

# Public Document Pack



<b>MEETING:</b>	Cabinet
<b>DATE:</b>	Wednesday, 29 May 2019
<b>TIME:</b>	10.00 am
<b>VENUE:</b>	Reception Room, Barnsley Town Hall

## SUPPLEMENTARY AGENDA

### Items for Decision/Recommendation to Council

#### Core Services Spokesperson

8. Code of Conduct for Employees (Cab.29.5.2019/8) (*Pages 3 - 16*)

To: Chair and Members of Cabinet:-

Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Lamb and Platts

Cabinet Support Members:

Councillors Charlesworth, Franklin, Frost, Saunders, Sumner and Tattersall

Chair of Overview and Scrutiny Committee

Chair of Audit Committee

Diana Terris, Chief Executive

Rachel Dickinson, Executive Director People

Matt Gladstone, Executive Director Place

Wendy Lowder, Executive Director Communities

Julia Burrows, Director Public Health

Andrew Frosdick, Executive Director Core Services

Michael Potter, Service Director Business Improvement and Communications

Neil Copley, Service Director Finance (Section 151 Officer)

Katie Rogers, Head of Communications and Marketing

Anna Marshall, Scrutiny Officer

Martin McCarthy, Service Director Governance, Members and Business Support

Corporate Communications and Marketing

Please contact Martin McCarthy on email [governance@barnsley.gov.uk](mailto:governance@barnsley.gov.uk)

24<sup>th</sup> May, 2019

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**CODE OF CONDUCT FOR EMPLOYEES**

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## **CODE OF CONDUCT FOR EMPLOYEES**

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### **1.0 PURPOSE OF THE POLICY**

- 1.1 This Code applies to all employees of the Council and sets out the standards of conduct expected.
- 1.2 The Council has developed core values which are:
- We're a Team – we all work towards the same goal – to make Barnsley a better place for the people who live, work and visit here.
  - We're Honest – we always say what we mean. Most of all we're reliable, fair and true.
  - We'll be Excellent – we work really hard to provide the best quality and value for money for the people of Barnsley. Only our best is good enough.
  - We're Proud – we're dedicated to making Barnsley a better place. We take pride in our work.
- 1.3. A set of defined behaviours for employees have been developed in line with the Council's core vision and values and can be accessed at **OUR VALUES AND BEHAVIOURS**
- 1.4. This code has been written for the effective operation of council business and the wellbeing of its employees. All employees are required to act in accordance with the code – failure to do so may result in disciplinary action, which could include dismissal.
- 1.5. The aim of the Code is to support and protect employees by ensuring that the standards are clearly understood and communicated.
- 1.6 The various sections of this Code summarise the key policies and procedures in respect of behaviour and the way employees are required to conduct themselves **both** in and outside of the work environment.
- 1.7 The Council reserves its right to commence action against any employee whose conduct outside of work conflicts with their public duties i.e. where conduct could undermine the council's reputation or public confidence.

### **2.0 EMPLOYEE RESPONSIBILITIES**

- 2.1 Employees are expected to:
- Consider the Code carefully and comply with it fully as it forms part of your terms and conditions of employment
  - If you don't understand something in the Code you should ask your manager to explain it to you
  - Promote and maintain public confidence and trust
  - Avoid a situation arising where you appear to be acting in conflict with the best interests of the Council
  - Avoid personal opinions which may be damaging, defamatory or derogatory about

- the Council, other employees or Councillors
- Employees who carry out legitimate roles for example as Trades Union representatives, community action group representatives; tenant committee members etc. which involve such staff taking part in public meetings, making statements to the press and on social media or acting on behalf of their particular group, should make it absolutely clear, in what capacity they are speaking/making statements or comments etc.

### 3.0 **MANAGER RESPONSIBILITIES**

3.1. Managers are responsible for the application of this policy in their service area. They should:

- Set a positive personal model of behaviour
- Ensure standards in the Code are established within their services and communicated
- New employees should be made aware of the Code as part of the of **CORPORATE INDUCTION PROCEDURES**
- Provide clarification, where required, to improve employee understanding
- Take appropriate action at the earliest opportunity to manage non-compliance with the standards set out in this code

### 4.0 **CONFLICTS OF INTEREST**

#### 4.1 **Public Duty and Private Interest**

- 4.1.2 Employees should not put themselves in a position where there is a conflict of interest between their private life and public duties.
- 4.1.3 Employees should raise suggestions or concerns about service delivery with their manager. Suggestions outside their own service area can be raised with relevant management, or with their trade union.
- 4.1.4 Any questions or statements employees wish to submit as a resident to public council meetings must be drafted and sent in their own time. They must be clear that they are doing this as a resident and not as a council employee and ensure the communication contains a remark that the content of the email is their own personal opinion/issue and is not connected in any way to their employment with the Council. If using Council work email they should also remove their signature from the email. All employees must comply with the **SOCIAL MEDIA POLICY & INFORMATION SECURITY AND COMPUTER USAGE POLICY**. They must not lobby a councillor inappropriately on personal employment matters. If employees are unsure about the process they are advised to speak to their manager. This does not restrict their right to raise concerns regarding possible malpractice under the **WHISTLEBLOWING POLICY**, or any Safeguarding concerns via the Local Authority Designated Officer (LADO)
- 4.1.5 Employees must disclose information which is relevant to their capability, capacity and suitability to carry out the duties and responsibilities for which they are employed. Employees must immediately inform their manager in any form of written communication/email if, during their employment with the council, they are subject to any of the following which it would be reasonable to understand may impact upon their role, professional standing or the reputation of the public:

- Advised that they are under investigation for a criminal act
- Arrested in connection with a criminal act
- Notified that criminal charges are being considered against them
- In receipt of a summons to appear before a Court of Law for an alleged offence
- Found guilty of any offence
- Given a police caution

4.1.6 Employees who are required to drive as part of their duties must also declare any penalties received in connection with motoring offences or medical conditions which impact on the validity of their Licence. **DRIVING AT WORK POLICY**

4.1.7. If employees are involved with granting permissions or benefits, for example, planning permissions, they must not take part in considering any application made by them, relative, partner, friend or neighbour.

#### 4.2. **Pecuniary Interest**

4.2.1 In accordance with Section 117 of the Local Government Act 1972 an employee must give notice to the Council of any pecuniary interest they have in any contract whether it has been or is proposed to be entered into by the Council. Such a declaration should be made to their Service Director who must also inform the Executive Director/Chief Executive using the **DECLARATION FORM – EMPLOYEE INTERESTS**

4.2.2 Such a declaration must be made as soon as an employee becomes aware of the possibility of any such conflict arising or indeed that maybe perceived/construed as arising.

4.2.3 Section 117 requires that “an officer shall not, under colour of his office or employment accepts any fee or reward what so ever other than his/her proper remuneration.” An officer who contravenes the provisions of Section 117 are liable on summary conviction a fine not exceeding £2,500.

#### 4.3 **Providing testimonials and endorsements for companies**

4.3.1 As a member of staff you should not provide testimonials or individual company endorsements, including customer feedback surveys, and you should not request them. You can provide factual references on request for work that has been completed on our behalf.

4.3.2 You can respond to requests for references from other Local Authorities as part of an evaluation and award process for contracts and offer the same support to Local Authorities seeking reference information.

### 5. **DECLARATION OF EMPLOYEE INTERESTS AND BENEFITS**

5.1 Employees are required to register all and any interests (financial and non-financial, directly or indirectly) which could be in conflict with those of the Council. Such a declaration must be made as soon as possible using the **DECLARATION FORM - EMPLOYEE INTERESTS** and submitted to their respective Service Director.

Examples of potential conflict of interest(s) include (not exhaustive):

- Being involved in any capacity with an organisation receiving grant aid or other support from the Council

- Having a close personal relationship with any Councillor or employee of the Council (detailed further at section 7)
- Holding a financial interest in a contract that has been, or is about to be, entered into by the Council
- Being a Governor of an educational establishment
- Holding shares in a company/organisation that does business with the Council.

5.2 Service Directors will need to apply discretion with regards to any action necessary to manage any potential conflict of interest and give consideration to implementing suitable compensating controls/safeguards in order to protect the Council's position and that of the employee.

Examples of potential safeguarding controls include (not exhaustive):

- identifying another employee to carry out a tender process should they have an interest in contract/the organisation making the bid
- identify another employee to deal with a contractor (or proposed contractor) who supplies/proposes to supply a product(s) to the Council where a personal/professional relationship exists
- arrange for an alternative manager to undertake line management/supervisory responsibilities where a relationship exists between a manager and subordinate
- sharing information relating to the employees interest to the relevant Service Director/Head of Service/Manager to ensure that appropriate safeguarding measures can be implemented to protect the interests of the employee and to provide assurance that they will not take part in any decision making or have processed any changes to financial/non-financial information for which they have a reported interest.

### 5.3 **Declaration of an offer of Benefits**

- 5.3.1 Employees are not permitted to accept any offer of benefit (other than normal pay/remuneration) with the exception of gifts of a very modest kind (As detailed at 6.6.3) from any organisation/individual with whom the Council may directly/indirectly, be in actual/potential, contractual/business relationship(s). **Any such offers accepted must be declared using the DECLARATION FORM - NOTICE OF OFFER OF BENEFIT(S).**
- 5.3.2 It is important that ALL offers of benefit(s) accepted are noted by using the **DECLARATION FORM - NOTIFICATION OF AN OFFER OF BENEFIT(S)** in order to avoid any suspicion of improper (actual/perceived) conduct or impropriety.
- 5.3.3 Service Directors will be responsible for the maintenance and security of all employee declaration forms within their respective Business Units- ensuring all forms are securely retained, can be accounted for and are kept in line with the Council's retention protocols.
- 5.3.4 Service Directors will also undertake an appropriate governance review (at least annually or where any changes are made to the original declaration) of all employee declarations to ensure any identified safeguarding/compensating controls are still adequate/appropriate/need revising or are no longer required. Where any revised controls are required, these should be thoroughly discussed with the employee and noted in the Register accordingly.
- 5.3.5 Executive Directors/Chief Executive will be responsible for ensuring that a register is kept for their Service Directors/Executive Directors and any recorded in respect of themselves.

6. **FINANCIAL PROPRIETY**

- 6.1. Employees must ensure that their use of Council resources is done so in a responsible and lawful way at all time, never using their authority, position or insider knowledge of the Council or is business for improper, financial personal gain or for that of others.
- 6.2. Employees must report any suspicion or concern they have regarding actual or potential, fraudulent or corrupt activities for example; irregularities concerning cash, use of funds, stores or other Council property.

6.3. **Corruption/Insider Dealing**

- 6.3.1 Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way.
- 6.3.2 For example where an employee in their course of their employment becomes aware of information which is either confidential or not in the public arena, such information should not be passed on to any third party who does not have a legitimate right of access to that information.
- 6.3.3 It is a serious criminal offence for employees to corruptly receive or give any gift, bribe, loan, fee, reward or advantage for doing/not doing or showing favour to any persons as a result of their official capacity – Prevention of Corruption Act 1916 and the Bribery Act 2010. Further information can be found at the document **INSIDER DEALING**.

6.4 **Theft/Fraud/Whistleblowing**

- 6.4.1 The misuse, theft or fraud of Council resources or funds/property including funds/property belonging to Service Users is taken very seriously by the Council and is considered a serious disciplinary offence which may result in dismissal as well as a criminal conviction.
- 6.4.2 Where an employee has suspicions that a Council employee(s) or other individual(s) are involved in fraudulent or corrupt activities or theft, then they must in the first instance report those suspicions to their line manager.
- 6.4.3 If an employee feels unable to do this, then they can raise their concern(s) under the Council's **WHISTLEBLOWING POLICY** or the Council's Anti-Fraud Team so the Council can take prompt action. The policy makes it clear that employees who raise legitimate concerns can do so without fear of reprisals. Any disclosure or allegation made maliciously or for personal gain will not be protected and disciplinary action may be taken accordingly.
- 6.4.4 As per the Council's Financial Regulations, all matters of potential and actual irregularity are required to be reported to Internal Audit. Such matters include all concerns regarding suspected irregularities involving cash, stores, equipment, information or other resources or property of the Council, any suspected impropriety in the functions of the Council or any suspected malpractice in the completion, use or retention of records.

6.5. **Separation of Roles During Tendering**

- 6.5.1 Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the Council. All such employees must ensure that their actions are in accordance with the Standing Orders with respect to contracts.



- 6.5.2 Those employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.
- 6.5.3 Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.
- 6.5.4 Employees who have access to confidential information regarding tenders or costs for either internal or external contractors must not disclose that information to any unauthorised party or organisation.
- 6.5.5 Employees 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 in a senior or relevant managerial capacity.

6.6 **Offer of Benefit(s)**

- 6.6.1 As a general rule any offer of benefit(s) with the exception of those described at 6.6.3 which are of a very modest kind, must be politely but firmly refused. Public confidence and that of the Council would be seriously damaged if the least suspicion were to arise of actual or perceived impropriety by an employee of the Council.
- 6.6.2 Accordingly, employees must not accept gifts, entertainment, hospitality or any benefit either for themselves or others to avoid any suspicion of actual/perceived improper conduct. Should gifts be received through the post, they must be returned immediately to the donor with a suitably worded covering letter.

Examples of benefit(s) (not exhaustive) which must not be accepted:

- offers of cash, vouchers, credit/debit/store cards
- Offers of Corporate/VIP hospitality, entertainment, travel (including travel tickets, car hire, taxi/VIP transport), accommodation, holidays, use of facilities (e.g. gyms, equipment etc.)
- offers of presents/gifts e.g. concert/festival tickets, food, drink, hampers, jewellery, watches, accessories, clothing

- 6.6.3 Refusing such offers will mitigate against any suggestion of improper conduct, corruption or bribery.

Examples of benefit(s) (not exhaustive) which are considered of a “modest kind” include:

- **Modest gifts;** only where a gift is of a modest kind and is for example under £25:00 retail value may it be accepted. Examples include; calendar, diary, pen or other inexpensive item of office equipment and which can be regarded as in the nature of advertising matter can be accepted. Such gifts must bear the name or insignia of the organisation concerned. Chocolates/biscuits/cakes/flowers/plants given as a general thank you for example at Christmas time/end of term.
- **Modest offers of hospitality/meals/refreshments;** only where appropriate in the conduct of normal/necessary part of business in hand and which are immediately and directly connected with and wholly incidental to Council business may it be accepted. For example working lunches with sandwiches, desserts, tea, coffee, soft drinks. In exceptional circumstances, other offers of hospitality maybe approved by the Executive Director/Chief Executive if this is considered to facilitate the Council’s interest.  
However, wherever possible the employee should pay for him/herself, or if practical, should be paid for by the Council.

- **Modest offers of travel;** only where practically un-avoidable and wholly incidental to the business in hand may any offer(s) of travel be accepted, for example, a lift for a short distance to a site where the employee concerned has no other means of transport.

- 6.6.4 Visits to inspect land, buildings, machinery, goods or services where the Council bear the expense and the Executive Director (Chief Executive as appropriate) has given prior approval are acceptable.
- 6.6.5 Meals and refreshments as are connected with a public or semi- public occasion, such as an opening ceremony associated with new premises in which the Council have an interest such as owners or partners in the scheme and where the employee attends in an official capacity as a representative of the Council is acceptable where the employee has obtained prior authorisation by the appropriate Executive Director (Chief Executive as appropriate).
- 6.6.6 In respect of **Evening** Social Functions/Invitations by External Companies/Evening BMBC Organised Business Events – Employees may partake of alcohol at social functions or as an invited guest of external companies e.g. award functions, network events, business dinners, conferences, etc. However, at such occasions employees are expected to show responsible behaviour, consider the mode of transport after the event and limit the level of alcohol consumption. Employees also have a responsibility to make themselves familiar and comply with the Councils **DRUGS AND ALCOHOL POLICY**.

## 6.7 **Conferences and Seminars**

- 6.7.1 If the Council pays the fee for a conference, seminar and the like, then there is no requirement to make a declaration for hospitality. Examples include courses, seminars, events, award events or if the Council hosted an event that others attend. However, where no fee is paid and the event includes some form of refreshment/meals, overnight stay or offer of other event/function/benefit then approval must be received in the usual manner. It is important that consideration is given as to the possible perception should an officer receive hospitality, however modest, when engaged on Council business, and particularly in a context of working with a contractor.

In circumstances, where a role is clearly defined and involves multiple occasions, a single declaration could be sufficient with monitoring by the relevant Service Director or Executive Director.

## 6.8 **Sponsorship (giving and receiving)**

- 6.8.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, tender, negotiation or voluntary, the basic conventions concerning acceptance of gifts or hospitality apply.
- 6.8.2 Particular care must be taken when dealing with contractors or potential contractors, where the Council wishes to sponsor an event or service neither an employee or any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to the Executive Director (Chief Executive as appropriate) of any such interest.
- 6.8.3 Similarly where the Council through sponsorship, grant aid, financial or other means, give support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.
- 6.8.4 Employees will need to apply a degree of judgement where any offer of benefit(s) is made to them and give careful consideration in determining the significance of any such offer e.g. the

financial value of any offer; the imminence of any relevant contractual matter/arrangements; any legal/public enquiries or any Council decisions (pending or otherwise). Each employee will be personally responsible for any decision to accept such offers and for any possible criticism that may follow.

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## 7.0 **RELATIONSHIPS**

### 7.1 **Councillors**

- 7.1.2 Employees are responsible to the Council through its senior managers. For some Officers, their role is to give advice to Councillors and senior managers and all are there to carry out the Council's work. Mutual respect between employees and Councillors is essential to good local government. Insert link [to MEMBERS CODE OF CONDUCT](#)
- 7.1.3 Officers serve the whole Council. They should therefore avoid undue close, personal familiarity with individual Councillors and it is important that all employees carefully consider how any relationships they have with Councillors may be perceived by others.
- 7.1.4 There will, however, be situations where such relationships arise between employees and Councillors for example through marriage, direct family connection(s) or a close and long standing friendship.
- 7.1.5 Such relationships must always be disclosed when relevant to Council business/activities. Where such a personal relationship does exist, the employee should avoid any professional contact with the Councillor concerned on any matter where the personal relationship may be perceived by others to affect the conduct or judgement of the Officer or Councillor concerned.
- 7.1.6 This avoidance should be clear to other colleagues and the public. Furthermore, Officers must not discuss, within the context of a personal relationship, any information of a private or personal and confidential nature which they become aware of in the course of their Council duties.
- 7.1.7 Such an approach will avoid any personal relationships between employees and individual Councillors damaging the appropriate professional relationship, embarrassing other employees and Councillors, or giving the wrong impression to third parties.
- 7.1.8 Exceptionally, the existence of such a relationship may impact fundamentally on the ability of an employee or Councillor to do their job effectively. In such exceptional cases, further consideration would need to be given as to the appropriate course of action to handle the situation. This would necessarily depend upon the particular circumstances and appropriate guidance would be provided at the time by senior management.

### 7.2. **Between Employees**

- 7.2.1 Where a personal relationship exists between employees, this should be declared to the appropriate manager where it could reasonably be considered that there may be a conflict of interest, trust or breach of confidentiality.
- 7.2.2 Additionally, where a personal relationship exists between employees who are in a line management or supervisory relationship at work, then they must not be involved in recruitment and selection, improving performance, pay and grading, disciplinary, grievance or any other management activity involving the other employee.
- 7.2.3 In these circumstances there may be need to consider alternative employment or change of duties, role, base etc. Any instances will be considered on a case by case basis by the relevant Executive Director (Chief Executive as appropriate) in liaison with the relevant Service

Director.

### 7.3 **Dignity at Work**

7.3.1 The Council is committed to creating and maintaining a positive working environment where all employees are treated with dignity and respect and are free from any form of harassment, bullying or victimisation.

7.3.2 Employees must treat colleagues with courtesy and respect and adhere to the **DIGNITY AT WORK POLICY** failure to do so may result in disciplinary action, including dismissal. Harassment, bullying and victimisation includes any treatment, which a person or persons as a group knew, or ought to have reasonably known, would have been intimidating or humiliating to another person(s).

### 7.4 **The Local Community and Service Users**

7.4.1 Employees should be aware of their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community and as defined by the policies of the Council. If an employee enters into a personal relationship with a service user, they must inform their line manager as soon as possible to ensure professional standards are maintained.

### 7.5 **Case Working**

7.5.1 Where an individual employee knows or has any kind of relationship with a client or a member of their family, it would be appropriate for that employee to consider, along with their line manager whether there is any potential conflict of interest which may affect the working of the case. This is of particular concern in cases relating to children, young people, families, adult services. This consideration should be documented along with the decision for the individual staff member to retain or to pass on the case and the reasons for the decision arrived at.

### 7.6 **Contractors**

7.6.1 Employees must disclose all relationships of a business or private nature with external contractors (including potential contractors) as soon as practicably possible where it could reasonably be considered that there may be a conflict of interest.

7.6.2 Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to businesses run by, for example friends, partners or relatives in the tendering process.

7.6.3 Additionally, employees who 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, should declare that relationship(s) where it could reasonably be considered that there may be a conflict of interest.

### 7.7. **External Clients**

7.7.1 Employees must disclose relationships/interests with external clients in order to ensure appropriate action is taken in order to manage potential conflicts where it could reasonably be considered that there may be a conflict of interest.

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## 8.0 **DISCLOSURE OF INFORMATION**

8.1 The Council believes that an open government is best and the law requires that certain types

of information must be available to Councillors, auditors, government departments, service users and the public. The Council itself may decide to be open about other types of information it may publish or make available however, there are certain categories of information that must not be disclosed.

## **8.2 Data Protection**

- 8.2.1 Employees must be aware of which information they are authorised to release and to whom and that which is not, should they be unsure then they should seek guidance from the appropriate line manager/Information Governance. Rules around data protection must be adhered to at all times, and employees must not disclose personal information about other employees, members of the public, Councillors or third parties without authorisation and should adhere to the principles of the General Data Protection Act when carrying out their duties.

## **8.3 Freedom of Information**

- 8.3.1 The Freedom of Information Act 2000 gives a general right of access to all types of recorded information held by public authorities, including the Council. It sets out exemptions from that right and places a number of obligations on the Council. For further information, please see **FREEDOM OF INFORMATION POLICY**.

## **8.4 Contact with the press/media**

- 8.4.1 All media enquiries should be directed to the corporate communications and marketing team who will manage the response. Only those employees who are specifically nominated and authorised by the relevant Executive Director/Chief Executive, are permitted to give reports or speak to the press (including trade press) and media on matters relating to either employment with the Council, Council business or the decisions of the Council.

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## **9.0 POLITICAL NEUTRALITY**

- 9.1 As employees serve the Council as a whole, it follows they must serve all Councillors and not just those of the controlling group and must ensure that the individual rights of all Councillors are respected.
- 9.2 Employees should not usually be called upon to advise any political group of the Council either in regard to the work of the group or of the Council. Neither should employees be required to attend political group meetings except in the exceptional circumstances the Executive Director/Chief Executive may give advice.
- 9.3 All other employees must receive clearance from the Executive Director should they be requested to attend a political group meeting. For further detailed guidance please refer to the **POLITICALLY RESTRICTED POSTS POLICY**.
- 9.4 Where employees are required to advise political groups, they must do so in ways which do not compromise their political neutrality. Employees, whether or not politically restricted, must follow every lawful expressed policy of the Council and must not allow their own personal or political opinions to interfere with or influence their work.

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10.0 **APPOINTMENT AND OTHER EMPLOYMENT MATTERS**

- 10.1 Employees involved in recruitment and selection must ensure any appointments are made on the basis of merit, in accordance with the **RECRUITMENT & SELECTION POLICY**.
- 10.2 An appointment which is based on anything other than the candidate's ability to undertake the duties of the post may render the Council open to a claim under equalities legislation.
- 10.3 In order to avoid any possible accusation of bias, employees must not be involved in an appointment where they are related to an applicant, or have any personal relationship outside of work with him/her.
- 10.4 Similarly, employees must not be involved in decisions relating to discipline promotion or pay adjustments for any other employee who is a relative, partner or with whom they have a close personal relationship.
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10.0 **OUTSIDE COMMITMENTS**

- 10.1 All employees have contractual obligations to the Council and should not take outside employment which conflicts with the Council's interest(s). Employees are required to declare dual/multiple employment in accordance with the **WORKING TIME REGULATIONS POLICY**.
- 10.2 The Council cannot allow a breach of the Regulations and therefore, failure to declare will be seen as a breach of the Code and may result in disciplinary action which could include dismissal. No work (paid/unpaid) other than that for the Council should be taken in the workplace. This includes the use of workplace facilities.
- 10.3 Employees should be aware that all literary, dramatic, musical or artistic work e.g. documents, computer programs, photographs, drawings, recordings or graphic work (not exhaustive) which is produced by the employee in the course of their employment with the Council is the copyright of the Council in accordance with S11 (2) of the Copyright Design and Patents Act 1988.
- 10.4 Accordingly, employees must not do anything which in any way would constitute an infringement of the Council's copyright in any literary, dramatic musical or artistic work. Employees must ensure that they do not do anything which would constitute an infringement of the copyright of any third party whilst in the course of their employment with the Council.
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11.0 **EQUALITY AND DIVERSITY**

- 11.1 This policy has been impact assessed by Human Resources, if on reading this policy you feel there are any equality and diversity issues, please contact your Directorate Human Resources Business Partner who will if necessary ensure the policy is reviewed.

**Document Control**

Implementation Date	
Author	Business Advisory Service –AKB
Revised/Updated	25 April 2019
Brief Reason for Change	Full following Audit Report
Version Control	Final Draft following stakeholder meeting and SMT on 23.04.2019

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