



People, Performance and Development Committee
14 November 2022

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Surrey County Council Officers Code of Conduct

Purpose of the report:

To update the Committee and seek the approval of the updated Officers Code of Conduct, which forms part of the Constitution of the Council.

This report is being brought to People, Performance and Development Committee under its delegated powers in accordance with Section 2, para 6.13 (a) of the Constitution:

“determine policy on pay and contractual terms and conditions of employment of all staff”.

Recommendations:

1. It is recommended that the Committee agree the amendments of the Officers' Code of Conduct.

BACKGROUND:

1. The Code of Conduct is published on the Intranet and also available on the Surrey County Council website as part of the constitution of the Council. The current published Code of Conduct is dated September 2017.
2. The Code is part of the constitution of the council. The code forms part of the Statement of Particulars (Part 2) and includes links to the following related information:
 - Equalities information
 - Drug & Alcohol policy

- Smokefree policy
 - Conflict of interest guidance
 - Gifts and hospitality policy and guidance
 - Information governance including Data Protection
 - Health & Safety
 - IMT policies
 - Whistle blowing
 - Financial governance
 - Procurement guidelines
 - Disciplinary Policy
 - Personal use of social media guidelines
3. The custodian of the policy is the Strategic Director of People and Change. All policies and inter-relationships are centrally reviewed by the HR Policy and Reward Board and Surrey County Council Trades Unions, whose role it is to act as one body and represent the interests of its constituent bodies and their members in response to Surrey County Council proposals.
4. An internal audit (report published in February 2022) into key governance processes (Whistleblowing & Conflicts of Interest) highlighted the requirement to update the Code of Conduct for Officers to align with policy amendments and reflect current working practices.
5. The Code of Conduct has been amended in consultation with Internal Audit, Health & Safety, IT&D and Legal Services.

DOCUMENT AMENDMENTS:

1. To approve the Code of Conduct, the amendments are detailed below:

1. Introduction

The wording was amended to not limit the potential to discipline cases where there is a risk to the Council's reputation or position. Examples are provided of situations outside of work which may be handled in line with the disciplinary policy (for example, any criminal offence or sanctions from a professional body).

2. Declaring Personal Interests and outside commitments

A new section has been added to the code to take into account the requirements of the Working Time Directive (WTD) in relation to agency workers who wish to be

employed by other organisations at the same time as working for the Council. In these circumstances agency workers should ensure that their agency is made aware of the situation and that they are not working over the limits stated in WTD.

3. The Press and Media

A new paragraph has been added to the code to stipulate employees should not make endorsements, in their work capacity, on a public platform regarding an external organisation which may infer a corporate endorsement.

4. Political Neutrality

Newly added content details which roles are subject to restrictions around political activity. The section makes clear that any breaches to statutory rules is a breach of contract and may render the individual liable for investigation and possible disciplinary action under the Council's Disciplinary procedure.

5. Equality, Diversity and Inclusion

The title of this section has amended to be more reflective of current terminology. The newly added sentence regarding an individual's ability to bring their whole self to work reflective of the Council's culture and the progress made on the equality, diversity and inclusion journey.

6. Gifts and Hospitality

Where gifts and hospitality are provided by a business partner or associate of the Council, more explicit wording has been added to make clear that the requirements of the policy extend to the employee's, spouse, partner and immediate family.

7. Property and Resources

A new paragraph has been added to highlight the associated risks around the use of satnav's whilst driving. The paragraph reflects the advice found in the Health & Safety Manual

8. Intellectual Property

A paragraph on Copyright law has been added to ensure employees do not breach the copyright held by others which may have the potential of exposing the Council to the risk of claims.

9. Glossary of policies

A hyperlinked list of the relevant policies has been detailed for the reader in Section 13 of the document.

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Sources/background papers: