

**OFFICE OF THE POLICE AND CRIME
COMMISSIONER**

CODE OF CONDUCT FOR EMPLOYEES

Contents

1. INTRODUCTION
2. STANDARDS
3. DISCLOSURE OF INFORMATION
4. POLITICAL NEUTRALITY
5. RELATIONSHIPS
 - a. The Local Community and Service Users
 - b. Contractors / External Service Providers
6. APPOINTMENTS AND OTHER EMPLOYMENT MATTERS
7. OUTSIDE COMMITMENTS
8. PERSONAL INTERESTS
9. EQUALITY ISSUES
10. HEALTH AND SAFETY
11. USE OF FACILITIES
12. SEPARATION OF ROLES DURING TENDERING
13. CORRUPTION
14. USE OF FINANCIAL RESOURCES
15. HOSPITALITY AND GIFTS
16. SPONSORSHIP - GIVING AND RECEIVING
17. IMPLEMENTATION AND INTERPRETATION
18. GRIEVANCE AND DISCIPLINARY MATTERS
19. CONCLUSION

CODE OF CONDUCT

1. INTRODUCTION

- 1.1. This code reflects the requirements of the Office of the Police and Crime Commissioner, which is operating in an ever-changing, high pressure and sensitive environment where expectations about quality and standards are high and where accountability is in the spotlight.
- 1.2 More than ever before, we are required to work to the highest standards of conduct and monitor our performance to ensure these standards are maintained.
- 1.3 The OPCC is justifiably proud of the conduct of its employees and this code has, therefore, been produced to ensure that we as employees understand what is expected of us.
- 1.4 This Code of Conduct is based upon the model Code of Conduct for Local Government Employees produced by the Local Government Management Board and incorporates the principles arising from the Nolan Report, Standards of Conduct in Local Government July 1997.
- 1.6 This code provides a framework for all employees in terms of official conduct and should be read in conjunction with the other relevant authority policies and procedures.

2. STANDARDS

- 2.1 The public is entitled to expect of an OPCC employee conduct of the highest standard and, where it is part of their duties, to provide appropriate advice to the Commissioner and fellow employees with impartiality. Public confidence in his/her integrity would be shaken were the least suspicion to arise that they could be influenced by improper motives. In particular an employee should always give advice in a professional and objective way and not be influenced by personal views or associations.
- 2.2 An employee's off-duty hours are his/her personal concern but they should not subordinate their duty to their private interests or put themselves in a position where their duty and private interests conflict.
- 2.3 Employees are expected, without fear of recrimination, to bring to the attention of their manager or immediate supervisor any deficiency in the provision of service.

N.B. The OPCC maintains a “whistleblowing” policy and employees should refer to this as necessary.

- 2.4 Employees should report any alleged impropriety or breach of procedure to their line manager, Chief Executive or Monitoring Officer.

3. DISCLOSURE OF INFORMATION

- 3.1 It is generally accepted that open government whereby the OPCC undertakes as much of its business as possible in public is best. The law requires that certain types of information must be available to members, auditors, government departments, service users and the public. The authority itself may decide to be open about other types of information. Employees must be aware of which information is open and that which is not, and act accordingly. If in doubt about any aspect of this provision employees should seek advice from their manager or immediate supervisor.
- 3.2 **Some information is** required by law to be publicly available. Obstructing any member of the public in exercising their right to access to such information is a criminal offence. Advice and guidance on this subject is available from the Monitoring Officer.
- 3.3 Employees should not communicate to the public any information which has been designated 'restricted' or above in the Government Protective Marking Scheme. Any requests from the public for the disclosure of items designated as "not for publication" should be referred to the **Finance and Administration Manager who will deal with the request within the Freedom of Information Act.**
- 3.4 All employees should recognise the importance of confidentiality and any information concerning an employee's private affairs must not be supplied to any person unless the consent of the officer is first obtained or where such disclosure is required or sanctioned by law. In any event, information should only be provided in response to written requests.
- 3.5 Employees must not disclose information which is considered to be commercially sensitive to any person and must follow any policies or rules adopted by the OPCC in respect of such information particularly relating to competitive tendering.
- 3.6 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.

4. POLITICAL NEUTRALITY

- 4.1 Employees must follow every lawful expressed policy of the OPCC and must not allow their personal or political opinions to interfere with their work. N.B. See paragraph 2.2. Although an employee's off duty activities are their own concern conflicts of interest should be avoided.

5. RELATIONSHIPS

- 5.1 **The Local Community and Service Users** : Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community.
- 5.2 **Contractors / External Service Providers** : All relationships of a business or private nature with external contractors, or potential contractors, should be declared to your manager / immediate supervisor.

6. APPOINTMENTS AND OTHER EMPLOYMENT MATTERS

- 6.1 Employees involved in appointments should ensure that these are made on the basis of merit. It would be unlawful for an employee to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, employees should not be involved in any stages of the selection and recruitment process where they are related to an applicant, or have a close personal relationship.
- 6.2 Applicants are required to declare on the job application form whether they are related to the Police and Crime Commissioner or a senior officer of the OPCC. Where such a declaration is made the officer concerned should not take any part in the selection process.
- 6.3 If an officer involved in an appointment is canvassed by a candidate or by some other person on behalf of a candidate, he/she should report the approach to his/her manager who will liaise with the Chief Executive as to the appropriate action to be taken.
- 6.4 Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner etc.

7. OUTSIDE COMMITMENTS

- 7.1 All employees should be clear about their contractual obligations and should not take outside commitments which conflict with the OPCC's interests or put themselves in a position where their official duties and private interests conflict. Employees should discuss with their manager / immediate supervisor any potential issues.
- 7.2 Employees should have regard to the ownership of intellectual property, including inventions, creative writings and drawings, or copyright arising out of and during the course of their employment and any rules which the OPCC has adopted and may be in force. (Work related matters may include research projects, reports and images).

8. PERSONAL INTERESTS

- 8.1 Employees must declare to their manager/immediate supervisor any non financial/voluntary commitment interests that they consider could bring about conflict with the OPCC's interests.
- 8.2 Employees must declare to their manager/immediate supervisor any financial interests which could conflict with the OPCC's interests.
- 8.3 Employees must declare to their manager/immediate supervisor membership of any organisation not open to the public which has a commitment of allegiance and which has secrecy about rules of membership or conduct.
- 8.4 Employees must not be directly involved in the processing of any type of application for work, services or other matters in which they, or any close relative, have a personal interest. In this event the employee must inform their manager / immediate supervisor, as soon as they become aware of the application or matter in question.

9. EQUALITY ISSUES

- 9.1 The OPCC operates an equal opportunities policy which covers both employment and service provision. As well as meeting the legal requirements, the OPCC believes that all employees have a responsibility to ensure that all members of the local community, customers, service users and other employees are not unlawfully discriminated against and are treated with fairness, dignity and respect.
- 9.2 The OPCC is opposed to all forms of harassment and bullying and has procedures in place to deal with complaints of this nature.

10. HEALTH, SAFETY AND WELFARE

- 10.1 The OPCC places a high priority on the health, safety and welfare of all employees, visitors and citizens.
- 10.2 Employees have a key role to play in ensuring a safe and healthy work environment is developed and maintained.
- 10.3 Therefore, all employees are expected to co-operate and contribute to this fundamental principle through compliance with the policies, practices, procedures and individual codes of practice, supported through participation in appropriate training and development events.

11. USE OF FACILITIES

- 11.1 All employees should recognise that facilities, equipment or other property are provided by the OPCC to facilitate the conduct of business and are not for private use without express permission from the Chief Executive or other authorised senior officer.
- 11.2 The use of such facilities must not compromise the OPCC under any circumstances and where there is a possibility the facilities must not be used.
- 11.3 Where permission for private use is obtained any additional costs must be reimbursed by the employee in accordance with such financial arrangements as are agreed.

12. SEPARATION OF ROLES DURING TENDERING

- 12.1 Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the OPCC.
- 12.2 Employees who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.
- 12.3 Employees should ensure that no special favour is shown to current employees or 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.

13. CORRUPTION

- 13.1 Employees must be aware that it is a serious criminal offence for them corruptly to receive or give any gift, loan, fee, payment, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity.

14. USE OF FINANCIAL RESOURCES

- 14.1 Employees 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. They should always comply with the OPCC's standing orders and financial regulations.

15. HOSPITALITY AND GIFTS

- 15.1 Acceptance of hospitality and gifts by employees from any body or person who have, or may in the future have, dealings of any kind with the OPCC, could cause suspicion as to the motives involved and leave both the individual and the OPCC vulnerable to criticism.

- 15.2 Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the OPCC in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the OPCC should be seen to be represented or where refusal may cause unnecessary offence to a particular section of the community. They should be authorised in advance by their manager/immediate supervisor who will maintain a formal record.
- 15.3 When hospitality has to be declined, those making the offer should be courteously, but firmly, informed of the procedures and standards operating within the OPCC.
- 15.4 Employees should not accept personal gifts from contractors, outside suppliers or members of the public. The only exception to these arrangements would be gifts of token value which are of use in the work situation e.g. calendars, pens and diaries.
- 15.5 If there is any doubt about whether a gift should be accepted it should be tactfully but politely declined.
- 15.6 Any gifts which are received directly and without warning, should be reported to the Monitoring Officer who will be responsible for determining whether the gift should be declined and returned. Any gifts which cannot be returned should be handed to the Monitoring Officer who will decide how best to deal with the gifts in question.
- 15.7 All cash or monetary gifts should be refused, and employees must not be a beneficiary in a client's will. In all cases these must be respectfully declined. Any offers of this type should be brought to the attention of the manager/immediate supervisor and a formal record should be made.
- 15.8 When receiving authorised hospitality employees should be particularly sensitive as to its timing in relation to decisions which the OPCC may be taking affecting those providing the hospitality, e.g. letting of contracts etc.
- 15.9 Offers of hospitality or gifts must be refused where there are any potential for suggestions of improper motives or influences being inferred.
- 15.10 Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, where the OPCC gives consent in advance and where the OPCC is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment etc. are required, employees should ensure that the OPCC meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

16. SPONSORSHIP - GIVING AND RECEIVING

- 16.1 Where an outside organisation wishes to sponsor or is seeking to sponsor an authority 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.
- 16.2 Where the OPCC 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 manager / immediate supervisor who will maintain a formal record of any such interest. Similarly, where the OPCC, 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.

17. IMPLEMENTATION AND INTERPRETATION

- 17.1 This Code, which supplements the National and Local Conditions of Service, relevant policies, procedures, and standing orders, and is applicable to all employees of the OPCC.
- 17.2 Any questions of interpretation arising from the implementation of this code should be referred to the Monitoring Officer.

18. GRIEVANCE AND DISCIPLINARY MATTERS

- 18.1 Any employee who has a grievance resulting from the implementation and interpretation of this Code should seek resolution through the OPCC's grievance procedure.
- 18.2 Any employee who fails to act in accordance with the details of the Code may be subject to disciplinary proceedings.

19. CONCLUSION

- 19.1 This Code has been produced to ensure that all employees understand what is expected and, in following the spirit and intention of the Code, will be able to demonstrate that conduct is beyond reproach.