Officers' Code of Conduct

July 2026

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The public is entitled to expect the highest standards of conduct from all employees who work for the Council. This Code of Conduct outlines the existing rules and conditions of service which apply to you as a Council employee and is designed to provide clear guidance to assist you in your day-to-day work.

The Code sets out the standards which are expected of you and provides a framework which will help to promote best practice. Reference should also be made to Nolan's Seven Principles of Public Life which are Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership. All employees of the Council are required to observe and uphold the standards of the Code and all policies and procedures of the Council. Failure to do so is a serious matter which could result in disciplinary action, including dismissal.

The code also sets out the required behaviours which are a requirement of all Housing employees under the Regulator of Social Housing (RSH) Competency and Conduct Standard. The standard stems from lessons learned from Grenfell and other cases where concerns about safety were not acted upon appropriately.

You should therefore read the document carefully, and if you are uncertain about any aspect of its contents, please contact your immediate manager or supervisor.

1 Standards and attitude

1.1 All employees of the Council are expected to give the highest possible standard of service to the public, and where it is part of their duties, to provide appropriate advice to councillors and fellow employees with impartiality.

1.2 Your attitude in dealing with people reflects on the Council so it is important that you are helpful, polite and courteous.

1.3 All employees are expected to report, in the first instance, to their manager or supervisor any illegality, impropriety, breach of procedure or policy of the Council. The line manager must then report to their Head of Service and the Monitoring Officer.

1.4 There are a number of mechanisms available to employees to do this including the Council's complaints procedure and also the Whistle-Blowing Policy.

1.5 In all cases, it is not enough to avoid actual impropriety, as public perceptions are very important. Employees should at all times avoid any appearance of improper conduct which may give rise to suspicion.

2. Behaviours for Housing Employees

2.1 All Housing officers are expected to demonstrate the following behaviours;

- Respect - We treat everyone with dignity and fairness.
- Integrity - We act honestly and ethically.
- Accountability - We take responsibility for our actions.
- Professionalism - We maintain our competence and standards.
- Tenant Focus - We put residents at the heart of what we do.
- Safety - We prioritise safe homes and communities.
- Collaboration - We work together to achieve positive outcomes.
- Improvement - We learn, adapt and continuously improve.

3. Confidentiality and Disclosure of Information

3.1 The law requires that certain types of information must be available to councillors, auditors, government services, service users and the public. Different rules apply in different situations. Employees must be aware of which information within their authority is open and which is not, and act accordingly. If you are in any doubt as to whether you can release any particular information, always check with your manager or Head of Service first.

3.2 The confidentiality of information received in the course of your duties should be respected and must never be used for personal or political gain. Also, of course, you should not knowingly pass information on to others who might use it in such a way.

3.3 You should not communicate confidential information or documents to others who do not have a legitimate right to know. Information must only be disclosed in accordance with the requirements of the Data Protection Act 1998, which covers computerised and manual information held on individuals. All staff need to bear in mind that an E-mail is as legally binding as a letter and informal messages sent internally can be used in evidence in court proceedings.

3.4 Information given in the course of your duties should be accurate and fair and never designed to mislead.

3.5 Any particular information received by an employee from a councillor which is personal to that councillor should not be divulged by the employee without the prior approval of that councillor, except where such disclosure is required by law.

4. Political Neutrality

4.1 Employees serve the authority as a whole. It follows that you must serve all councillors equally and ensure that the individual rights of all councillors are respected.

4.2 From time to time, some employees may also be requested to advise a full meeting of a political group or its executive. You must do so in ways which do not compromise your political neutrality and inform the Chief Executive in advance.

4.3 Whether you hold a politically restricted post or not, you must not allow your own personal or political opinions to interfere with your work.

5. Relationships

5.1 Councillors

Mutual respect between employees and councillors is essential for good local government. Some employees need to work closely with 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.

5.2 The Local Community and Service Users

Employees should always remember their responsibilities to the whole of the community they serve and ensure courteous, effective and impartial service delivery to all groups and individuals within that community in accordance with the policies of the authority.

5.3 Contractors and Suppliers

a) All relationships of a business or personal nature with external contractors or suppliers, or potential contractors or suppliers, must be declared to your appropriate manager or supervisor on The Notice of Personal Interest Form Appendix G at the earliest opportunity.

b) Orders and contracts must be awarded in accordance with the Council's Financial Regulations and no special favour should be shown to anyone, particularly businesses run by, for example, friends, partners or relatives. No part of the community should be discriminated against.

6. Appointment and Other Employment Matters

6.1 It is unlawful for appointments to be made on the basis of anything other than the ability of the candidate to undertake the duties of the post. If you are involved in making appointments you should do everything possible to ensure that these are made on the basis of merit and in accordance with the Council's recruitment and selection policies.

6.2 In order to avoid any possible accusation of bias, you must not become involved in any appointment if you are related to an applicant, or have a close personal relationship with him or her.

6.3 Similarly, you should not be involved in decisions relating to discipline, promotion or pay adjustments in respect of any other employee who is a relative or with whom you have a close personal relationship; nor should you attempt to influence such decisions.

6.4 Senior officers (i.e. Head of Service and above) must disclose to the Monitoring Officer/Deputy Monitoring Officer details of any relationship known to exist between them and any person they know who is a candidate for an appointment with the Council. This will include the name and address of the candidate, the post they have applied for and the nature of the relationship.

6.5 If you apply for promotion or are seeking another job in the Council, you must not approach any councillor for a reference. Issues relating to your conditions of service, working arrangements or grading should be raised with your manager or Head of Service and not with councillors.

7. Outside Commitments

7.1 Your off-duty hours are your own concern, but you should make sure that you do not allow yourself to get into a position where your private interests come into conflict with your contractual obligations or are detrimental to the interests or reputation of the Council.

7.2 Employees subject to Green Book conditions and paid from Spinal Point 29 are required to devote their whole-time service to the work of the Council and obtain written consent before taking any outside employment. If you fall into this category, and want to seek the Council's agreement, you should complete the notice of personal interest Form Appendix G and submit it to your Head of Service and the Monitoring Officer. The Council will not unreasonably stop officers from undertaking additional employment, but this employment must not, in the Council's view, conflict with or be detrimental to its interests, or weaken public confidence in the conduct of its business.

7.3 Even if you are not subject to the Green Book provisions you should ensure that none of your outside activities are detrimental to the Council's interests.

7.4 If you write a book or article for payment on subjects relating to your work for the Council, you must seek the permission of the Council through your manager or Head of Service using the notice of personal interest Form Appendix G. The general presumption would be that any fee or royalty payable would be passed over to the Council.

7.5 You must not undertake private or personal work of any description in working hours or in the office unless you have been given specific permission by your manager or Head of Service.

7.6 Private use of Council facilities and equipment, such as stationery and fax machines, is not allowed. Personal use of the telephone is permitted within

reason, provided that calls are properly logged and charges paid back to the Council. Also, you should not arrange to receive correspondence, telephone calls and fax messages in the office related to outside work or private interests.

8. **Personal Interests**

8.1 You must declare to your manager or Head of Service on the Notice of Personal Interests Form Appendix G any financial or non-financial interests which could bring about conflict with the Council's interests. The Head of Service will then forward this information to the Monitoring Officer

8.2 If you are in any doubt about a potential conflict of interest, you should bring the matter to the attention of your manager or Head of Service so that a decision can be made as to how best to proceed.

8.3 You must not make, or become involved with any official or professional decisions about matters in which you have a personal interest.

8.4 Section 117 of the Local Government Act 1972 requires you to make a formal declaration about *contracts or personal contracts* with the Council in which you have a pecuniary interest. Such declarations should be made on the Notice of Personal Interests Form Appendix G and sent to the Monitoring Officer. It is a criminal offence to fail to comply with this provision which is set out in full below*:*

a) If it comes to the knowledge of an officer employed, whether under this Act or any other enactment, by a local authority that a contract in which he has an pecuniary interest, whether direct or indirect (not being a contract to which he is himself a party), has been, or is proposed to be, entered into by the authority or any committee thereof, he shall as soon as practicable give notice in writing to the authority of the fact that he is interested therein.

For the purposes of this section, an officer shall be treated as having indirectly a pecuniary interest in a contract or proposed contract if he would have been so treated by virtue of section 95 above had he been a member of the authority.

b) An officer of a local authority shall not, under colour of his office or employment, accept any fee or reward whatsoever other than his proper remuneration.

c) Any person who contravenes the provisions of subsection (1) or (2) above shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

d) References in this section to a local authority shall include references to a joint committee appointed under Part VI of this Act or any other enactment.

8.5 You must declare to the Monitoring Officer *membership of any organisation* not open to the public, requiring any commitment of allegiance, or which has

secrecy about rules or membership or conduct, for example, the freemasons. A definition of such an organisation is as follows:

Any lodge, chapter, society, trust or regular gathering or meeting (other than a professional association), which:-

a) is not open to members of the public who are not members of that lodge, chapter, society or trust; or

b) includes in the grant of membership an obligation on the part of the member a requirement to make a commitment (whether by oath or otherwise) of allegiance to the lodge, chapter, society or gathering or meeting; or

c) includes, whether initially or subsequently, a commitment (whether by oath or otherwise) of secrecy about the rules, membership or conduct of the lodge, chapter, society, trust, gathering or meeting.

8.6 Such declarations should be made on The Notice of Personal Interest Form Appendix G and sent to the Monitoring Officer.

9. **Equality**

9.1 All members of the local community, customers and other Council employees have a right to be treated fairly and equally. You should become familiar with and observe all Council policies relating to equality issues, e.g. the Council's Equal Opportunities Policy, in addition to the requirements of the law.

9.2 Employees should be aware of the provisions of, and their responsibilities under the Equality Act 2010 and that they have a duty to promote this.

10. **Tendering Procedures**

10.1 Employees involved in the tendering process or who have any other official relationship with contractors, must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.

10.2 If you are responsible for engaging or supervising contractors and have previously had, or currently have, a relationship in a private or domestic capacity with contractors, you must declare that relationship to your manager or Head of Service using the Notice of Personal Interest Form Appendix G.

10.3 If you become privy to confidential information on tenders or costs relating either to internal or external contractors, you must not disclose that information to any unauthorised person.

10.4 All employees must 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 any capacity.

11. **Corruption**

11.1 Employees must be aware that it is a serious criminal offence under the Bribery Act 2010 for them to receive or give any gift, loan or reward or advantage in their official capacity “for doing, or not doing, anything”, or “showing favour, or disfavour to any person”. If an allegation is made against you, it will be for you to demonstrate that any such rewards have not been corruptly obtained. The relevant statutory rules are:

The Bribery Act 2010 creates offences making it unlawful to give or receive financial or other advantages in return for the improper performance of a relevant function or activity. The Act applies to functions and activities of a public nature which an individual is expected to perform in good faith, impartially or in a position of trust.

11.2 For your own protection, if anyone makes an approach to you which seems to you, or might seem to a third party, to be aimed at obtaining some form of preferential treatment, or in any suspicious circumstances in connection with a contract, you must report the matter to your Head of Service.

12. **Possible Inducements**

12.1 **Introduction**

A potential source of conflict between public and private interests is the offer of gifts, hospitality or benefits in kind to employees in connection with their official duties. It is important to avoid any suggestion of improper influence. There is a checklist to help you at the end of this section.

12.2 **Gifts Generally**

a) Casual gifts offered to employees by contractors, organisations, firms or individuals may not be intended as an inducement or connected in any way with the performance of your official duties so as to involve the Bribery Act 2010. Nevertheless, with the exceptions listed below, you should decline any personal gift offered to you or your partner, or to a member of your family, by any person or organisation having dealings with the Council.

b) Any such offer should be reported to your Head of Service (and the Monitoring Officer) on the Notice of Offer of Gift/Hospitality Form Appendix H.

c) When a gift needs to be refused, this should be done with tact and courtesy, because the offer of gifts is common custom and practice in the commercial world, particularly at Christmas time. If the gift is simply delivered to your place of work, there may be a problem returning it, in which case it should be reported immediately to your manager or Head of Service or the Monitoring Officer as appropriate.

12.3 **Exceptions**

a) Gifts of a token value given at Christmas, such as calendars, diaries, blotters, pens or other simple items of office equipment for use in Council offices, but only if it bears the company's name or insignia.

b) Gifts of a promotional nature on the conclusion of a courtesy visit to a factory or company offices, of a sort normally given by the company to visitors.

12.4 **Hospitality**

a) Offers of hospitality are a normal part of the courtesies of business life but in the public service it is important for employees to avoid creating an appearance of improper influence, thus undermining public confidence.

b) Hospitality is sometimes offered to representatives of the Council in an official or formal capacity. Normally the only officers who would attend would be Chief Officers and appropriate Heads of Service.

c) If hospitality is offered to you as an individual employee, special caution is needed, particularly when the host is seeking to do business with the Council or to obtain a decision from it. You must exercise the utmost care in dealing with contractors, developers, etc, who may stand to benefit from the goodwill of the Council.

d) You should also be careful about attending exhibitions, seminars or visiting manufacturers, etc. There is an increasing trend towards linking such visits to, for example, a major sporting event, show or concert with a view to legitimising offers of hospitality.

e) In general terms, it is more likely to be acceptable for you to join in hospitality offered to a group, than to accept something unique to yourself. When a particular person or body has a matter currently in issue with the Council, for example, an arbitration arising from a contract, then clearly common sense dictates that offers of hospitality should be refused even if in normal times they would be acceptable.

f) All offers of hospitality should be reported to your Head of Service, and the Monitoring Officer on the Notice of Offer of Gift/Hospitality Form Appendix H.

12.5 **Checklist**

The question in all these cases is one of judgement, and the following checklist of queries should help you to decide whether a gift or an offer of hospitality should be accepted or tactfully declined.

a) Is the donor, or event, significant in the community or area? If so, is the refusal likely to cause offence?

b) Are you expected to attend because of your position in the community or area?

c) Will the event be attended by others of a similar standing in the community or in other communities?

d) What do you think is the motivation behind the invitation?

e) Would acceptance of the invitation be, in any way, inappropriate or place you under pressure in relation to any current or future issue involving the Council?

f) Could you justify the decision to the Council, press and public?

g) Is the extent of the hospitality, or the nature of the gift reasonable and appropriate?

h) Are you likely to be expected to respond to the hospitality, and if so, how?

i) Are you comfortable about the decision?

13. **Sponsorship - Giving and Receiving**

13.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, tender, 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.

13.2 Where the Council wishes 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 Head of Service of any such interest. Similarly, where the Council 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 no conflict of interest involved.

14. **Financial Procedure Rules**

14.1 All employees involved in financial activities and transactions on behalf of the Council, including budgetary control, payments of accounts, payments of salaries and wages, petty cash and orders for works, goods or services must follow the Council's Financial Procedure Rules.

14.2 They must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money

to the local community and to avoid legal challenge to the authority.

ANY BREACHES OF THESE INSTRUCTIONS MAY LEAD TO DISCIPLINARY ACTION AND COULD LEAD TO DISMISSAL

Appendix G - The Notice of Personal Interest Form

NOTICE OF PERSONAL INTEREST

I,

being employed as..... in the
. ..... Unit hereby give notice that I have set out below any interests which I am required to declare.

1 **Contracts with the Authority**

You should describe all contracts of which you are aware which are not fully discharged, and which are:

(a) contracts for the supply of goods, services or works to the authority or on the authority's behalf; and

(b) between the authority of which you are an employee, and either yourself or a company in which you have a beneficial interest or of which you are a director.

You need not say what the financial arrangements are, but should say for how long the contract is.

2 Personal Interest in Organisation, Society, Trust, etc

You are only required to register any personal interest that you feel conflicts with the authority's interests. You are only likely to conflict if you are dealing in a professional capacity with the organisation or you are on the managing committee of that organisation eg acting as a school governor.

Signed .....Dated .....

Signed ....Dated .....
(Service Lead)

Received by Monitoring Officer on (date)
. ..... and entered into Register

Signed .....
(Monitoring Officer)

Appendix H - Gifts and Hospitality Form

I,

being employed as..... in the
. ..... Unit give notice, in accordance with the Mid Devon Code of Conduct for Local Government Employees, that I have been offered/accepted/I intend to accept* hospitality/gift* the details of which are set out below.

1 Details of Hospitality Accepted

2 Details of Hospitality Not Accepted

3 Details of Gift Accepted

4 Details of Gift Not Accepted

5 Estimated Value of Hospitality/Gift

6 Details of Person/Organisation offering Hospitality/Gift

7 Circumstances in which Hospitality/Gift offered (eg conference/course, etc)

8 **Justification for accepting Hospitality/Gift** (see section 13 of the Code of Conduct. Heads of Service are required to use their discretion in relation to gifts over the value of £25)

Signed ..... Dated .....

Signed ..... Dated .....

(Service Lead)

Received by Monitoring Officer on (date)
. ..... and entered into Register

Signed .....

(Monitoring Officer)* delete as appropriate