

OFFICER CODE OF CONDUCT – SECTION 2 (PUBLIC DUTY, PRIVATE INTEREST, FRAUD AND THEFT) & LIST OF APPENDICES

Extract from the Code of Conduct with tracked changes

2.0 PUBLIC DUTY, PRIVATE INTEREST, FRAUD AND THEFT

(i) General

- 2.1 Your duty as an employee and any interests outside your job must not conflict. If there is anything you are involved in outside of work which might affect your job, you must declare this to your manager. Read Declaration of Interests Policy (DO!) Appendix A
- 2.2 You must always do your job safely. To make sure you do not put the public, other employees or yourself at risk, you must follow Corporate and Directorate Health and Safety policies. You must also follow safe systems of work and any Codes of practice that apply to your job.
- 2.3 If you are a member of an organisation that:
- Is not open to the public
 - Requires formal membership and an oath of allegiance
 - Has any secrecy about its rules, the process of becoming a member, or conduct of members.
- 2.4 You must declare this in writing to your Head of Service or Director. See Declaration of Interests Policy **Appendix A**.
- 2.5 The Council has responsibility for the administration of public money. We emphasise to the public and to employees that we think honesty and that having proper control of finances is very important.
- 2.6 The Council is committed to the fight against fraud, whether an employee, a contractor, or a member of the public has committed the fraud.
- 2.7 You must not use the fact that you are a Council employee to obtain, gain directly or indirectly - for yourself, any business associates, your friends or your family. This is covered in the Council's Anti-Bribery Policy in Appendix B.
- 2.8 As the Council is committed to the prevention and detection of fraud, we have a policy statement on Fraud and Corruption. This is shown in **Appendix B**.
- 2.9 We also have a Gifts and Hospitality Policy and Code of Practice. This is shown in **Appendix C**.

- 2.10 In addition to these two policies, we have a Whistleblowing Policy and Procedure, so that you can report any fraud or corruption more easily. This is shown in **Appendix D**.
- 2.11 If you are using public funds, you must use them responsibly, and you must keep within the law. You must make sure that we use our resources sensibly and legally, and that the community gets value for money.
- 2.12 You must keep to the rules within the Council's Standing Orders and Financial Framework. The Standing Orders are available on the Council's Internet site.
- 2.13 If you:
- Commit fraud against the Council, or any person or organisation, or try to.
 - Steal from the Council, or any person or organisation, or try to.
- 2.14 This will be considered misconduct and may be considered gross misconduct. This includes deliberately putting false information on time sheets, subsistence claims or mileage claims.
- 2.15 If you have concerns that someone is stealing, committing fraud or behaving in a way that might be unethical, you must report this to your manager, or someone named in the Whistleblowing Policy and Procedure. This procedure is shown in **Appendix D**.
- 2.16 We know that it is not always easy to report on the behaviour of other people. We will give you full support if you raise concerns. If you wish to remain anonymous, we will make every effort to respect this.
- 2.17 We know there are two sides to a story, and we will ensure hearings are fair.
- 2.18 Sometimes allegations will turn out to be wrong. If you deliberately make false or malicious allegations, this will be treated as misconduct.

(ii) Financial Inducements, Gifts and Hospitality

- 2.19 You must never accept a financial payment, bribes or inducement from any individual, body, or organisation. For example: payments or inducements from contractors, developers, or consultants. [This is covered in the Council's Anti-Bribery Policy in Appendix B.](#)
- 2.20 To take financial payments or inducements is against the law. It is an offence under Section 117 of the Local Government Act 1972.
- 2.21 You must refuse any gift or hospitality offered to you or your family that others may think could influence you.
- 2.22 You may accept gifts of small value such as pens, diaries and calendars.

- 2.23 For further guidance on gifts, hospitality and inducements, you can read the Gifts and Hospitality Policy and Code of Practice. This is shown in **Appendix C**.
- 2.24 Any gifts or hospitality you have been offered, whether you have turned them down or accepted them, must be recorded. If you are unsure of the process of recording goods and hospitality in your service area, seek advice from your manager.

(iii) Employee Declarations of Financial and other interests

- 2.25 You have a legal duty to declare any financial or other interest in an existing or proposed contract. See Declaration of Interests Policy (DOI) Appendix A.
- 2.26 If the Council gives support in the community, through financial help or other help, you must make sure that any advice you give is fair and balanced. You must make sure that there is no conflict of interest.
- 2.27 You are free to use all Council services. If you do so, you will not be treated more or less fairly because you work for the Council.
- 2.28 Members of the public expect you to be fair and treat people equally, no matter who you are delivering services to.
- 2.29 You must make sure you don't do anything in your job that might make people think you are being unfair or biased.
- 2.30 You must not try and obtain services in a different way to the public because you work for the Council. This includes putting pressure on colleagues to get services.
- 2.31 If you think there might be a conflict of interest, you must look at the Declarations of Interest Policy (DOI), **Appendix A**. If you are not sure, you should ask your manager to help you.
- 2.32 The Monitoring Officer will review any declarations that have been made every year. If the Monitoring Officer needs to make declarations, the Chief Executive will review them every year.
- 2.33 The Director of Human Resources is responsible for making sure all the Employment Policies, Practices and Procedures that the Council has are kept to.
- 2.34 Every Head of Service, Director and Executive Director is responsible for monitoring their employees activities, making sure they have kept to this Code and any other Codes and made declarations when they need to. Any monitoring will comply with all relevant laws.

19.0 APPENDICES

- A Declaration of Interests Policy
- B ~~Policy Statement on Anti-Fraud and Corruption~~ Policy Statement and Framework (including the Anti-Bribery Policy & Procedures)
- C Gifts and Hospitality Corporate Policy and Code of Practice
- D Whistleblowing Policy and Procedure
- E Information Governance and Security Policy
- F ICT Acceptable Use Policy
- G Data Protection Policy
- H Social Networking Policy
- I Other employment related to activities – fees
- J Politically Restricted Posts
- K Dignity and Respect at Work Policy
- L Alcohol, Drug and Substance Misuse Policy