- 5.6 An Employee who holds a politically restricted post is disqualified from becoming or remaining a member of a relevant authority (see the Council's Political Restriction Policy on the Council's intranet site (Cerinet)).

## **6. Personal Interests**

- 6.1 Whilst Employees' private lives are their own concern, they must not allow their private interests to conflict with their public duty. They must not misuse their official position or information acquired in the course of their employment for personal gain to further their private interests, or the interests of others, such as their close relatives and associates, nor for causing disadvantage to any person or organisation. Employees must not pass on any information acquired in the course of their employment to others.
- 6.2 Employees must make a declaration regarding any actual personal interests or potential personal interests by filling in the Declaration of Interests form available on the Council's intranet site (Cerinet). Employees should also declare any such interests in writing to their Line Manager.
- 6.3 In completing the Declaration of Interests Form, the Employee will be required to provide any relevant information as is available to them at that time in order for a decision to be made as to whether there is a conflict (or potential conflict) of interest with their employment/role as a Council Employee.
- 6.4 The Employee must declare all interests as listed under 6.4.1 to 6.4.12 below. In addition, the Employee must declare an interest under 6.4.13 if the interest is one which a member of the public with knowledge of the relevant facts would reasonably consider could bring about a conflict with the Council's interests.
- 6.4.1 Remunerated directorship of companies (public or private);
- 6.4.2 a) Relationships with close family members/close personal associates /related-parties who are employees/officers of the Council or teachers within schools in the County. If they are a Chief Officer (CLO level or above) state:
- their name;
  - their role; and
  - your relationship to them.
- b) Relationships with close family members/close personal associates/related-parties who are a Councillor of the Council.  
State their:
- name
  - ward
- 6.4.3 Remunerated employment, offices, trades or professions (other than Ceredigion County Council);
- 6.4.4 Details of external contractors, or potential contractors to the Council, managed or run



by close personal associates/family (including members of their household) or with whom the Employee has been or is now closely connected (giving details);

- 6.4.5 Membership of any organisation not open to the general public without formal membership and commitment of allegiance and which has secrecy about rules of membership or conduct;
- 6.4.6 Membership of any society (see also 7. below), party or organisation whose aims and/or constitution conflicts with any Rule of Law or with the Equal Opportunities Policy adopted by the Council;
- 6.4.7 Details of any sponsorships provided to the Employee or any close personal associate/family (including members of their household) by an outside organisation likely to have dealings with the Council;
- 6.4.8 Details of any Town or Community Council, of which the Employee or any close personal associate/family (including members of their household) hold the position of Clerk or Member;
- 6.4.9 Details of the Employee's membership of any governing bodies (including schools) or other organisations likely to have dealings with the Council;
- 6.4.10 Positions of responsibility in any societies, clubs, trade unions or other organisations (apart from recognised Employee Trade Unions) where the interests of such bodies may be affected by the actions of the Council;
- 6.4.11 The names of any company or other body (which are likely to have significant dealings with the Council) that the Employee, or a close family member, or any person or organisation acting on the Employee's behalf is on the board of (directors or trustees), or is a member of a management committee or controlling group of the company or other body.
- 6.4.12 The names of any company or other body (which are likely to have dealings with the Council) in which the Employee, or a close family member (whether in their own right or on behalf of their infant children), or any person or organisation acting on the Employee's behalf, has a beneficial interest in the shareholdings of a nominal value greater than £25,000 or greater than 1% of all shares which have been issued;
- 6.4.13 Land ownership within the County exceeding 5 acres; and
- 6.4.14 Any other interests (whether financial or non-financial), which a member of the public with knowledge of the relevant facts would reasonably consider could bring about a conflict with the Council's interests.

6.5 In making a declaration, the Employee should provide any relevant details, such as the name of the relevant Company, Council, or organisation, the Employee's (or close personal associate/family member's) relationship/role (e.g. Councillor or Clerk for Town and Community Councils, as well as the date of the first election or appointment), and the relationship with the close personal associate (e.g. friend/family member/household member). This duty is in addition to any declaration to any appropriate Town or Community Council.

6.6 The Employee will be asked to declare that the information provided is correct, to the best of their knowledge and belief, and provide their email address, which shall be used as their signature.

6.7 Once the Employee has completed the Declaration of Interests Form an endorsed receipt of the form is produced and it will be entered in the Central Register of Declarations. Further details on how to declare interests and access to the Declaration of Interests Form can be found on the Council's Intranet Site under 'Policies and Procedures' (under the heading 'Declaration and Registration of Hospitality and Interests Policy').

- 6.8 If the Employee is unsure whether a member of the public with knowledge of the relevant facts would reasonably consider the interest could bring about a conflict with the Council's interests, they must make the declaration and can contact the Monitoring Officer for advice. The presumption towards declaring an interest is required in order not only to protect the Council but also the Employee and for transparency.
- 6.9 The requirement to make a declaration does not mean that the Employee will be prevented from being involved with a particular piece of work associated with any interest declared, as it could be concluded that a conflict does not exist, but this will need to be carefully considered by the Monitoring Officer and/or Corporate Manager of the Employee (rather than the Employee), who may decide that the conflict should be avoided in some other way. Employees should refer to section 18.1 below for guidance on personal interests relating to other employment. Unless informed otherwise by their Corporate Manager, if an Employee has an interest in an item under consideration, that Employee should not take any part in any discussions on that matter.
- 6.10 In considering whether a conflict of interest with the Council's interests might reasonably be seen to occur (by a member of the public with knowledge of the relevant facts) it must be remembered that the public see the Council as one organisation, not a set of separate sections and departments. The aim of declaring a potential conflict of interest is so that the Council and the Employee can be seen to be above any possibility of suspicion of undue influence.
- 6.11 Employees have a continuing duty throughout their employment to consider and declare any such personal interests. Chief Officers must make annual declarations (even if only to confirm the interests have not changed).
- 6.12 The Monitoring Officer may raise a query regarding any declaration as necessary, in order to consider whether there is a conflict (or potential) conflict of interest and whether the Employee should cease to be involved with any particular piece of work giving rise (or which could give rise) to the conflict, or whether the conflict should be avoided in some way.
- 6.13 The Monitoring Officer shall consider whether the Employee's Corporate Lead Officer and/or Line Manager need to be made aware of any of the declarations, and shall inform them of any such declarations, if deemed necessary. In considering whether it is necessary to inform the Employee's Corporate Lead Officer and/or Line Manager, the Monitoring Officer shall have regard to any lawful basis for disclosing the information including, but not limited to, Data Protection legislation.

## **7 Secret Societies**

- 7.1 Employees must declare any membership of secret societies (see also 6.4.6 above). This includes any lodge, chapter, society, trust or regular gathering or meeting (other than professional association), which:
- 7.1.1 Is not open to members of the public who are not members of that lodge, chapter, society, or trust; and/or
- 7.1.2 Includes in the grant of membership an obligation on the part of the member a

requirement to make a commitment (whether by oath or otherwise) of allegiance to the lodge, chapter, society, gathering or meeting; and

- 7.1.3 Includes, whether initially or subsequently, a commitment (whether by oath or otherwise) of secrecy about the rules, membership or conduct of the lodge, chapter, society, trust, gathering or meeting.

## **8 Contractors**

- 8.1 All relationships of a business or private nature with external contractors, or potential contractors, must be declared by the Employee. Orders and contracts must be awarded in accordance with the Council's Financial Regulations and Contract Standing Orders (or Contract Procedure Rules), on merit, by fair and open competition against other tenders and no special favour should be shown to businesses run by, for example, friends, partners, close relatives or associates in the tendering process. No part of the local community should be discriminated against.
- 8.2 Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, must declare that relationship.

## **9 Council Services and Regulatory Functions**

- 9.1 The same principles referred to in 6. above (i.e. Employees must declare an interest, whether or not the interest is one which a member of the public with knowledge of the relevant facts would reasonably consider could bring about a conflict with the Council's interests) apply to:
  - 9.1.1 Services the Council provides or where the Council has a regulatory function i.e. the Employees must, as soon as possible, declare and also make known all relationships of a business or private nature which they have with businesses, organisations or individuals for whom the Council provides services or acts in a regulatory capacity;
  - 9.1.2 Employees who have interests in companies, businesses or firms with whom the Council contracts, or which provide a service to the Council including Employees who themselves, or their close personal associates/immediate family (including members of their household) are company directors, partners in a partnership, sole traders and/or have an interest in such businesses or organisations; and
  - 9.1.3 Employees who themselves (or, to the best of their knowledge, their close personal associates/immediate family (including members of their household)) are involved in the overall running and/or control of a business or organisation that has applied for funding, loans or grants from the Council, including, for example, the Welsh Government Grants administered by the Council.
- 9.2 Employees shall not recommend any particular businesses used by individuals or other businesses, where this could be misconstrued as a recommendation of the Council or a recommendation by the Employee in their official capacity.
- 9.3 The businesses and organisations referred to in this section include but are not limited to private companies, public limited companies, partnerships, limited liability partnerships, sole traders, holding companies, subsidiary companies, associations and charities.

9.4 The Employee can also contact the Monitoring Officer for further advice.

## **10 Separation of Roles during Tendering**

- 10.1 Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the Council. Senior Employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.
- 10.2 Employees in contractor or client units must exercise fairness, transparency, impartiality as well as acting ethically when dealing with all customers, suppliers, other contractors and sub-contractors.
- 10.3 Employees who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.
- 10.4 Any Employee contemplating a management buyout of a contractor should, as soon as they have formed a definite intent, inform the appropriate Corporate Lead Officer and withdraw from the contract awarding processes.
- 10.5 Employees should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

## **11. Appointment and Other Employment Matters**

- 11.1 Employees involved in the recruitment and appointment of Staff must ensure that appointments are made on the basis of merit. In order to avoid any possible accusation of bias, employees must not be involved in any appointment or any other decisions relating to discipline, promotion or pay and conditions for any other Employee, or prospective Employee, to whom they are related, or with whom they have close personal relationship outside work.
- 11.2 Employees shall not canvass any Member or Officer of the Council in respect of candidates seeking employment with the Council.
- 11.3 This section should be read in conjunction with the Council's Recruitment and Selection Policy.

## **12 Equality Issues**

- 12.1 All local government Employees must comply with policies relating to equality issues, as agreed by the Council, in addition to the requirements of the law. All members of the local community, customers and other Employees have a right to be treated with fairness and equity. The Council has adopted the principle, in the transaction of public business and the administration of justice in Wales, that it will treat the Welsh and English languages on the basis of equality. Information on the Council's Welsh Language Scheme is available on Ceredigion's intranet site (Cerinet) under 'Policies and Procedures'.

## **13 Corruption**

- 13.1 Employees in their official capacity must be aware that it is a serious criminal offence under the Prevention of Corruption Acts for them to receive or give any gifts, loans, fees, rewards or any other advantage for doing or not doing anything or showing favour or disfavour to any person or organisation.
- 13.2 Corruption involves a wide range of unethical behaviour and includes but is not limited to the abuse of entrusted power for private gain and the offering, giving, receiving or soliciting, directly or indirectly, anything of value to influence improperly the actions of another party. Employees must promptly report the matter in line with the Council's Strategy on Countering Fraud, Corruption and Bribery (to include Anti-Money Laundering) if:
  - 13.2.1 The Employee is in doubt as to whether an act of corruption has, will or may occur (potential act of corruption);
  - 13.2.2 Anyone makes an approach to an Employee which seems (or might seem to a third party) to be aimed at obtaining some form of preferential treatment or in any suspicious circumstances in connection with a service provided by the Council, a regulatory function of the Council or a contract, for the Employee's own protection; or
  - 13.2.3 The Employees suspects money laundering activity, fraud, bribery or corruption.
- 13.3 In raising concerns regarding fraud, bribery and corruption, Employees should note that their concerns will be treated confidentially, as far as possible. A suspicion of wrongdoing must be reasonably held and the Council will ensure that any allegation of any kind, including anonymous letters or telephone calls, will be looked at and thoroughly investigated in an appropriate manner.
- 13.4 The Council will deal swiftly and thoroughly with any incidents of malpractice and Employees may face disciplinary or other action in accordance with the Council's HR Policies. Disciplinary or other action may be taken in addition to, or instead of criminal proceedings (this depends on the circumstances of each individual case), in keeping with the Council's Disciplinary Policy, which is available on the Council's Intranet Site (Cerinet).

## **14 Use of Financial Resources**

- 14.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner so that the Council obtains value for money and avoids legal challenge to the Council, and must not utilise property, vehicles or other facilities of the Council for personal use unless authorised to do so.
- 14.2 Employees must declare an interest and not be involved in any financial transactions dealing with public funds with which they, or any partner, spouse, close relative or associate have a personal or financial interest.
- 14.3 A personal or financial interest includes any business or organisation for which the Employee, their partner, spouse, close relative or associate (including members of their household) is a company director, partner (for a partnership), or sole trader, or is involved in the overall running and/or control of a business or organisation that has applied for funding, loans or grants from the Council, including, for example, the Welsh Government Grants

administered by the Council.

- 14.4 Managers should ensure that there is a separation of duties within any financial transaction arranged using public funds, by ensuring that there are at least two employees involved in the process. Furthermore these transactions should also be verified by an independent Officer.

## **15 Hospitality/Gifts**

### Gifts

- 15.1 Employees must be aware that anyone with whom they have dealings may provide gifts and/or hospitality and by doing so may be seeking to influence Council Employees. To maintain transparency, integrity and the trust of the public, colleagues and all suppliers, Employees should not generally accept any gifts or hospitality.
- 15.2 Employees:
- 15.2.1 should not accept personal gifts of a value of greater than £10 ('significant gifts') from contractors, outside suppliers, other organisations or individuals.
- 15.2.2 can keep gifts of token value such as pens, diaries, chocolates, wine etc. up to the value of £10 ('insignificant gifts') from contractors, outside suppliers, other organisations, individuals or sources ('donors').
- 15.3 It is the responsibility of the Employee to consider whether a gift has a significant value (of greater than £10). Reasonable enquiries must be taken by the Employee to ascertain the value of the gift. Such steps could include, but are not limited to, carrying out an internet search/researching the value of the gift.
- 15.4 Employees should not accept multiple insignificant gifts from the same donor(s), as these would constitute significant personal gifts when considered together e.g. more than 3 gifts during a 1 year period.
- 15.5 Employees should not to accept any gifts from contractors or suppliers of the Council during the time of (or leading up to) contract renewals/tender processes.
- 15.6 The Employee must make a Declaration in all circumstances, whatever the value of the gift.

### Hospitality

- 15.7 Employees:
- 15.7.1 should generally refuse all offers of hospitality wherever possible.
- 15.7.2 can accept hospitality of a value of £10 or less ('insignificant hospitality').
- 15.7.2 should not accept hospitality of a value of greater than £10 ('significant hospitality') unless there is a genuine and integral need to represent the Council at an event or in the community and they have obtained the consent of their Corporate Lead Officer or Corporate Manager.

- 15.8 Employees should not accept multiple offers of hospitality from the same donor(s), as these would constitute significant hospitality when considered together e.g. more than 3 offers of hospitality during a 1 year period.
- 15.9 Employees should not accept any hospitality from contractors or suppliers of the Council during the time of (or leading up to) contract renewals/tender processes.
- 15.10 All hospitality accepted must be declared.
- 15.11 It is the responsibility of the Employee to consider whether an offer of hospitality has a significant value (of greater than £10). Reasonable enquiries must be taken by the Employee to ascertain the value of the hospitality. Such steps could include, but are not limited to, carrying out an internet search/researching the value of the hospitality.
- 15.12 If in doubt as to whether there is a genuine and integral need to accept the hospitality, the Employee should check with the Monitoring Officer (see also acceptable examples at 15.16 below).
- 15.13 When hospitality has to be declined, the person offering hospitality should be courteously but firmly informed of the procedures and standards operating within the Council.
- 15.14 When receiving authorised hospitality, Employees should be particularly sensitive as to its timing and public perception in relation to decisions which the Council may be taking affecting those providing the hospitality.
- 15.15 Acceptance by Employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, where the line manager gives consent in advance and where the Council is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment, etc. are required, Employees should ensure the Council meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.
- 15.16 Acceptable examples of hospitality/gifts include:
- 15.16.1 An offer of refreshment following a site inspection;
  - 15.16.2 Invitations to attend functions where the Officer represents the Council, or to functions attended by virtue of a professional position e.g. awards ceremony;
  - 15.16.3 A working lunch of a modest standard provided to enable the parties to continue to discuss business; or
  - 15.16.4 Insignificant gifts of token value such as pens, diaries, chocolates, wine, tickets for an event etc. up to the value of £10.
- 15.17 Unacceptable examples of hospitality/gifts include:
- 15.17.1 Holidays;
  - 15.17.2 Personal invitations to have evenings out with representatives of a company or a firm which have dealings with the Council;
  - 15.17.3 Offers of hotel or tickets for theatres/sporting events; or
  - 15.17.4 The use of a company property.

15.18 Any Employee wishing to accept gifts/hospitality must ensure that the Council's Employee Hospitality and Gifts Declaration Form is fully completed, which is available on the Council's internet site (Cerinet). Employees must complete the Hospitality and Gifts Declaration Form, in order to comply with the Code of Conduct.

15.19 All declarations must be made as soon as reasonably practicable following receipt of the gift/hospitality and at least within 7 working days.

15.20 In completing the Hospitality and Gifts Declaration Form, the Employee will be required to provide any relevant information, including:

15.20.1 The name of the organisation providing the hospitality;

15.20.2 The organisation sponsoring the hospitality (if different from above);

15.20.3 The date the hospitality is to be/was received;

15.20.4 The nature of the event and the context in which the hospitality is to be/was provided;

15.20.5 The name of any other Employee/Employees of Ceredigion County Council who will be attending/attended the event;

15.20.6 The name of any other organisation which will be attending/attended the event, if associated with the hospitality to be/that was received;

15.20.7 The type of hospitality/gift received and estimated approximate value; and

15.20.8 Whether acceptance of the hospitality was authorised in advance (and if so, provide details and records).

15.21 The Employee will also be asked in the Hospitality and Gifts Declaration Form to declare that the information provided is correct to the best of their knowledge and belief (email provided as signature).

15.22 Once the Employee has completed the Hospitality and Gifts Declaration Form an endorsed receipt of the form is produced. It will be entered in the Central Register of Declarations. Further details on how to register hospitality declarations and access to the Hospitality Declaration Form can be found on the Council's Intranet Site (Cerinet) under 'Policies and Procedures' (under the heading 'Declaration and Registration of Hospitality and Gifts Interests Policy').

## **16 Sponsorship – Giving and Receiving**

16.1 Where an outside organisation wishes to sponsor, or is seeking to sponsor, a local government activity, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or sub-contractors.

16.2 Where the Council wishes to sponsor an event or service, neither an Employee nor any partner, spouse, close relative or associate must benefit from such sponsorship in a direct way, without there being full disclosure, and through completion of the Declaration of Interests Form (available on the Council's Intranet Site (Cerinet)). 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.

16.3 This section does not place any limitation on an Employee's ability to carry out their own charitable activity outside their employment duties and to seek sponsorship from their



colleagues for such activity.

## **17 Confidentiality**

- 17.1 Openness in the dissemination of information and decision-making should be the norm in the Council. However, certain information may be confidential or sensitive and therefore not appropriate for a wide audience, including information contained in exempt reports reported in public meetings.
- 17.2 Where confidentiality is necessary to protect the privacy or other rights of individuals or bodies, information should not be released to anyone other than a Member, Employee or other person who is entitled to receive it, or needs to have access to it for the proper discharge of their functions.
- 17.3 Nothing in this Code of Conduct can be taken as overriding existing statutory or common law obligations to keep certain information confidential, or to divulge certain information.
- 17.4 Employees who are not aware of which information is open and which is not, must seek clarification from their Line Manager who will seek advice from the Monitoring Officer and/or Data Protection Officer where appropriate.
- 17.5 All press releases must be placed through the Council's Communications Team or in their absence through the relevant Corporate Lead Officer.

## **18 Other employment/Private Work/Other Activities**

- 18.1 An Employee wishing to carry out other employment may only do so if permitted by their Contract of Employment and by the Employee Handbook. If so, the Employee must inform their Line Manager. Where there is deemed to be a conflict, a discussion will take place between the Employee, the Service and Human Resources to consider how the conflict may be avoided. Any other employment must not affect the work that the Employee does for the Council or affect the Employee's ability to do their job. It must not damage the Council's reputation or have a negative effect on its duties or interests.
- 18.2 Employees cannot carry out other employment in the Council's offices and must not use any of the Council's facilities, for example, phones, computers, printers, faxes, photocopiers etc.
- 18.3 Employees must not carry out other employment during their paid working time. If they do wish to do so, they should discuss this with their Corporate Manager and Human Resources.
- 18.4 Employees can provide a service to voluntary or other organisations during their own time. However, it is important that the service that the Employee provides does not affect their job or the Council's reputation. Employees must tell their Line Manager if they provide a service to an organisation where there may be a conflict of interest relating to their employment.
- 18.5 Employees must not use their position as a Council Employee to favour any voluntary or other organisations.
- 18.6 Employees must give the Council any money they receive for work they do such as lectures,

broadcasts or magazine articles that are part of the Employee's duties and must not retain any payment in such circumstances, if the external organisation provides a payment for the Employee's time. If the Employee is taking part in such an event as part of their Employment, any charges/payments must be arranged through the Council. Employees are not required to give the Council any money they receive for work they do outside of their duties as an Employee in their own time.

## **19 Patent Rights**

- 19.1 In respect of any invention that belongs to Ceredigion County Council by virtue of the Patents Acts, it shall be for the Council in the first instance to decide whether to apply for patent or other protection in law.
- 19.2 Any matter or thing capable of being patented under the Patents Acts which is made, developed or discovered by the Employee, either alone or in concert, while in the performance of their normal duties or duties specifically assigned to the Employee, will forthwith be disclosed to their Corporate Lead Officer or Chief Executive and, subject to the provisions of the Patents Acts/Patents Rules, shall belong to and be the absolute property of Ceredigion County Council.
- 19.3 An Employee must, notwithstanding the termination of their contract of employment, sign and execute all such documents and do all such acts as the Council may reasonably require:
- 19.3.1 To apply for and obtain in the sole name of Ceredigion County Council, unless it otherwise directs, any patent, registered design or other protection of any nature whatsoever in respect of the invention in any country throughout the world and, when so obtained or vested, to renew and maintain the same.
  - 19.3.2 To resist any objection or opposition to obtaining, and any petitions or applications for revocation of, any such patent, registered design or other protection.
  - 19.3.3 To bring any proceedings for infringements against a third party of any such patent, registered design or other protection.
- 19.4 Ceredigion County Council hereby undertakes to indemnify the Employee in respect of all costs, claims and damages, howsoever and wheresoever incurred in connection with the discharge by the Employee of any and all such requirements as explained in 19.3.1 to 19.3.3 above.

## **20 Copyright**

- 20.1 All records, documents and other papers, including copies and summaries thereof, which pertain to the finance and administration of the Council and which are made or acquired by the Employee in the course of their employment shall be the property of the Council. The copyright in all such original records, documents and papers shall at all times belong to the Council.
- 20.2 The copyright in any work or design compiled, edited or otherwise brought into existence by the Employee as a scholarly work produced in furtherance of their professional career shall belong to the Employee. For this purpose, 'scholarly work' includes items such as books, contributions to books, articles and conference papers.

20.3 The copyright in any material produced by the Employee for their personal use and reference shall belong to the Employee. However, the copyright in documents produced by the Employee in the course of their employment for the purposes of the Council and produced, used or disseminated by the Council shall belong to the Council.

## **21 Investigations by Monitoring Officer & Internal Audit**

21.1 Where the Council's Monitoring Officer is undertaking an investigation in accordance with regulations made under section 73(1) of the Local Government Act 2000, Employees must comply with any requirement made by the Monitoring Officer in connection with such an investigation.

21.2 Employees must also comply with any requirements made by Internal Audit, as authorised by their rights of access set out in the Council's Constitution and the Internal Audit Charter of the Council. As part of the Council's Financial Regulations and Accompanying Financial Procedures contained in the Council's Constitution, Internal Auditors have the right to:

21.2.1 Enter any Council premises or land at any reasonable time;

21.2.2 Access all assets, records, documents, correspondence and control systems relating to any financial and other transactions of the Council;

21.2.3 Require and receive any such information and explanations considered necessary concerning any matter under consideration/examination;

21.2.4 Require any Employee of the Council to account for cash, stores or any other Council property under their control; and

21.2.5 Have access to records belonging to third parties, such as contractors or partnership agencies, according to the relevant contractual terms.

21.3 The Council may, from time to time, also be subject to audit, inspection or investigation by external bodies that have statutory rights of access. Employees are expected to co-operate fully with requirements in these instances.

## **22 Behaviour Outside Work**

22.1 As a general rule, an Employee's private life is their own concern. However, some forms of behaviour occurring away from work, such as violence or dishonesty can have a significant impact on the Council and the service it provides. Employees must therefore ensure that their behaviour in and away from work will not bring the name of the Council into disrepute or attract damaging publicity for the Council. Employees must, as referenced in their Contract of Employment, inform their Line Manager and Human Resources at the earliest opportunity and in writing if they are under investigation for a criminal offence or are cautioned, reprimanded, given a final warning or are convicted of a criminal offence, and must report similarly any activity falling within the Safeguarding procedure to their Line Manager and Human Resources at the earliest opportunity.

## **23 Social Media**

23.1 Employees must comply with the Council's Social Media Policy, including associated guidance at Appendix 1 to the Council's Social Media Policy (available on the Council's Intranet Site (Cerinet)), and including relating to safeguarding vulnerable adults and children

and regarding politically restricted posts.

23.2 Employees should be aware that failure to abide by the guidelines in the Council's Social Media Policy could lead to disciplinary action under the Council's disciplinary procedure.

## **24 Data Protection and UK GDPR**

- 24.1 Employees must comply with the Council's Data Protection and GDPR Policy, which is available on the Council's Intranet Site (Cerinet) including the requirement to consult with the Data Protection Officer regarding any Data breach or potential breach, and adhere to the rules of the Policy regarding Data Protection Impact Assessments.
- 24.2 Employees must be aware that they, as Council Staff, are responsible and accountable for following established corporate and departmental procedures with regard to data protection and for keeping their training and understanding up-to-date and in particular for undertaking all mandatory training, as confirmed in the Policy.
- 24.3 As stated in the Data Protection and GDPR Policy, failure to comply with the Policy and Data Protection Act 2018 may be regarded as serious misconduct and, if so, will be dealt with in accordance with the Council's Disciplinary Policy. Employees must also be aware that, as stated in the Data Protection and GDPR Policy, misuse and unauthorised disclosure of personal data can lead to personal prosecution.
- 24.4 Employees are also responsible for ensuring that volunteers, apprentices, trainees and work experience interns working alongside them temporarily are given, where necessary, an appropriate basic training as part of their induction about data protection, and respect for individual privacy rights.

## **25 Central Register**

- 25.1 Employee declarations referred to in this Policy shall be maintained on a central register, with copies provided to the Monitoring Officer. The Monitoring Officer shall consider whether the Employee's Corporate Lead Officer and/or Line Manager need to be made aware of any of the declarations, as referred to at 6.13 above.

~~Personal Details~~

-

Payroll Ref:-

~~Full name:-~~

Designation/~~Role~~:

Service:-~~/Ward~~

~~Line Manager Name:~~

~~Line Manager Email:-~~

I ~~confirm that I~~ have no direct or indirect ~~pecuniary~~ interests which are required to be declared by virtue of the Council's Code of Conduct for Local Government Employees.

~~Yes/No~~

I confirm that ~~there~~ have been no changes since I made my last declaration.

~~Yes/No~~ Agree?—

~~Declarations~~

I have set out below under the appropriate headings my interest(s), which I am required to declare in accordance with the ~~Council's~~ Code of Conduct ~~for Local Government Employees~~.

1. Remunerated directorship of companies (public or private).

2.a) Relationships with close family members/close personal associates/related-parties who are employees/officers of the Council or teachers within schools in the County.

If they are a Chief Officer (CLO level or above) state:

- their name
- their role
- your relationship

2b) Relationships with close family members/close personal associates/related-parties who are a Councillor of the Council.

State their:

• name

• ward

3. Remunerated employment, offices, trades or professions (other than Ceredigion County Council).

~~34.~~ Details of external contractors, or potential contractors to the Council, managed or run by ~~friends, partners or relatives~~ close personal associates/family (including members of my household) or with whom ~~you-I~~ have been or ~~are-am~~ now closely connected (giving details).

~~4. Any financial or non-financial interests which you consider could bring about conflict with the Council's interests.~~

5. Membership of any organisation not open to the general public without formal membership and commitment of allegiance and which has secrecy about rules of membership or conduct.

6. Membership of any society, party or organisation whose aims and/or constitution conflicts with any Rule of Law or with the Equal Opportunities Policy adopted by the Council.

7. Details of any sponsorships ~~to the employee~~ provided to me or any close personal associate/ family (including members of my household) you by an outside organisation likely to have dealings with the Council.

8. Details of ~~my membership on any community council~~ any Town or Community Council, of which I or any close personal -associates/ immediate family (including members of my household) hold the position of a s-Clerk or Member Clerk to any Town or Community Council to the best of my knowledge. details of any close personal associates/ immediate family (including members of my household) who are Town or Community Councillors, or Clerks to Town or Community Councils);

9. Details of my membership of any governing bodies (including schools) or other organisations likely to have dealings with the Council.

~~, governing bodies or other organisation likely to have dealings with the Council.~~

910. Positions of responsibility in any societies, clubs, trade unions or other organisations (apart from recognised Employee Trade Unions) where the interests of such bodies may be affected by the actions of the Council.

~~1011.~~ The names of any company or other body (which are likely to have significant dealings with the Council) that I, or a close family member, or any person or organisation acting on my behalf is on the board of (directors or trustees), or is a member of a management committee or controlling group of the company or other body.

12. The names of any company or other body (which are likely to have dealings with the Council) in which ~~the employee~~, or ~~my his/her spouse or partner~~ a close family member (whether in ~~his/her their~~ own right or on behalf of ~~his/her their~~ infant children), or any person or organisation acting on my behalf, has a beneficial interest in the shareholdings of a nominal value greater than £25,000 or greater than 1% of all shares which have been issued.

~~1112-13.~~ Land ownership within the County exceeding 5 acres.

~~121314. Any other interests. Any other interests (whether financial or non-financial), which a member of the public with knowledge of the relevant facts would reasonably consider could bring about conflict with the Council's interests.~~

\_\_\_\_\_ Confirmation

I declare that the information given above is, to the best of my knowledge and belief, correct.

Email address:

N.B. - Your email address will be used as your signature.

By signing above you also confirm your understanding that

~~I understand that the Acknowledgement declarations form will be sent to the Monitoring Officer.~~

By signing above you also confirm your understanding that the Monitoring Officer will consider whether your Corporate Lead Officer and/or Line Manager need to be made aware of declarations made. In considering whether it is necessary to inform the your Corporate Lead Officer and/or Line Manager, the Monitoring Officer shall have regard to any lawful basis for disclosing the information including, but not limited to, Data Protection legislation.

and to my line manager:

Line Manager Name:

Line Manager Email:

## Gifts

Employees should not accept personal gifts of a value of greater than £10 ('significant gifts') from contractors, outside suppliers, other organisations or individuals.

Employees can keep gifts of token value such as pens, diaries, chocolates, wine etc. up to the value of £10 ('insignificant gifts') from contractors, outside suppliers, other organisations, individuals or sources ('donors').

Reasonable enquiries must be taken by the Employee to ascertain the value of the gift. Such steps could include, but are not limited to, carrying out an internet search/researching the value of the gift.

Employees should not accept multiple insignificant gifts from the same donor(s), as these would constitute significant personal gifts when considered together e.g. more than 3 gifts during a 1 year period.

Employees should not to accept any gifts from contractors or suppliers of the Council during the time of (or leading up to) contract renewals/tender processes.

If more than 1 gift has been/is to be received, or previous gifts received from same donor/connected donors, or from contractors/suppliers include details here (see the Council's Code of Conduct for Local Government Employees for further details).

## Hospitality

Employees should generally refuse all offers of hospitality wherever possible.

Employees can accept hospitality of a value of £10 or less ('insignificant hospitality').

Employees should not accept hospitality of a value of greater than £10 ('significant hospitality') unless there is a genuine and integral need to represent the Council at an event or in the community and they have obtained the consent of their Corporate Lead Officer or Corporate Manager.

Employees should not accept multiple offers of hospitality from the same donor(s), as these would constitute significant hospitality when considered together e.g. more than 3 offers of hospitality during a 1 year period.

Employees should not accept any hospitality from contractors or suppliers of the Council during the time of (or leading up to) contract renewals/tender processes.

It is the responsibility of the Employee to consider whether an offer of hospitality has a significant value (of greater than £10).

If in doubt as to whether there is a genuine and integral need to accept the hospitality, the Employee should check with the Monitoring Officer (see the Council's Code of Conduct for Local Government Employees for further information including examples of acceptable and unacceptable hospitality).

## Personal Details

Please fill in the sections below within 7 working days of receiving the hospitality/gift.

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Payroll Ref.:



Full name:

Designation/Role:

Service: - / Ward

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\_\_\_\_ Declaration

I have set out below under the appropriate headings hospitality/gifts I have received / intend to receive and which I am required to declare under the Code of Conduct.

1. Name of the organisation(s) arranging the hospitality:
2. Name of the organisation(s) sponsoring the hospitality (If different from above):
3. Date the hospitality is to be/was received:

dd/mm/yyyy

Select date using calendar

4. Nature of the event and the context in which the hospitality is to be/~~was~~ provided:
5. Name of any other ~~employee~~Employee/~~employees~~Employees of Ceredigion County Council who will be or did attend the event:
6. Name of any other organisation which will be or did attend the event, if associated with the hospitality to be received/received:
7. Type of hospitality/gift to be received/received and approximate value (note Employees are required to declare ALL gifts/hospitality, whatever the value.

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8. Was acceptance of the hospitality authorised in advance? If so, please provide details and record.

Confirmation

I declare that the information given above is -to the best of my knowledge and belief correct.

Email address:

N.B. - Your email address will be used as your signature. By signing above you also confirm your understanding that the acknowledgment form shall be sent to the Monitoring Officer.

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