

Code of Conduct

Approved by: **Schools Human Resources**
 Trade Unions

1. Introduction

- 1.1 This code of conduct applies to all Lambeth/School employees. Contractors, consultants or agency staff working with the Council/School will be expected to abide by the standards and principles set out in the code.
- 1.2 The Code is not designed to act as a prescriptive list of expected standards of behaviour, but serves to provide general guidance on how to ensure that actions and behaviour are consistent with the Council's FRESH values and the high standard of conduct required in maintaining public confidence in the services Lambeth provides.
- 1.3 The Council/School expects all its employees, and those engaged on its behalf, to conduct themselves in a professional and lawful manner. The Council/School expects all employees to abide by the following core principles:
- 1.4 Honesty, Integrity, Impartiality and Objectivity**
- Employees must perform their duties with honesty, integrity, impartiality and objectivity
- 1.5 Accountability**
- Employees must be accountable to the authority for their actions
- 1.6 Respect for Others**
- Employees must treat others with respect and must not unlawfully discriminate against any person
- 1.7 Stewardship**
- Employees must use any public funds entrusted to or handled by them in a responsible and lawful manner
 - Employees must not make personal use of Council/School property or facilities unless authorised to do so
- 1.8 Personal Interests**
- Employees must not allow personal interests to conflict with the Council's/School's service provision
- 1.9 Registration of Interests**
- Employees must comply with the Council's/School's rules in relation to registering interests and declaring gifts or hospitality received.
- 1.10 Reporting procedures**
- Employees must not treat colleagues less favourably because they have or because they intend to take action under any of the Council's/School's reporting procedures, for example under the whistleblowing policy
- 1.11 Openness**
- Employees must not disclose information given to them in confidence, or any information acquired of a confidential nature, without the express consent of a person authorised to give it, unless they are required to do so by law
 - Employees must not prevent anyone from gaining access to information to which they are entitled by law.

1.12 Management of Staff

- Employees who are involved in making appointment or any decisions relating to discipline, promotion, pay or conditions of another employee or prospective employee must take these decisions fairly and impartially.
- Where an employee has any relationship with an employee or a prospective employee, which may cast doubt on their impartiality, they should seek advice from their headteacher/line manager.

1.13 Duty of trust

- Employees must act in accordance with the trust that the public is entitled to place in them

1.14 The standards of conduct as set out in this code may also extend to your conduct outside work. Employees have the right to undertake private commitments or activities outside of work, if they so wish. However, where these activities may give rise to a possible conflict of interest or could potentially have an adverse affect on their employment with the Council/School, they should declare these activities to their headteacher/line manager.

1.15 The Council/School reserves the right to take action against any employee whose actions and/or behaviour, inside or outside work could reasonably be regarded as bringing the Council/School into disrepute.

2. Management of staff

2.1 Lambeth Council/the school expects integrity and honesty from its employees and prospective employees at all times. Supplying false information or documents, or attempting to deliberately mislead an interview panel could result in disciplinary action being taken against you and may lead to dismissal.

2.2 Applicants for posts should not approach or attempt to influence officers or elected Members outside of the normal recruitment process. Any such attempt will lead to disqualification from the recruitment process and/or disciplinary action. Canvassing of elected Members of the Council will not be tolerated.

2.3 Where an employee is working in a line management relationship with someone who is or becomes a relative, they must declare this to their headteacher/line manager, who will then make a decision as to the appropriate course of action.

2.4 For the purpose of this Code 'relative' includes:

- Spouse/partner
- Parent/parent-in-law
- Son/step son
- Daughter/step daughter
- Brother/sister
- Grandparent
- Grandchild
- Uncle/Aunt
- Nephew/niece
- Child of a partner

- 2.6 Relatives will also include the spouse or partner of any persons named above.
- 2.7 You will be required to provide up to date contact details, which will be kept on your personnel records. As an employee of the Council/School you are responsible for ensuring that the Council/School always holds up to date contact details for you and your next of kin.

3. Working with vulnerable clients

- 3.1 The Council/School takes very seriously its responsibilities towards the disadvantaged and vulnerable members of the community, in particular children, older persons and disabled persons.
- 3.2 Council/School employees are expected to take additional care in dealing with the more vulnerable members of the community and must therefore do nothing which may:
- damage public confidence in your motives
 - damage public confidence in your integrity as an employee
 - bring the Council/School into disrepute.
- 3.3 The Council/School has a legal obligation under the Protection of Children Act 1999 and the Care Standards Act 2000 to carry out checks for convictions, whether spent or not, where we propose to offer an individual a position working with vulnerable persons. This obligation also extends to existing employees who are moving into such a post.
- 3.4 Employees, whose employment is subject to a Criminal Records Bureau (CRB) disclosure, will be required to renew their CRB disclosures on a three-yearly basis to ensure that the Council/School are complying with its obligation to safeguard its vulnerable client group. Employees are also required to renew any other membership to a professional body that is a specific requirement of their job, for example, membership with the General Teaching Council (GTC).
- 3.5 Failure to comply with a management/HR request for CRB renewals, or any other professional membership renewal, may be considered a disciplinary offence and will be dealt with under the Council's/School's disciplinary procedure. Where this occurs, employees may also be suspended from their duties.

4 Disclosure of criminal convictions

- 4.1.1 Employees are required to declare any convictions or bindovers received during the course of their employment to their headteacher/line manager (or in exceptional circumstances someone more senior) at the earliest possible opportunity. Employees should also declare any cautions received during the course of their employment if they relate to fraud or theft, or relate to any matter which would directly or indirectly relate impact on their responsibilities with regard to children, young persons or vulnerable adults, or if it is likely that the conduct for which the caution was received would bring the Council/School into disrepute, taking into account the employee's work within the Council/School. In the event that an employee is unsure whether to disclose a caution or not they should contact their headteacher/line manager or Schools Human Resources in confidence to discuss the matter. Failure to declare any such conviction, bindover or relevant caution, for whatever

reason, may be regarded as gross misconduct under the Council's/School's disciplinary rules.

5. Respect for others

- 5.1 The Council/School demands a very high standard of conduct from all its employees at all times, particularly when interacting with colleagues and members of the public. Language or behaviour that is rude, offensive, threatening, violent or abusive will not be tolerated from any employee.
- 5.2 Members of the public have the right to expect courtesy and co-operation at all times. As a Council/School employee you must:
- treat others with respect
 - not discriminate unlawfully against any person and
 - treat members and co-opted members of the authority professionally
- 5.3 If you are an employee who is in receipt of any of Lambeth's services, you should not expect or seek preferential treatment in the event of any enquiry about any service(s) provided to you by the Council/School.
- 5.4 Employees must not improperly use any information gained in the course of their employment for their personal gain or to advantage or disadvantage anyone known to them.

6. Equalities in employment

- 6.1 Employees are expected to conduct themselves in line with the Council's **Zero Tolerance Statement**, which outlines the council commitment to eliminate harassment or discrimination on the grounds of race, gender, sexual orientation, disability, age, religion or any other factor.

7. Accountability

- 7.1 All employees of the Council/School are expected to work diligently and to contribute positively to the daily tasks of the Council in the provision of services to Lambeth's residents. You must therefore undertake your duties as outlined in your job description to the best of your ability and must abide by the terms of your contract of employment. You must comply with all legitimate instructions from your headteacher/line manager and with all operational procedures and regulations.
- 7.2 As an employee you are accountable to the Council/School for your actions.
- 7.3 If you are a manager you will be responsible for setting an example to employees in the application of this code. You must ensure that you familiarise yourself with all the Council's/School's employment policies and procedures and apply them in a non-discriminatory way. You will be responsible for communicating expected standards of conduct to the employees in your work area, advising them of any particular rules which may apply.

8 Writing & speaking to the public/media/other agencies

- 8.1 Employees must not make any public statement on behalf of the Council/School or engage in communication with the media in regard to any employment or service matter, without the express consent of their

headteacher. All enquiries from the press must be referred to the Council's Press Officer or Schools Human Resources.

- 8.2 Only headteachers may provide an employment reference on Council/School headed paper. If an employee provides a personal reference for a colleague or former colleague they must make it clear that they are doing so in a personal capacity only. Further details on providing references can be found in the Council's/School's **guidance on providing references**.

9. Health and safety

9.1 Responsibilities

- 9.1.1 All employees have a responsibility, under the Health and Safety at Work Act, to take care in undertaking your duties. It is your responsibility to wear protective clothing and use any safety equipment, which is issued to you. You must report any accident/incident that you have at work and report any health and safety risks to your headteacher/line manager without delay.
- 9.1.2 If you are a manager, you also have a responsibility for the health and safety of your staff, taking all reasonable steps to ensure that all activities are carried out with due regard to the Council's/School's **safety policy**.

9.2 Alcohol, illegal drugs and substance misuse

- 9.2.1 Alcohol, drugs and substance misuse impairs judgement and can put you, work colleagues and members of the public at risk. Abuse of any such substance whilst you are at work may be treated as a disciplinary offence, and will be dealt with accordingly.
- 9.2.2 For further guidance please refer to the Council's **Drug and alcohol in the workplace policy**.

10. Outside Commitments, personal interests, and working for outside bodies.

- 10.1 Your time outside working hours is your own personal concern. However you must not put yourself in a position where your job and your personal interests conflict. Where the slightest doubt exists, and where there is a potential conflict of interest, employees are advised to either decline acceptance of outside work or membership of an external body or organisation, or to seek the advice of their headteacher/line manager before accepting any such outside work.
- 10.2 It is important for employees to discuss their intention to undertake any other employment with their headteacher/line manager or any intention to become a member of an external organisation, (whether appointed as the official Council/School representative on the outside body or otherwise), particularly if they have doubts or concerns, in order that any involvement with the Council/School and any conflicts of interest can be identified and assessed. This will help to protect the employee should any question of conflict of interest arise subsequently.
- 10.3 Headteachers should check with their staff whether employees have existing arrangements of which they are unaware and should seek to review the position in relation to membership of outside bodies and/or outside

employment at least annually to ensure that a conflict of interest has not arisen where no conflict existed previously.

- 10.4 Employees must exercise great care and diligence when undertaking paid or unpaid work outside the Council/School. Any paid or unpaid work undertaken should not conflict in any way with their Council/School duties or make use of material to which the employee has access by virtue of his or her position. Employees must not in their official capacity allow their personal interests to conflict with the Council's/School's requirements or use their position improperly to confer an advantage or disadvantage on any person.
- 10.5 Employees must declare any activity, relationship or other personal interests, whether financial or non - financial, where they may be a conflict of interest between their Council/School duties and their private interests. Employees will also be required to declare personal or business interests which may, or may be perceived to, influence their judgement; this includes membership of organisations/outside bodies where conflicts may arise or any organisation which may seek to influence the policies of the Council/School, for example a local campaigning group (but excluding any representative body or professional body membership).
- 10.6 Employees must declare membership of any organisation which is not open to the public without formal membership and commitment of allegiance and which has secrecy about rules, membership or conduct, for example, Freemasons.
- 10.7 You must not do private work during your Council/School work time or whilst you are on sick leave.
- 10.8 The Council/School will not prevent employees from undertaking additional employment (paid or unpaid) outside working hours provided it does not conflict with the law, the Council's/School's interests or in any way weaken public confidence in the Council/School. You are required to notify the Council/School in writing before undertaking any other employment and must declare any voluntary or unpaid work. All Council/School employees are specifically required to obtain consent in writing from their headteacher/line manager in advance, on each occasion, if they wish to engage in any other business or take up additional employment.
- 10.9 Many employees undertake valuable voluntary work in the community in their own time and the Council/School supports this. However, any significant interest in an organisation must be declared, for example, acting as a member of the management committee of a charity) where the Council/School has some involvement with the organisation. If in doubt the employee should discuss the matter with their headteacher/line manager.
- 10.11 Employees must conduct themselves at all times in a manner which is consistent with their obligations under the Officer Code of Conduct when carrying out any external activities so as to avoid bringing the Council/School into disrepute.
- 10.12 Employees should avoid putting themselves in a position where their involvement in a local community group puts them, or could reasonably be perceived as putting them, in a position where their involvement is in direct conflict with the best interests of the Council/School or is likely to bring the Council/School into disrepute. In these circumstances an employee must consider whether it is in the best interest of the Council/School for them to remain involved with the external organisation.

- 10.13 The Council/School will not unreasonably require an employee to cease or refrain from other work/employment unless there is a conflict of interest, or there is a reasonable belief that the physical or mental demands of the other work have a damaging effect on the employee's ability to carry out their normal duties for the Council/School.
- 10.14 An employee who fails to declare any personal interests as described above may be subject to disciplinary action being taken against them. Further guidance on conflicts of interest, including the appointment of Officers as Members and/or Directors of outside bodies by the Council is attached at Appendix 1. Any employee who is in doubt as to whether or not specific outside interests exist and should be declared, should contact Schools HR for guidance
- 10.15 Examples of circumstances where there is potential for a conflict of interest to arise would include:
- A Finance Officer also working as a treasurer for a charitable organisation that submits bids to the Council for funding;
 - A Housing Officer who is also the Chair of an Estate Management Board;
 - A senior manager within the Children and Young Persons Department who is also Chair of Governors of a School in the Borough.
- 10.16 Conflicts of interest may also arise internally, for example, in circumstances where an employee works in one service which is proactively involved in the delivery of a particular project, as well as another service which has a regulatory role or determines the grant allocation to support such projects.

11. Politically neutrality

11.1 Politically restricted posts

- 11.1.1 Employees are required to serve the whole Council and its Members, not just Members of any party group. Employees must ensure that the individual rights of all Members are respected.
- 11.1.2 Employees, who are required as part of their duties to provide advice to Members or other employees, must do so impartially and must not allow their own personal or political opinions to interfere with their work.
- 11.1.3 Under Section 2 of the Local Government and Housing Act 1989 ("the 1989 Act), the following employees are regarded as holding politically restricted posts:
- Chief Executive
 - Chief Officer
 - Deputy Chief Officer
 - Monitoring Officer
 - Political Assistant,
 - Any person whose post is P04 or above or specified on the list held by the Human Resources Division
- 11.1.4 Employees holding politically restricted posts are disqualified from membership of any local authority, other than a parish or community council, from being an MP or MEP and are subject to prescribed restrictions on their political activity. You will be advised on appointment whether your post is politically restricted.

11.1.5 If your post is politically restricted you:

- should not publicly voice support for a political party
- may not campaign for a political party
- may not hold political office
- may not occupy party political posts and
- may not hold particular sensitive or high profile unpaid roles in a political party

11.1.6 A Political Assistant (as defined under the 1989 Act) must not speak to the public in a way that could be perceived as speaking as an authorised representative of a political party nor must they write or publish any written or artistic work that could be perceived in the same way.

11.1.7 Any employee who is a member of a local authority will be permitted paid time off during working hours to perform duties as an elected member. Requests must be made through the employee's headteacher.

11.1.8 Employees, whether or not they are politically restricted, must in the course of their employment follow every lawful expressed policy of the Council and must not allow their own personal or political opinions to interfere with their work.

11.2 Relationships with elected Members and co-opted Members.

11.2.1 Mutual respect and good working relationships between employees and Members is essential to the successful delivery of the Council's/School's services. Close personal familiarity between employees and individual Members can damage this relationship and should be avoided. For further guidance please refer to the officer/member protocol (create link).

11.2.2 Employees must not seek to involve Members in personal matters which relate to any aspect of their employment, for example, pay and grading, grievances etc.

12 Gifts and hospitality

12.1 You should not accept bribes, hospitality or gifts that are offered to you by any organisation or person able to provide work, goods or services to the Council/School. Similarly, where you are in a position to influence, you must not show favour to anyone in connection with Council/School business.

12.2 You will be required to record all gifts and hospitality offered irrespective of whether you have accepted it or not (link to relevant form).

12.3 All employees are forbidden to ask for tips or any payment for service or goods provided except through the Council's/School's official invoice systems.

13 Sponsorship – giving and receiving

13.1 Where an organisation wishes to sponsor or is seeking to sponsor a Local Government activity whether by invitation, tender, negotiation or voluntarily, the basic guidelines concerning acceptance of gifts and hospitality apply.

13.2 Where the Council/School wishes to sponsor an event or service, neither an employee nor any partner, spouse or relative must benefit from such a sponsorship. Similarly, where the Council/School gives support in the

community, through sponsorship, grant aid, financial or other means, employees should ensure that impartial advice is given and that no conflict of interests exists.

14 Procurement

14.1 Placement of contracts

14.1.1 If you are required to buy or sell any item or service as part of your duties you must act in accordance with the rules and regulations as set out in the Council's procurement guide and with any specific instructions in use.

14.1.2 All relationships of a business or private nature with contractors, or potential contractors, should be made known to the headteacher. If you know you have any interest in any contract which the Council has entered into, or proposes to enter into, you are required, by law, to declare your interest to your headteacher immediately.

14.1.3 If, in the course of your work, you deal with applications to the Council for planning permission, permits, licences, grant or applications for employment, you must declare to your headteacher if you have a relationship with any applicant.

14.2 Separation of roles during tendering

14.2.1 Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the authority. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.

14.2.2 Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers and other contractors and sub-contractors.

14.2.3 Confidential information on tenders or costs for internal or external contractors should not be disclosed to any unauthorised party or organisation

15 Working with the Council's property and money

15.1 Use of Council equipment/facilities

15.1.1 Employees must not use Council/School time or facilities, for example, IT equipment, telephones, vehicles or any other Council/School property in connection with any outside work or activity (paid or unpaid), without the written permission of their headteacher. Any telephone usage will only be permitted in very exceptional circumstances and such use must be disclosed and paid for. The misuse or unauthorised use of Council/School property may

result in disciplinary action being taken against an employee.

15.1.2 There is separate guidance on the use of the Council's computer, e-mail and internet facilities and all employees should abide by this guidance at all times in relation to any work undertaken inside or outside the Council/School.

15.2 Use of financial resources

- 15.2.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner, ensuring value for money to the local community and avoiding legal challenge to the authority.
- 15.2.2 Managers (the nominated budget holder for an Oracle business unit or cost code) are responsible for managing their budgets. Where they are forecasting overspends, they must formally request a virement for their business unit, their division or their department to secure an increase to their budgets.
- 15.2.3 Budget holders who overspend significantly without alerting the Council may be subject to disciplinary action in accordance with the Council's **disciplinary rules**.

15.3 Overpayment to employees

- 15.3.1 Where it occurs that you are receiving an overpayment in salary, allowances or overtime, it is your responsibility to notify your headteacher/line manager as soon as possible after becoming aware of the overpayment, in order to make arrangements for repayment. The Council/School reserves the right to take steps to recover any overpayment of salary.

15.4 Debt to the Council

- 15.4.1 The Council/School owes a duty of fiduciary care to all residents of the Borough. This means taking action against any person who has a debt to the Council/School. Employees are required to set a good example by not allowing themselves to become indebted to the Council/School. It is therefore not acceptable for employees to be in arrears on Council rent or tax. Where this occurs, and there is no prior arrangement in place to clear these arrears, the employee may be subject to disciplinary action.

15.5 Theft from the Council

- 15.5.1 Stealing from the Council/School, its clients or fellow employees will not be tolerated. Waste, loss, fraud, unauthorised use or wilful negligent damage to Council/School property are considered as gross misconduct and may result in your dismissal from the Council/School. Therefore, employees:
- must not steal or remove without authorisation money or property from the Council/School, its clients or colleagues
 - must carry out their duties with care, particularly when handling the Council's/School's money or property (including papers)
 - must not take responsibility for money or property unless it is part of their official duties
 - must not use equipment including computers, Council/School vehicles, telephones, or money for any unauthorised purpose
 - must not copy Council/School computer software for their own use
 - must not take Council/School equipment home without the express permission of their headteacher/line manager.

15.6 Ownership of Intellectual Property/Copyright

- 15.6.1 Employees should be aware of the rules on the ownership of intellectual property or copyright created during their employment. "Intellectual Property" is a wide term which includes inventions, creative writings and drawings. As a

general rule, any Intellectual Property created by an employee during the course of their employment with the Council belongs to the Council/School and as such must not be used by the employee in relation to any work performed outside the Council/School, including work undertaken after the conclusion of their employment, without the express consent of the Council/School.

16. Disclosure of information

- 16.1 The law requires that certain types of information must be made available to Members, auditors, government departments, service users and the public. The Freedom of Information Act, for example, requires disclosure of certain information in response to written requests, whilst the Data protection Act requires that the Council comply with statute in relation to the handling and processing of personal data. If you are in doubt guidance should be sought from your headteacher/line manager before disclosing information.

17 Whistleblowing

- 17.1 As custodians of public services, local authorities have a duty to ensure that there is no malpractice in the operation or delivery of services.
- 17.2 The **Whistleblowing procedure** covers any significant concerns that an employee may have about malpractice in any aspect of service provision or the conduct of Officers, Members, Contractors or other agents of the Council/School.
- 17.3 This procedure is not an alternative process for raising concerns or grievances over managerial decisions or other matters for which there are appropriate existing procedures within the Council/School.