

# Surrey County Council

## Officer Code of Conduct

Part 6 (03)

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<b>1. Policy Scope and Purpose</b>	
Scope and Purpose:	The purpose of this Code is to support the Council's aim to provide high quality services fairly and efficiently in line with its values. There is a Code of conduct for members and there is also protocol which outlines how members and officers work together. All these documents are part of the Council's constitution and are published on the Council's website.
Who uses this Policy:	The Officer Code of Conduct applies to all employees of the Council, including school based employees, agency workers, contractors and their staff whilst working for, or on behalf of, the Council. In this document the term "employee" covers all these groups.
Roles and Responsibilities:	<ul style="list-style-type: none"> <li>• Line Managers are responsible for ensuring the Code is followed</li> <li>• All employees will be responsible for engaging with and adhering to the Code and related guidance and procedures</li> <li>• Trade Unions will be consulted in regard to the content of the Code</li> <li>• The Human Resources team will be responsible for the Code and providing guidance and direction</li> <li>• The People, Performance and Development Committee is required to approve the Code and onward recommendation to Full Council for inclusion in the constitution</li> </ul>
Is there further information available?	<p>The Code refers to a number of supporting policies which are published on SCC Info.</p> <p>Those which are statutory policies will also be published on the Surrey Education Services Hub</p>

## **2. Introduction**

The public is entitled to expect the highest standards of Conduct from all local government employees. To the public you represent the Council. You are expected to maintain the highest standards of professional competence, knowledge, integrity, confidentiality, financial propriety and personal conduct.

Employees are expected to apply the Code of Conduct and other Council policies to the performance of their duties. The Code should be read alongside your services requirements, legislation and the professional standards which apply to your role.

Where an employee identifies themselves or can be identified as a Surrey County Council employee, the same rules that apply to actions in general apply to conduct online, including on work related, and personal, social media sites.

Employees need to be aware of the standards of behaviour outlined in the Code of Conduct in relation to their conduct outside of work. Any conduct by employees that takes place outside of work, including situations which may affect the Council's reputation or position, will be considered as a disciplinary matter which may involve formal action being taken. For example: you are required to inform your manager of any cautions, arrests or convictions, in respect of any criminal offence as soon as possible, this includes offences under the Road Traffic Act and sanctions from a professional body for misconduct eg. Social Workers, Accountants, Lawyers.

Breaches will be considered as a disciplinary matter which may involve formal action being taken. The code may be taken into account in performance management.

Throughout this policy there are references to a number of Council employment policies. All of these can be found on the SCC Info. Where they are policies required by statute they are available on the Surrey Education Services Hub. If you need any further assistance or clarification, please contact [myhelpdesk@surreycc.gov.uk](mailto:myhelpdesk@surreycc.gov.uk) or 020 8541 9000.

### 3. Organisational ethics and personal conduct

The Council needs to ensure its decisions and operations are open, accountable and in line with recognised ethical standards. Officers of the Council are therefore required to act in accordance with [The Seven Principles of Public Life](#), which are:

**Selflessness** – Employees are expected to act solely in terms of the public interest;

**Integrity** – Employees are expected to avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work;

**Objectivity** – Employees are expected to act and take decisions impartially, fairly and on merit using the best evidence and without discrimination or bias;

**Accountability** – Employees are accountable to the public for their decisions and actions and required to submit themselves to scrutiny as appropriate;

**Openness** – Employees are expected to act and take decisions in an open and transparent manner. Information should only be withheld from the public if there are clear and lawful reasons to do so;

**Honesty** – Employees are expected to be truthful. This includes declaring any conflicts of interests and taking steps to resolve such conflicts; and

**Leadership** – Employees are expected to actively promote and support these principles by applying them to their own behaviour and challenging poor behaviour.

This code is based, and builds, on these seven principles published by [the Committee on Standards in Public Life](#).

The Council expects all employees to behave ethically and maintain high standards of personal conduct to sustain the good reputation of the Council and its services. In doing so employees are expected to be aware of and act in accordance with the Council's values as set out on SCC Info.

#### **4. Compliance with instructions**

The Council expects all employees to comply with lawful written and oral instructions.

This will ensure that we take a consistent approach across the Council in relation to how we procure services and goods, carry out people management activities and how we approach financial management.

The relevant procedures and instructions are published on SCC Info. Schools are expected to comply with locally adopted policies and procedures.

#### **5. Health, safety and wellbeing**

All employees must take reasonable steps to protect their own health and safety and that of other people who may be affected by their work. Some employees, particularly managers, have specific responsibilities and these are detailed in the Council's safety policies and procedures. The Council's [Health and Safety Policy](#) and [Manual](#) is published on SCC Info.

Employees are expected to report for work in a fit and safe state to carry out their duties. You must not drink alcohol or take drugs at any time whilst at work, including during rest or meal breaks spent at or away from Council premises. Incidents outside working hours that involve intoxicating substances may be considered a disciplinary offence if the incident breaches the Code of Conduct. For further detail about the Council's expectations regarding drugs and alcohol employees should refer to the [Drug and alcohol workplace policy](#) on SCC Info or Surrey Education Services hub for schools.

The Council is committed to providing a smoke free environment for staff and employees are expected to comply with the Council's [Smoke free workplace policy](#) on SCC Info.

#### **6. Governance**

## **6.1 Handling and treatment of information relating to the County Council**

All employees should be aware as to what information should be made available to Members, government departments, service users and the public; and which information should remain confidential. Any information made available should be provided in a clear and concise way.

Employees should not use any information gained in the course of their employment for personal gain or pass it on to others who might use it in such a way. Information concerning a service user, resident, employee's or Member's personal affairs should not be divulged without prior approval, except where that disclosure is required or sanctioned by law.

It is important that employees take all relevant steps to comply with data protection requirements and ensure that confidential information is kept secure.

Whilst the organisation is working hard to align strategies to evidence-based findings in terms of relevant data sets to inform strategic activities, it is worth noting that some data may not be available to be shared, if this would mean that individuals and their characteristics, or personal data could be identified. This would contravene UK GDPR regulations.

For further information you should read the Information Governance guidance, available on SCC Info: [Managing information – your responsibilities](#).

## **6.2 Declaring personal interests and outside commitments**

The Council expects that employees will ensure:

- their private interests or beliefs do not conflict with their professional duties
- their position within the Council is not used to confer an advantage or disadvantage on any person
- they are not involved in, nor influence, any decision or allocation of Council services or resources from which they, their family or friends might benefit.

Employees must declare personal interests where there is, or could be perceived to be, a conflict of interest between their duties as an employee and their membership of any organisation.

Employees should declare their conflict of interest on the SAP or My Surrey logging system, which ensures the line manager is aware and has to approve the conflict and reassess the situation every 12 months.

Actual or potential conflicts of interest are recorded and reviewed annually

All employees must declare:

- i. Any financial or non-financial interest which could be considered in any way to bring about a conflict with the Council's interests. This includes

- discussions or correspondence over any private interest with organisations that may have a business connection with the Council
- ii. Membership of any organisation that is not open to the public; requires commitment of allegiance to the organisation to be a member; and which has secrecy about its rules, membership, or conduct
  - iii. Membership of any groups, clubs and societies, (including online groups – please see Section 11 regarding Social Media), that an employee believes could be relevant to declare in particular circumstances, especially where a conflict of interest may occur.
  - iv. If a relative, partner or close personal friend holds a senior managerial position in an organisation with which the Council does, or seeks to do, business.

If employees have any doubt about whether they need to declare a personal interest or outside commitment, they must discuss the situation with their manager. Their manager will decide what controls should be put in place to mitigate any associated risks and confirm these in writing.

Employees are required to seek written permission from their Assistant Director/Headteacher before engaging in any other work or business which might relate to or impact your duties for the Council. This includes paid or unpaid work. It is important not to take paid or unpaid work which conflicts with the Council's interests. In addition, some employees have contractual restrictions on taking outside employment.

Agency workers who wish to be employed by other organisations at the same time as working for the Council should ensure this is checked by their agency, and that they are not working over the Working Time Directive limits and are having regular breaks to ensure they are fit and well to work.

For further guidance see the [Working Time Policy](#) and [Conflict of Interest](#) guidance on SCC Info.

### **6.3 Declaring related party transactions**

The Council is required to disclose material transactions with related parties. The requirement aims to provide assurance to readers of financial statements that any material transactions entered into between the organisation and those in a position of power to influence its decisions are disclosed and above board.

Employees must declare annually:

- i. Positions of influence they hold within partnerships, companies, trusts or any entities providing services to the Council/School
- ii. Positions of influence they hold (in a personal capacity) within organisations receiving grant funding from the Council/School

Declarations extend to a relative or partner of the employee if they have an interest in any such organisation.

## **6.4 Declaring bankruptcy**

Bankruptcy may impact on the duties of employees who have a financial responsibility. Such employees must inform the relevant Assistant Director/Headteacher if they are declared bankrupt or are involved as a Director of a company which is wound up or put into voluntary liquidation, if it may potentially impact upon your role and duties. The purpose of the declaration is to ensure that a proper framework of support for the employee is in place.

## **6.5 Whistleblowing**

The Council is committed to the highest possible standards of honesty, openness, probity and accountability. We seek to conduct our affairs in a responsible manner, ensure that our activities are openly and effectively managed, and maintain our integrity and principles of public interest disclosure.

In line with this commitment, where you become aware of activities which that you believes to be illegal, improper, unethical or otherwise inconsistent with this code you are encouraged to report the matter in line with the Council's confidential reporting procedure – see the [Whistleblowing policy](#) on SCC Info or Surrey Education Services hub via School Business Manager.

Employees who raise matters of concern in this way have specific protections afforded them under the Public Interest Disclosure Act 1998.

## **6.6 Fraud and corruption**

Employees have an important role in the Council's strategy against fraud and corruption. All employees need to understand their responsibilities and duties in regard to the prevention and reporting of suspected fraud and corruption as outlined in the [Council's Strategy Against Fraud and Corruption](#), which is published on the Council's website.

# **7. Working relationships**

Relationships with colleagues, service users and contractors should be conducted in a professional, courteous and respectful manner. Employees are expected to treat others with fairness and dignity at all times and to work to resolve differences where these exist.

The Council will not tolerate any form of harassment, bullying, victimisation or discrimination against service users, residents, colleagues, other employees or job applicants.

## **7.1 Working with members**

Mutual respect between employees and members is essential to good local government. Close personal familiarity between employees and individual members can damage the relationship and should therefore be avoided.



For further information about working relationships between officers and members please see the Members/Officers protocol published on the Council's website.

## **7.2 Working with colleagues**

Employees are expected to treat colleagues and those with whom they come into contact in the course of their work with fairness and respect.

In order to avoid any accusation of bias, employees should not be involved in an appointment, nor any decision relating to discipline, promotion or any pay adjustments or conditions of another employee, or prospective employee to whom they are related or have a close personal relationship.

## **7.3 Working with the local community and service users**

Employees should ensure professional, courteous, efficient and impartial service delivery to all. Employees should be especially sensitive in dealing with vulnerable children and adults.

## **7.4 Positions of trust**

Employees should ensure they maintain professional standards and do not abuse, or appear to abuse, their position of trust in the way they conduct their relationships with service users/pupils/contractors, their families or carers.

Specific examples of conduct which should be avoided include, but are not limited to:

- meeting socially with pupils or service users (or their carers or families); and/or
- exchanging personal contact details or connecting using social media; or
- engaging in activity or associating with people outside work whose current or past conduct could raise doubts or concerns about your integrity or ability to be in a 'position of trust' with regard to children or vulnerable adults.

## **7.5 The Press and Media**

Employees must not deal directly with the press or the media in relation to anything related to Council business unless it is part of their role, or they have been expressly authorised by your Assistant Director/ Headteacher.

If an employee speaks as a private individual directly to the press or at a public meeting or other situation where their remarks may be reported to the press, they must take reasonable steps to ensure nothing said might lead the public to think they are acting in their capacity as a Council employee.

An employee should not make an endorsement in their work capacity, through press channels, or on social media, regarding an external organisation which might infer a corporate endorsement on behalf of Surrey County Council.

Trade Unions and their elected and accredited representatives may be approached by the media for comments or interviews on a particular issue. In such cases the representative must make it clear that they are doing so in their capacity as a representative of that union and not as a Surrey County Council employee and that their comments may not represent the views/policy of the council

## **7.6 Political neutrality**

- i. Members are elected to direct the policies and activities of Surrey County Council. Employees should ensure they serve all members, not just those of the controlling group, and respect their individual rights.
- ii. Employees should ensure that their own personal or political opinions should not interfere with any policy of the authority. Where employees advise political groups, they are expected to be politically neutral.
- iii. Employees may not, by law be an elected member of the authority in which they are employed.

(Political assistants appointed on fixed term contracts in accordance with the Local Government and Housing Act 1989 are exempt from political neutrality).

Certain posts are designated as politically restricted by the Local Government and Housing Act 1989. An employees contract of employment will tell them whether they hold one of these posts and, if they do, they will be required by law to observe certain restrictions regarding their out of work activities

The political activities which are restricted for these posts include:

- standing as a Member of Parliament, Member of the European Parliament or a Councillor in any local authority (other than a Parish Council)
- holding office in a political party at any level, (except in limited roles concerned only with the internal membership of the party)
- canvassing at elections
- speaking in public or publishing any written or artistic work which appears to be intended to influence public support for a political party.

Employees need to be aware of their position in terms of political activity. If they are not sure whether an activity is subject to 'political activity restrictions', they should seek advice from their line manager, who will consult the Executive Director or Monitoring Officer if necessary.

Violation of the statutory rules is a breach of contract and will render them liable for investigation and possible disciplinary action under the Council's Disciplinary Procedure.

For further information see the [politically restricted posts positions](#) on SCC Info.

## **7.7 Equality, Diversity & Inclusion**

The Council recognises the importance of a diverse workforce and is committed to providing a culture where everyone is valued and respected. People should feel comfortable carrying out their roles and the council is committed to equality of opportunity being practised and promoted to all.

## **8. Contractors and competitive tendering**

Contractors may include individuals who are temporarily working alongside Council employees, or employees of an external firm that has been awarded a contract to provide services on behalf of the Council. All contractors should be treated with courtesy and respect.

### **8.1 Contractors**

Orders and contracts must be awarded by fair and open competition against other tenders. No special favour should be shown to businesses with particular connections to employees.

Employees should declare any relationship with a particular contractor, or any potential contractors, to the Assistant Director /Headteacher and should not participate in any buying activity where these Conflicts of Interest could arise. See the [Procurement standing orders](#) for further information.

If employees wish to tender for a contract from the Council, they must declare such an intention to the appropriate Assistant Director / Headteacher, at the earliest possible opportunity.

### **8.2 Separation of roles during competitive tendering**

- i. Employees should be clear on the separation of client and contractor roles. Senior employees who have both a client/contractor responsibility must be aware of the need for accountability and openness.
- ii. Employees privy to confidential information on tenders of costs relating to contractors should not disclose the information to any unauthorised party or organisation.
- iii. Employees should ensure no special favour is shown to current or recent former employees, or associates, in awarding contracts.

## **9. Gifts & Hospitality**

It is essential that the public can be confident that decisions are made for proper reasons and are not influenced by the interests of individual employees, their relatives or friends.

The Council expects employees, including those seconded to other organisations, to refuse offers of gifts and hospitality. Such offers should only be accepted in exceptional circumstances, where there is a clear justification for doing so and where this has been formally approved in advance.

For reasons of integrity and transparency, the gifts and hospitality requirements extend to the spouse, partner and immediate family of employees, where the provider is a business partner or associate of the Council.

Gifts & hospitality that have been offered, whether accepted, declined or accepted and passed on to charity, must be registered on the My Surrey system or the school's local register.

For further detail and information about what needs to be recorded see [Gifts and hospitality policy](#) on the SCC Info or Surrey Education Service hub.

## **10. Use of the Council's materials or resources**

Employees are expected to use public funds entrusted to them in a responsible manner and should not make personal use of any Council resources unless authorised to do so.

### **10.1 Property and resources**

Council property, materials and resources should be used solely in respect of its work. No improper use should be made of any facility such as vehicles, equipment, stationery or other services which the Council provides for its own business.

The Council recognises that there are times when calls must be made during working hours, for emergencies or to utility companies, for example. Reasonable usage of the telephone in these cases is permissible, but employees are expected to keep the length of call to the minimum possible.

Use of mobile phones is permitted for users who have been issued with a SCC mobile, for making work calls and logging of expenses, annual leave, sickness absence and any other work-related affairs.

Mobile phones must not be used whilst driving, unless the appropriate hands-free equipment is used, and it is essential and safe to do so.

A satnav can distract a driver physically through the manual entry of their destination details, visually, by looking at the electronic map or cognitively when the driver focuses their attention on listening to, or carrying out the instructions, or entering their destination into the system whilst driving.

It is important that drivers understand how best to use their satnav and learn not to use it when it may be dangerous to do so. Drivers should always input their destination details or update the sat nav system whilst stationary and not whilst driving.

For further information please see [Section D of the Health & Safety Manual](#)

## **10.2 Information Technology (IT) systems**

The Council has an obligation and legal responsibility to ensure that the IT system is used appropriately and is not misused. We monitor use to ensure that misuse or abuse of the facility is identified. All employees are required to comply with the [IT and Information Security policies](#), procedures and published guidance on SCC Info and locally in schools.

Whilst SCC fully supports agile working and recognises that more employees are not working full time from SCC premises, it is essential that SCC laptops are only used for SCC work and that they are not used for private or other external use, school staff should follow local guidance.

## **10.3 Intellectual property**

Employees should be aware that "intellectual property" such as ideas, documents, software, etc. created during their employment belong to the Council. Any invention, improvement or design made or conceived by them while they are engaged to work for the Council which is in the existing, or contemplated, scope of the business of the Council shall become and remain the exclusive property of the Council.

Employees must also make sure that they do not breach the copyright held by others and thereby expose the Council to the risk of claims. If they wish to copy the work of others they should ensure that they comply with copyright law, seeking advice from their manager if they are unsure.

## **11. Use of social media**

Employees need to be aware that posting information or views about local government or politics in general may not be isolated from your working life, if you have identified yourself as an officer of the Council.

If they have a personal account they are advised to abide by its terms and conditions and read the advice it offers on using their social site.

The image they project on social media may adversely reflect on the image of the Council. We recommend that when they use social media that they remember our values.

If they identify themselves as an officer of the Council, or if they can be identified as an officer of the Council, ensure any communication that they make will not:

- bring the organisation into disrepute or seriously affect public confidence in its ability to deliver effective services, for example by
  - criticising the Council's decisions and/or activities connected with their own work
- breach confidentiality, for example by:
  - revealing confidential information owned by the organisation;

- be considered discriminatory against, or bullying or harassment of, any individual, for example by:
  - making offensive or derogatory comments
- breach the Council's Code of Conduct, its policies, its procedures and political neutrality.

Trade Unions and their elected and accredited representatives may be approached through social media for comments on a particular issue. In such cases the representative must make it clear that they are doing so in their capacity as a representative of that union and not as a Surrey County Council employee and that their comments may not represent the views/policy of the council.

## **12. Approvals**

Where Assistant Directors, Directors, and Executive Directors require approval or notification under the Code then this shall respectively be obtained from the appropriate Directors, Executive Directors, or the Chief Executive. The Chief Executive will obtain approval from either the Monitoring Officer, or the Section 151 Officer.

Where a Head teacher requires approval under the code then this will be obtained from the Chair of Governors.

## **13. If in doubt**

It is not possible to cover every situation an employee of the Council may face. If they are in any doubt about anything contained within this code, or are concerned about anything relating to their personal position, they should speak to their line manager.

## **GLOSSARY OF POLICIES**

**The Seven Principles of Public Life**

**Health and Safety Policy**

**Health and Safety Manual**

**Drug and alcohol workplace**

**Smoke free workplace policy**

**Managing information – your responsibilities**

**Working Time Policy**

**Conflict of Interest**

**Whistleblowing policy**

**Council's Strategy Against Fraud and Corruption**

**politically restricted posts positions**

**Procurement standing orders**

**Gifts and hospitality policy**

**Section D of the Health & Safety Manual**

**IT and Information Security policies**

