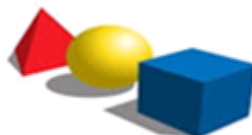




CODE OF CONDUCT



1. Introduction

The public is entitled to expect the highest standard of conduct from all employees who work for local government. The aim of this Code is to set out the minimum standards of conduct expected within High Peak Borough Council and Staffordshire Moorlands District Council to help you maintain and improve these standards, and protect you from any misunderstanding or criticism.

If you are not sure what is expected of you, ask your manager or contact the HR service.

2. Status and Scope of the Code

This Code of Conduct applies to all employees and must be observed at all times. The Councils are committed to conduct of the highest standard such that public confidence in their integrity is maintained and as such expects all those who provide services on their behalf to adhere to the Code of Conduct.

Additionally, therefore, it is also expected that those providing services to and on behalf of the Councils, for example, contractors, casual and agency staff, will follow the spirit of this Code in their dealings with the provision of services on behalf of the Councils.

It replaces any previous rules on conduct and complements both Councils' Constitution, policies and procedures.

3. Roles and Responsibilities

Employees

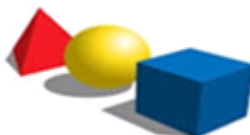
Employees are expected to:-

- observe and meet the standards of conduct set out in this Code
- ensure they seek advice at an early stage if they are uncertain about any of the points covered in this Code or associated Policies and Procedures.

Managers

In addition to the expectations above, managers are expected to:-

- hold employees to account for the observance of standards of behaviour set out in this Code.



- assist employees seeking advice on any points referred to in this Code.
- respect any requirement imposed by an employee's membership of a professional association or society in relation to their work.

4. Standards

You are expected to give the highest possible standard of service to the public. Your role is to serve the Councils in providing advice, implementing their policies, and delivering services to the local community.

You must not undermine public confidence in any way. This means that your behaviour, both in and out of work, should not discredit your employment with the Councils. Although your off-duty hours are your personal concern, you must not allow official and private interests to conflict. You must also not allow your conduct in your personal life to impact upon your duties as an officer (e.g. by inappropriate use of social media).

You are expected through agreed procedures and without fear of recrimination, to bring to the attention of your immediate manager any deficiency in the provision of service. You must also report to your immediate manager or the Monitoring Officer any impropriety or breach of procedure.

5. Accountability

As an employee of the Councils you serve the whole of the Authority to which you are accountable and owe a duty. You must act in accordance with the principles set out in this Code and the Member/Officer Protocol, recognising the duty of all public sector employees to discharge public function reasonably and according to the law.

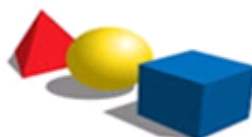
6. Use of Financial Resources

You must ensure that you use any public funds entrusted to you in a responsible and lawful manner and in accordance with each Council's Constitution and Financial Regulations and all other relevant Council procedures.

You should always strive to ensure value for money for the Councils and to the local community and to avoid legal challenge to the Councils.

7. Political Neutrality

You serve the Councils as a whole. It follows that you must serve all Members and not just those of any single political group, and must ensure that the individual rights of all members are respected.



Subject to the Council's conventions, you may also be required to advise any of the political groups represented on the Councils. You must do so in such a way that does not compromise your political neutrality.

Whether or not your post is politically restricted, you must follow every lawfully expressed policy and procedure of the Councils and must not allow your own personal or political opinions to interfere with your work.

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

Political Assistants appointed on fixed term contracts in accordance with the Local Government and Housing Act 1989 are exempt from the standards set in the above paragraphs.

8. Relationships

Councillors

Employees are responsible to the Councils through their senior managers. For some, their role is to give advice to Councillors and senior managers and all are employed to carry out the Councils' work.

It is essential that there is mutual respect between employees and Councillors.

Close personal familiarity between employees and individual Councillors can damage the relationship and prove embarrassing to other employees and Councillors and should therefore be avoided.

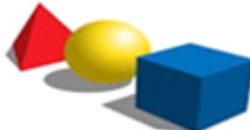
Employees must not also use their relationships with Councillors in order to influence decisions improperly and it is expected that all employees make themselves aware of the Member/Officer Protocol.

Our Customers

You should always remember your responsibility to the community you serve, councillors and other employees and ensure courteous, efficient and impartial service delivery.

Contractors

If in the course of your work, you engage or supervise contractors you must advise your manager of any relationships, either business or private, with external contractors or potential contractors. This will then be recorded in a book kept for that purpose by the Chief Executive. The book shall be available



for inspection by Members of the Councils in accordance with Contract Procedure Rule 1.

9. Equality

All local government employees must comply with policies relating to equality issues, as agreed by the Councils, in addition to the requirements of employees have a right to be treated with fairness and equality.

10. Stewardship

Employees of the Councils 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 for personal use unless authorised to do so.

11. Additional Employment/Outside Commitments

Some employees have conditions of service which require them to obtain written consent to take any outside employment.

You should be clear about your contractual obligations and should not take outside employment which conflicts with the Councils' interests. Before taking up any additional work, you should give details to your manager who will decide whether there is likely to be a conflict of interest

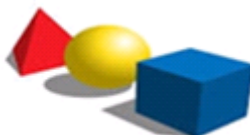
Apart from those employees whose conditions of service require them to obtain written consent to take outside employment, it is not intended that employees be prevented from taking outside employment except where such employment would conflict with the Councils' interests.

Employees should have regard to the ownership of intellectual property or copyright arising out of and during the course of their employment and act in accordance with the rules of the authorities which may be in force. To clarify, any inventions, creative writing and drawings, which you create in the course of your normal duties with the Councils, will belong to the Councils.

Whilst employees' private lives are their own concern, you must not put yourself in a position where your job and personal interests conflict. You must not misuse your official position or information acquired in the course of your employment to further any of your private interests or the interests of others.

You must declare in writing to your manager any financial or non-financial interests that could conflict with the Councils' interests.

You must declare any hospitality or gifts offered or received from any person or organisation doing or seek to do business, or otherwise benefiting or seeking to benefit from a relationship with the Authorities.



You must not accept benefits from a third party unless authorised to do so by your manager.

You should declare to your manager membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct.

In the case of any matter under consideration by the Councils or any other application to the Councils where employees or any close relative have a personal interest, whether pecuniary or otherwise, they should if such matter or application falls to be dealt with in the Service Area in which they are employed, inform their immediate manager of their interest as soon as they become aware of the matter or application concerned. The immediate manager must then ensure that all aspects of the matter or application are conducted or supervised by an employee more senior to the individual who has declared the personal interest. On no account must employees be directly involved in the processing of any matter or application in which they or any close relative have a personal interest.

Any declarations referred to in Section 11 shall be recorded in a register kept for that purpose by the Chief Executive for inspection by Members of the Councils.

12. Whistleblowing

The Councils are committed to the highest standards of probity and accountability.

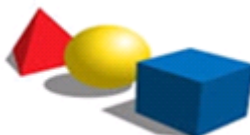
If you have concerns or you become aware of any activity that you believe are illegal, improper, unethical or in some other way inconsistent with this Code, or the Council's Constitution, policies and procedures, you should report these in accordance with each Council's Whistle Blowing policy, which is available on the Council's website

13. Recruitment and Other Employment Matters

All officers involved in the recruitment and appointment of staff must be appropriately trained.

You must ensure that you appoint on merit only and in accordance with the Council's Equal Opportunities Policy. It would be unlawful to make an appointment that was based on anything other than the ability of the candidate to undertake the duties of the post. Unlawful in this context relates to discriminating practices contravening employment legislation.

In addition, to avoid any possible accusation of bias, you must not be involved in any appointment, or any decisions relating to the discipline promotion or pay and conditions for any other employee, to whom you are related, or with whom



you have a close personal relationship. Where a Senior Officer has power to engage an employee, he or she shall not appoint any relative to such a position without first referring the proposed appointment to the Chief Executive and relevant Portfolio holder

14. Investigations by Monitoring Officers

You must assist and co-operate fully with the Councils' Monitoring Officer where the Monitoring Officer is either carrying out an:-

- Enquiry or investigation about lawfulness of the Councils' actions under Section 5 of the Local Government and Housing Act 1989;

Or

- Investigation into a complaint against a Member that has been referred to the Monitoring Officer under the Localism Act 2011.

15. Disclosure of Information

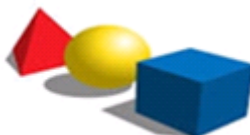
The Councils consider that open government is to be encouraged. The law requires that certain information must be available to members, auditors, government departments, service users and the public.

Executive and Committee agendas and most reports and background paper are required by law to be made available for public inspection. Detailed guidance is available from the relevant Executive Director. Obstruction of a member of the public who wishes to exercise these rights is a criminal offence.

Openness in the dissemination of information and decision making is encouraged by the Councils. However, certain information may be confidential or sensitive and therefore not appropriate for the wider audience.

Where confidentiality is necessary to protect the privacy or rights or other rights of individuals or bodies, you should not release information to anyone other than a member, relevant authority employee or other person who is entitled to receive it, or needs to have access to it for proper discharge of their functions. Nothing in this Code can be taken as overriding existing statutory or common law obligations to keep certain information confidential.

You should follow any specific rules adopted by the Councils in relation to commercially sensitive information, particularly with regard to competitive tendering.



You should not use any information obtained in the course of your employment for personal gain or benefit, nor should you pass it on to others who might use it in such a way. Any particular information received by an employee from a Councillor which is personal to that Councillor and does not belong to the Authority, such as details of his/her marital/domestic arrangements, should not be divulged by the employee without the prior approval of that Councillor, except where such disclosure is required or sanctioned by the law.

If a councillor gives you personal information about an individual, you must not pass on that information, even if it is unrelated to the Councils work. The only exception to this would be if the information is required to be disclosed by law.

You must not disclose personal data about an individual to an organisation or third party, unconnected with the Councils, without the written permission of the individual concerned. The only exception would be if you are required to do so by law to certain organisations e.g. the Child Support Agency.

You must not use your knowledge of committee proceedings or Councils documents to compromise the Councils in any way.

16. Separation of Roles While Tendering

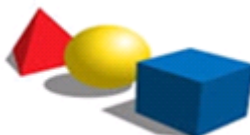
If you are involved in the tendering process and dealing with contractors you should be clear about the separation of client and contractor roles within the Councils. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness and at times discretion and confidentiality.

You must exercise fairness and impartiality when dealing with customers, suppliers, other contractors and sub-contractors, in accordance with any policies and rules determined by the Councils.

If you are privy to confidential information on tenders or costs for internal or external contractors you should not disclose that information to any unauthorised party or organisation.

If you are contemplating being involved in the provision of a future external service, as soon as you have formed a definite intent, inform your manager and withdraw from the contract awarding process.

You must not show special favour to current or recent employees or their partners, close relatives or associates when awarding contracts to businesses run by them, or employing them in a senior or relevant managerial capacity.



17. Corruption

As an employee, you must act in the public interest and must not be swayed in the discharge of your duties by an offer, prospect of an offer, or the absence of any inducement or reward (no matter how great or small its value) for discharging those duties in a particular manner.

It is a criminal offence (as set out in the Bribery Act 2010) for an employee to request, receive, agree to receive, promise, offer or give any gift, loan fee, reward or advantage for doing or not doing anything or showing favour or disfavour to any person in their official capacity. It is for the employee to demonstrate that any such rewards have not been corruptly obtained.

18. Gifts and Hospitality

There can be little doubt that the acceptance of gifts by employees from persons who have, or may seek to have, dealings with their authority would be viewed by the public with grave suspicion and would make the employee concerned and the Councils extremely vulnerable to criticism.

You should therefore tactfully refuse any personal gift which is offered to you or a close relative, by or indirectly attributable to any person or body who has, or may have dealings, of any kind whatsoever with the Council or, who has applied, or may apply, to the Councils for any planning or any other kind of decision.

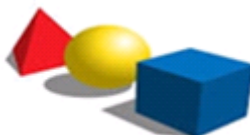
The only exceptions to this rule are:

- a) small gifts of only a token value or of a promotional or advertising nature e.g. calendars, diaries, mugs, inexpensive pens or similar items or;
- b) small gifts of only token value given on the conclusion of a courtesy visit, e.g. to a factory or other premises.
- c) small gifts by service users or clients; where appropriate such gifts should be shared between teams

NB “Small” for the purposes of the Councillors’ “Code of Conduct” is below £25 in value.

If there is any doubt about whether a gift may be accepted the gift should be politely and tactfully refused.

Employees are reminded that under provisions of Section 117 of the Local Government Act 1972, they are forbidden under the colour of their office and employment to accept any fee or reward other their proper remuneration and any person who contravenes this provision would be liable, on summary conviction, to a fine not exceeding £2,500 (subject to review).



If you receive a gift without warning, which does not fall in any of the exceptions mentioned above you should immediately report this to your Executive Director who will be responsible for deciding whether the gift should be returned.

If you become aware that you have been included as the beneficiary in the will of a client, for whom the Councils offer or used to offer a service where there is a connection with your work, you should immediately report this to your Executive Director.

You 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 only be accepted only when these are part of the life of the community or where the Authority should be seen to be represented. They should be properly authorised and recorded, in a register kept for that purpose by the Chief Executive.

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.

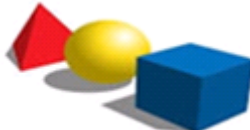
When receiving hospitality you should be particularly sensitive as to its timing in relation to decisions which the authority may be taking affecting those providing the hospitality.

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 authority gives consent in advance and where the authority is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment etc, are required, employees should ensure that the authority meets the costs of such visits to avoid jeopardising the integrity of subsequent decisions.

You must refuse offers of hospitality where any suggestion of improper influence would be inferred. You need to exercise caution where hospitality is offered by a person or body having or seeking business with, or a decision from the authority, particularly where the offer is to an individual employee.

There should be less cause for concern if the offer of hospitality is made by another non-commercial public body but in all other cases offers of hospitality must be treated with caution.

Hospitality should only be accepted where it is on a scale appropriate to the circumstances, reasonably incidental to the occasion and not extravagant and where it is apparent that no cause could reasonably arise for adverse criticism about the acceptance of hospitality.



19. Sponsorship

Where an outside organisation wishes to sponsor a local government activity, whether by invitation, tender or negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

Where the Councils wish to sponsor an event or service, neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to their immediate manager of any such interest. Similarly, where the Councils, 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 not conflict of interest involved.

Any declaration of any interest will be recorded in a register kept for that purpose by the Chief Executive. The register will be available for inspection by Members.

20. Official Statements

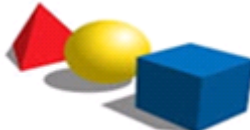
In the normal course of your duties, you may be required to make an official statement to outside agencies, such as the Police and the Health and Safety Executive. In such instances you are advised that it is in your best interests to retain a copy of the statement in order that Legal Services may properly represent the Councils in any court proceedings. If the subject matter of your statement affects the Service Area, you should inform and provide your manager with a copy of your statement.

Where any party, (other than the Councils) requests an employee to give evidence in proceedings in their official capacity, employees should insist on their attendance being secured by a witness summons.

Where employees are requested to provide information for use in third party proceedings, employees must not disclose any information unless specifically ordered by a Court to do so following appropriate legal advice.

In the event of an accident or any incident involving a possible claim against the Councils or an individual, you should not accept liability or blame either verbally or in writing. An insurance company acts on behalf of the Councils in all cases where compensation is requested for alleged injury, loss or damage as a result of the negligent act of the Councils (or the Councils' employees) and the decision as to legal liability is made at their sole discretion.

The Councils have agreed to indemnify employees against personal liability for any damage, costs or expenses incurred by that officer in the course of their duties, subject to certain conditions.



21. The Press and the media

Employees must not speak to the press in their capacity as an employee without the prior approval of the Press and Public Relations Officer. All press releases must be issued by the Press and Public Relations Officer as delegated by the relevant manager responsible for communications.

22. Pecuniary and Non Pecuniary Interests

Non Pecuniary Interests

It is a requirement of the Council that any employee who is a member of a secret society (e.g. Freemasons) should declare that membership in a register maintained by the Chief Executive. This should be done upon commencement of employment or if you join a secret society whilst in our employment must be declared this way.

Pecuniary Interests (Interests of Officers)

In accordance with Section 117 of the Local Government Act 1972, an officer is required to declare a pecuniary interest to the Chief Executive of the Authority, in writing, if they believe they have a Pecuniary Interest to be declared in a contract, which has been or is proposed to be entered into by the Councils.

A register has been set up for recording such Officer's interests. It is a condition of your employment to register such interests. If you feel you have an interest to declare, please put this in writing to the Chief Executive.

23. Interpretation

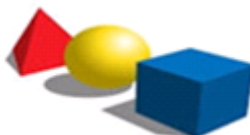
Any interpretation of this Code should be determined by the Human Resources Manager after consultation with the relevant Executive Councillor.

24. Consequences of Breaching the Code

Any serious contravention of this Code may result in disciplinary proceedings and even dismissal depending on the severity of the breach. Ignorance of the guidelines of the Code will not be seen as a valid excuse.

25. Grievance Procedure

An employee or Member who has been involved in an interpretation of the Code which results in a grievance arising should not be involved in the consideration of that grievance.



26. Application

The code embodies general guidance for all employees of the Councils. It is recognised, however, that specific arrangements may be made at service area level to address circumstances/situations encountered by certain employees.

