

TORFAEN  
COUNTY  
BOROUGH



BWRDEISTREF  
SIROL  
TORFAEN

# CODE OF CONDUCT FOR ALL EMPLOYEES

Date Approved: July 2024

Consultation with: Executive Member for Resources, Assistant Chief Executive (Resources) Chief Legal & Monitoring Officer, Head of HR, UNISON and GMB

Please note that all of our policies are fully inclusive of all staff regardless of age, marriage (including equal/same sex marriage) and civil partnership, disability, sex, sexual orientation, pregnancy and maternity, race, religion or belief, gender identity and gender expression

## Version History

Issue Date	Version	Reason for Change	Changed by
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## **1. Why we have a Code of Conduct**

- 1.1 The purpose of this Code is to ensure that all employees understand what is expected of them in order for the Council to provide services of the highest quality, fairly and efficiently.
- 1.2 In performing your duties you are required to act with integrity, honesty, impartiality and objectivity. These behaviours are to be applied to all areas of work undertaken on behalf of the Council including activities carried out by employees acting as members of companies or voluntary organisations.

## **2 What is required from the Employee?**

- 2.1 Compliance with this Code of Conduct is a requirement under your conditions of employment. As an employee you are accountable to the Council and therefore must act in accordance with the principles set out in this Code of Conduct.
- 2.2 If you do not comply with this Code of Conduct, the Council may take disciplinary action against you in accordance with the appropriate procedure. This may have serious consequences for you including the possibility of dismissal from the Council.

### 2.3 These are the requirements under the Code of Conduct for all employees:-

- You should read and get to know the contents and meaning of the code
- On commencement of your employment you must sign a declaration that you have received and understood this Code of Conduct.
- If your circumstances change from the last declaration you must notify your line manager immediately of any matters specified in the code, and sign a new declaration
- You will be expected to review the code and the declarations you have made annually to ensure that you understand and comply with what is expected of you.
- It is your responsibility to ask your manager to explain anything that you do not understand
- You should discuss with your manager if you do not know how to comply or have difficulty in complying with any part of the code.
- You should tell your manager (or the most appropriate manager) if you believe the services we provide fall short of the standards in this code.
- You should tell your manager (or the most appropriate manager) about anyone else breaking the code and/or breaking the law. If in any doubt please refer to the Council's whistle blowing policy.

<https://swoop.torfaen.gov.uk/en/Document-Library/HR-Policies/Whistleblowing-Policy.pdf>

- 2.4 The matters covered in this code are fairly comprehensive but are not considered all embracing. You should assume that conduct or actions that are not specified but which are similar to those described, or relate to similar standards and principles to those set out are also covered.

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### 3. **General Responsibilities at Work**

- 3.1 You will be expected to work within the scope of your **contract of employment** performing your duties to the highest possible standards with honesty, integrity and impartiality and be accountable for your own actions.
- 3.2 You will be expected to treat others with respect, fairness and dignity at all times abiding by the **Dignity at Work Policy and any other** policies relating to equality issues agreed by the Council, in addition to the requirements of the law. <https://swoop.torfaen.gov.uk/en/Document-Library/HR-Policies/DignityatWork.pdf>
- 3.3 You will be expected to be welcoming, helpful, informative and courteous as well as being professional to the public and to all our internal and external customers.
- 3.4 You must be presentable and suitably dressed for your particular job, including wearing safety clothing and equipment in line with your responsibilities under the Health and Safety at Work Act 1974, if appropriate to your duties.
- 3.5 You must be ready and able to carry out your duties at agreed times and record your time at work accurately
- 3.6 You must comply with the Council's constitution, policies and procedures.
- 3.7 You must adhere to the safeguarding and welfare requirements of all children, young people and vulnerable adults the Council has responsibility for.
- 3.8 You must ensure that you use public funds entrusted to you on behalf of the Council in a responsible and lawful manner and must not use property, vehicles or other facilities of the Council for personal use unless authorised to do so. Public funds entrusted to you also include salary and wages. In the event that you find, or are notified that you have received an overpayment, the Council has an obligation to seek to recover the money. You will be expected to work with the Council in complying with the highest standards of integrity in helping meet this requirement in a measured and reasonable manner, in accordance with the agreed procedures of the Council.

### 4. **Confidentiality and the Use of Information**

- 4.1 In your job, and in the event that you leave the Council's employment, in respect of any confidential information you come across, you must maintain the privacy and confidentiality of such information at all times unless you are expressly authorised to divulge it or are required to do so by law.
- 4.2 You must take time to read, understand and comply with the policies and procedures on information security.
- 4.3 You must ensure that all data is kept secure (i.e. locked away or protected by computer passwords, that are under no circumstance disclosed to others) and that data on computer screens and paper files are not left within the view of unauthorised persons.
- 4.4 You must not disclose the Council's information or any other organisations information to any person who does not have a legitimate business interest with the authority.

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- 4.5 You must only access data in relation to the role that you undertake. You must not access any data that relates to yourself, your family or friends or for any personal reasons.
  - 4.6 You must comply with the General Data Protection Regulation 2018 and not use data held by the Council for any purpose other than that for which it is registered to be kept and used.
  - 4.7 You must refer any request from the media for information to your Chief Officer, an Officer authorised by a Chief Officer, or the Council's Communications Team.
  - 4.8 If you are in any doubt on any aspect of confidentiality or data security you must seek advice from your line manager.

## **5 Political Neutrality**

- 5.1 If your post is politically restricted (you will be aware of this upon appointment), or you are employed on grade 10 or above you cannot stand for a political office or engage in certain political activities such as canvassing or speaking publicly.
- 5.2 You must follow all policies of the Council and must not allow your own personal or political opinions to interfere with your work.

## **6 Dealing with Members, Contractors, Suppliers and Consultants**

- 6.1 You must be polite and professional in your dealings with Members and deal efficiently with all Members enquiries without bias and regardless of their political allegiances.
- 6.2 You must provide professional advice, not influenced by political views or preferences, which does not compromise the political neutrality in your role as an officer
- 6.3 You must report to your line manager at once if a Member asks or pressures you to deal with any matter outside Council procedures or policy.
- 6.4 If your role means that you come into contact with contractors, suppliers and consultants, for example, purchasing goods, commissioning and approving works or services done by contractors you must abide by Council's standing orders, contract procedures and financial procedures included in the Council's Constitution and Guide to Financial Management.
- 6.5 Any orders and contracts must be awarded by fair and open competition. No special favours should be shown to businesses with any connections to employees. You must therefore declare any relationship you have or have had of a business or private nature with external contractors/suppliers or potential contractors/suppliers of the Council in writing to your Chief Officer.
- 6.6 If you 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, you should notify your Line Manager, in writing, of this relationship.

## **7 Separation of Roles during Tendering**

- 7.1 If you are involved in the tendering process and dealing with contractors, you should be clear on the separation of client and contractor roles within the Council.
- 7.2 If you have both a client and contractor responsibility, you must be aware of the need for accountability and openness.
- 7.3 If you are employed in contractor or client units you must exercise fairness and impartiality when dealing with all customers, suppliers and other contractors and sub-contractors.
- 7.4 If you are privy to confidential information on tenders or costs for either internal or external contractors, you must not disclose that information to any unauthorised party or organisation.
- 7.5 If you are contemplating a management buyout you should, as soon as you have formed a definite intention, inform your Chief Officer, in writing, and withdraw from the contract awarding processes.
- 7.6 You 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.

## **8 Involvement in the appointment of Staff**

- 8.1 If you are involved in the recruitment and appointment of staff you must ensure that appointments are made on the basis of merit in order to avoid any possible accusation of bias and unfair treatment.
- 8.2 You must not be involved in any part of the recruitment process, or any other decisions relating to discipline, promotion or pay and conditions for any other employee, or prospective employee, to whom you are related, or with whom you have or have had a close personal relationship outside work.

## **9 Personal Life and Interests**

- 9.1 You are required to disclose any cautions or convictions which are not yet spent, employers are entitled to request this information under the Rehabilitation of Offenders Act 1974 (as amended). If you have an unspent convictions you must declare these by completing the Declaration of Criminal Convictions Form in appendix C.
- 9.2 Whilst your private life is your own concern, you must not put yourself in a position where your job and your personal interests conflict. This includes behavior which, because of the nature of your employment, would undermine the Council's confidence and trust in you.
- 9.3 An example of this would be if you are facing civil or criminal charges, regardless of whether they were incurred on or off duty. You must tell your manager immediately if you are charged or cautioned or under investigation for any offence which is in any

way relevant to your employment, such as child protection offences, drug offences, crimes of violence, dishonesty or driving offences, if your job involves the use of a Council vehicle, or using your own vehicle on Council business. If you are in doubt, consult your line manager or HR. You must also inform your manager immediately where you are in a relationship with a person who has been charged, cautioned or convicted with any offence which is in any way relevant to your employment.

- 9.4 The Council recognises that many employees make use of social media in a personal capacity. Whilst you are not acting on behalf of the Council, you must be aware that you can still cause damage to the Council if you are recognised as being one of its employees.
- 9.5 You are allowed to say that you work for the Council and the Council recognises that it is natural for its staff to sometimes want to discuss their work on social media. However, your online profile (e.g., the name of a blog or a Twitter name, etc.) should not contain the Council's name.
- 9.6 Any communication that you make in a personal capacity through social media must not:
- Bring the Council into disrepute, for example, criticising or arguing with customers, elected members, colleagues or other organisations;
  - Breach confidentiality, for example revealing trade secrets or information owned by the organisation;
  - Divulging confidential information about an individual (such as a colleague, elected member or customer) or other organisation;
  - Discuss the Council's internal workings (such as deals or future business plans that have not been communicated to the public);
  - Do anything that could be considered as discriminatory such as bullying or harassment of any individual, making offensive or derogatory comments relating to sex, gender re-assignment, race (including nationality), disability, sexual orientation, religion or belief or age;
  - Make defamatory comments about individuals or other organisations or groups;
  - Posting images that are inappropriate or may cause offence to others or links to inappropriate content.
- 9.7 You must not use the Council's property (including information that belongs to the Council) or equipment to do your own private business work (for example making phone calls, postage, ordering personal items, using a Council vehicle or using IT systems). More specific guidance covering private use is however available by reference to the Council's "Guidance on "Acceptable Use Procedure" and you are advised to familiarise yourself with their contents.

<https://swoop.torfaen.gov.uk/en/Document-Library/Corporate-Documents/Acceptable-Use-Procedures.docx>

## 10 **Additional Employment**

- 10.1 You must declare any other employment or business you are involved in, including any voluntary work that you undertake or any membership of any organisation not open to

the public which has secrecy about rules or membership or conduct. This includes any firm in which you are a partner or remunerated director.

- 10.2 The Council will not stop you taking on additional employment as long as it does not affect your duties and responsibilities, cause a breach of legislation with regards to working hours, or conflict with the interests of, or weaken public confidence in the Council. However no additional work whether paid or unpaid can be undertaken during the times you are contracted to work for the Council. The only exception is polling duties during elections.
- 10.3 If you are thinking about taking on additional paid work, you should get permission, which will not unreasonably be refused, in writing from your line manager beforehand. This applies to any employment, for example taking up office in an outside organisation or working with charities. It also includes special arrangements such, for example, a volunteer reservist in the armed forces
- 10.4 If you are paid for work or undertake unpaid work which is the same or similar to that for which you do for the Council you must not use assets or information belonging to the Council. This includes IT systems and customer information. You must also ensure that the customer realises and acknowledges the private nature of the work you are doing which is in no way connected to the business of the Council.
- 10.5 You must declare to your Line Manager, in writing, any financial and non-financial interests that you consider could bring about conflict with the Council's interests.

## **11 Gifts, Hospitality, Sponsorship and Endorsements**

- 11.1 You should be aware that it is a criminal offence under the **Bribery Act 2010** for you to corruptly receive any gift, fee, reward or advantage in your role as an officer of the Council. The penalties for conviction of corruption are severe. For an individual, the penalty can be a maximum sentence of 10 years' imprisonment and a fine and there are unlimited fines for companies. It is imperative that you are aware of your legal responsibilities.
- 11.2 You should only accept offers of hospitality if there is a genuine need to impart information or represent the Council in the Community. You should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality. 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 Council should be seen to be represented. You should request, in writing, and receive your Line Manager's written permission prior to any attendance.
- 11.3 You should avoid accepting from anyone, gifts, hospitality (other than official hospitality such as a civic reception or a working lunch duly authorised by this Authority), material benefits or services for yourself or any person which might place you, or appear to place you, under any obligation.
- 11.4 When hospitality has to be declined, those making the offer should be courteously but firmly informed of the procedures and standards operating within the Council.



- 11.5 You should not accept significant personal gifts from current or potential contractors and outside suppliers, although insignificant items of token value such as pens, diaries, etc. are acceptable.
- 11.6 Acceptance of hospitality through attendance at relevant conferences and courses is acceptable where it is clear that hospitality is corporate rather than personal, and/or where the Council or Chief Officer gives consent in advance, and/or where the Council or Chief Officer is satisfied that any purchasing decisions are not compromised or could be seen as a reward following the awarding of a contract. Where visits to inspect equipment, etc are required, you should ensure that the Council meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.
- 11.7 You must ensure that all gifts and hospitality are properly recorded in the Gifts and Hospitality Record held in each Service Area
- 11.8 Where an outside organisation wishes to sponsor or is seeking to sponsor a Council activity you, or any partner, spouse or relative must not benefit from the sponsorship. In the event that there is any benefit a full disclosure must be made to your manager before any sponsorship is agreed.
- 11.9 Where the Council wishes to sponsor an event or service, you, or any partner, spouse or relative, must not benefit from the sponsorship. In the event that there is any benefit a full disclosure must be made to your line manager before any sponsorship is agreed.
- 11.10 You must exercise caution before providing any statement endorsing the quality or operation of any product or service that may be used for publicity purposes. You should therefore seek advice from your line manager where such circumstances arise.

## **12 What do I need to do?**

- 12.1 You will need to complete the Declaration Forms attached as Appendix 1 of this Code of Conduct. This will show that you have no interests to be declared within the terms of this Code or to list those interests that require declaration.
- 12.2 **The Declaration Forms must be completed by all employees of the Council at the start of their employment with the Council or upon any change in role with any changes of circumstances being notified to their line manager immediately. The employee must then complete a fresh Declaration Form.**
- 12.3 Each year you will be expected to remind yourself of the requirements of the Code of Conduct ensuring that you are aware what is expected of you.
- 12.5 Chief Officers will be responsible for ensuring that declarations are completed by the appropriate employees on appointment or promotion. Completed forms will be held in the HR Division. The Chief Officer (the Chief Executive in the case of Chief Officers) will be responsible for deciding whether anything revealed in the Declaration is incompatible with the duties of the employee making it. Where instances of incompatibility occur which cannot be resolved to the Chief Officer's satisfaction by agreement, a report will be submitted to the Executive Member for Resources & Corporate Governance. The employee and if appropriate, his/her trade union, will be consulted on such a report prior to its submission.

### **13 Investigations**

13.1 Where either the Chief Legal Officer and Monitoring Officer, Chief Executive, Chief Officer, Head of HR (or his/her representative), or Chief Internal Auditor is undertaking an investigation in accordance with the Council's policies and procedures you must comply with any requirements made in connection with any investigation.

### **14 Whistle blowing**

14.1 In the event that you become aware of activities which you believe to be illegal, improper, unethical or otherwise inconsistent with this Code, you should report the matter, acting in accordance with the employee's rights under the Public Interest Disclosure Act 1998 as amended, and with the Council's confidential reporting procedure.

14.2 The Council's Confidential Reporting Code (called **Whistleblowing Policy**) tells you what to do and what you can expect to be done in a "whistleblowing" situation. This Code can be located on the Council's Intranet site.

<https://swoop.torfaen.gov.uk/en/Document-Library/HR-Policies/Whistleblowing-Policy.pdf>

### **15 Conclusion**

15.1 **The standards laid down in this Code are considered to be fundamental to the reputation of this Council. As such, uncertainty on your part as to their meaning will not be accepted as a reason for your failing to comply with them so if in any doubt whatsoever, please ask for advice from your line manager.**

**Stephen Vickers  
CHIEF EXECUTIVE**



## CODE OF CONDUCT FOR ALL EMPLOYEES OF THE COUNCIL

Torfaen County Borough Council expects every employee to behave in a highly professional manner. All employees are expected to read and understand this Code of Conduct as it outlines the standards we expect of you.

Please complete in Block Capitals

Name			
Post Title			
Service Area			
Division/Team			
If you have no information to declare please complete section A otherwise complete section B.			
<b>Section A</b>			
<p>I confirm that I have read and understand the Code of Conduct and what is expected of me. I declare that I have no facts or circumstances that I am required to disclose.</p> <p>I understand that should my circumstances change I will immediately complete a further declaration with the required details.</p>			
Signed			Dated
<p>On completion of Section A forward this form to Contracts, Employee Services, Civic Centre. Pontypool. Scanned and email versions can be sent to <a href="mailto:contracts@torfaen.gov.uk">contracts@torfaen.gov.uk</a></p>			
<b>Section B</b>			
<p>I confirm that I have read and understand the Code of Conduct and what is expected of me. I declare the following fact and circumstances.</p> <p>I understand that should my circumstances change I will immediately complete a further declaration with the required details.</p>			
Please give full details:			

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Signed		Dated	
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On completion of Section B this form should be sent to your Line Manager.

**Line Managers Section:**

This is confirmation that the interests declared by the employee above have been considered and where necessary guidance and advice issued. Appropriate advice has been sought from HR and the Head of Service as required.

Print Name	
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Post Title	
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Service Area	
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Contact Number	
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Signed		Dated	
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On completion please forward this form to Contracts, HR Support Services, Civic Centre. Pontypool. Scanned and email versions can be sent to [contracts@torfaen.gov.uk](mailto:contracts@torfaen.gov.uk)

## DECLARATION OF CRIMINAL CONVICITIONS

If you are unsure about how to answer the questions on this form, please contact Nacro's Criminal Record Support Service on 0300 123 1999 or [helpline@nacro.org.uk](mailto:helpline@nacro.org.uk). You can also use MOJ Disclosure Checker. All enquiries to this service are confidential. You will not be asked for any personal details, unless you want information or advice sent to you

Please complete in Block Capitals

Name	
Post Title	
Service Area	
Division/Team	

This post is covered by the Rehabilitation of Offenders Act 1974 and therefore applicants are required to declare:

- All unspent cautions and/or unspent convictions

For further information on how long it takes for cautions and convictions cautions to become spent, please refer to the guide on the Rehabilitation of Offenders Act 1974. <https://www.legislation.gov.uk/ukpga/1974/53>

We recognise the contribution that people with criminal records can make as employees and volunteers and welcome applications from them.

A person's criminal record will not, in itself, debar that person from being appointed to this post. Any information given will be treated in the strictest confidence. Newly appointed employees will not be refused posts because of offences which are not relevant to, and do not place them at or make them a risk in, the role for which they have apply.

All cases will be examined on an individual basis and will take the following into consideration:

- Whether the caution or conviction is relevant to the position applied for
- The seriousness of any offence revealed.
- The age of applicant at the time of the offence(s).
- The length of time since the offence(s) occurred.

- Whether the applicant has a pattern of offending behaviour.
- The circumstances surrounding the offence(s), and the explanation(s) provided.
- Whether the newly appointed employees circumstances have changed since the offending behaviour

You now have two options for disclosing your criminal record.

**Option 1:**

You can disclose your criminal record on a separate sheet provided that you mark a cross on the line below and attach the details in an email marked CONFIDENTIAL to [contracts@torfaen.gov.uk](mailto:contracts@torfaen.gov.uk). Please state your name and details of the post. I have attached details of my criminal record separately.

**Option 2:** Please provide details in the space below

**DECLARATION**

I declare that the information provided on this form is correct. I understand that the declaration of a criminal record will not necessarily prevent me from being offered this role at [insert name of organisation]

Signed

Dated

It's important that newly appointed employees understand that failure to disclose all unspent cautions or convictions - regardless of whether they're convicted in the UK or abroad; and/or unspent criminal convictions or relevant service discipline convictions received within the Service Justice System (e.g. through Summary Hearing or Court Martial) - could result in disciplinary proceedings or dismissal.

You can use the MOJ Disclosure Checker [www.gov.uk/tell-employer-or-college-about-criminalrecord/check-your-conviction-caution](http://www.gov.uk/tell-employer-or-college-about-criminalrecord/check-your-conviction-caution) to find out whether your caution(s) and/or convictions are spent. Further advice and guidance on disclosing criminal records can be obtained from Nacro's Criminal Record Support Service

On completion of this form please forward to Contracts, Employee Services, Civic Centre, Pontypool. Scanned and email versions can be sent to [contracts@torfaen.gov.uk](mailto:contracts@torfaen.gov.uk)