

Changes to the Code of Conduct April 2014

1. Changes to the Code of Conduct

- 1.1 We have consulted with the Trade Unions about all the proposed changes to the Code of Conduct and have gained Trade Union approval for these.
- 1.2 Based on Trade Union feedback, we have set up an HR Glossary of terms on HRPoint, which is to go live to the organisation in March 2014. This includes a full description of criminal convictions terminology and what it means for employees.
- 1.3 The changes to the Code of Conduct are to be submitted to Full Council in April and are as follows:-

Current	Proposed	Comment
<p>Public Duty, Private Interest, Fraud and Theft.</p> <p>Section 2.1 ...you must declare this to your manager.</p> <p>Section 2.4 ... For further information on what we call a secret society. Read Appendix A.</p> <p>Section 2.25 You have a legal duty to declare any financial or other interest in an existing or proposed contract.</p> <p>Section 2.26-2.29 and 2.31-2.32 You have a legal duty to declare any interest or associations that may cause direct or indirect conflict with your work for the Council. You must declare interests in or associations with any</p>	<p>...you must declare this to your manager. Read Declaration of Interests Policy (DOI) Appendix A.</p> <p>...See Declaration of Interests Policy. Appendix A.</p> <p>You have a legal duty to declare any financial or other interest in an existing or proposed contract. See Declaration of Interests Policy (DOI) Appendix A.</p> <p><i>Section 2.26-2.29 and 2.31-2.32 are deleted, as these are incorporated in the new Declarations of Interests Policy</i></p>	<p>New SCC Declaration of Interests Policy and Procedure (2014) replaces SCC Membership of a Secret Society (2001-2014)</p>

<ul style="list-style-type: none"> • Organisations • Service • Activity • Person <p>If the Council has sponsored an event or a service, you must tell your Head of Service or Director, if you may benefit from it in any way.</p> <p>You must also tell your Head of Service or Director, if anybody connected with you will benefit from it. This includes your relatives, your partner or spouse, or any business associates you may have.</p> <p>You must fully explain any way you or someone connected with you may benefit.</p> <p>If you apply for a service that you have influence in because of your job, you must declare a personal interest, both when you apply for the service and to your manager</p> <p>Section 2.37</p> <p>If you think there might be a conflict of interest, you must look at any procedures that are in your Portfolio to find out what to do. If you are unsure, you should ask your manager to help you.</p> <p>Section 5 Information Technology, Data Security and Social Networking.</p> <p>Add new Section 5.6</p>	<p>If you think there might be a conflict of interest, you must look at the Declarations of Interest Policy (DOI), Appendix A. If you are not sure, you should ask your manager to help you.</p>	
	<p>You are personally responsible for content that you publish on-line and must follow the Social Networking Policy, Appendix F. You must take time to read the Social Networking Policy and understand your responsibilities and behaviours expected, when using social networking in a personal or work capacity. Ask your manager if you are unsure about the Social Networking Policy and Guidance.</p>	

<p>Section 7.0 Secondary Employment</p> <p>7.1 We prefer you not to have other paid employment whilst you are working with the Council. This includes paid work for another employer and working in a self-employed or business partnership basis.</p> <p>7.2 If you do have any other employment whilst you are working for the Council, the work you do must not conflict with the interests of the Council or bring it into disrepute. You must only do other work outside of your working hours with the Council. You need the formal prior permission of your manager to do any work outside your role with the Council. See Declaration of Interests Policy, Appendix A.</p> <p>7.4 If you do any work that is damaging to the interests or reputation of the Council, we may take disciplinary action against you, even if you have declared this work to your manager.</p> <p>7.5 If you are a:</p> <ul style="list-style-type: none"> • School Governor • Councillor for another Local Authority • Member of the Territorial Army • Justice of the Peace • Member of an Employment Tribunal 	<p><i>7.1 is deleted</i></p> <p><i>7.3 is deleted</i></p> <p>7.6 If you are a:</p> <ul style="list-style-type: none"> • School Governor • Councillor for another Local Authority • Member of a Voluntary Reserve Forces - Reservists and Adult Instructor of Cadets • Justice of the Peace • Member of an Employment Tribunal 	<p>TUs and HR agreed to remove 7.1 and 7.3 as outdated.</p>
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<p>16.0 CRIMINAL CONVICTIONS</p> <p>16.1 If your job is covered by the Rehabilitation of Offenders Act, you must tell us about all convictions, including "spent" convictions, before you start working with us. You must tell us about any convictions where the Exemptions orders to this Act apply.</p> <p>16.2 If you do not tell us about these convictions this will be treated as possible gross misconduct and might lead to disciplinary action - including the possibility of dismissal without notice.</p> <p>16.3 If your work involves driving, you must tell your manager about any driving offences, or pending driving offences.</p> <p>16.4 If you work with young people or vulnerable adults as part of your job, of if you have access to them; you must report any convictions that you have, whatever they are, to your manager.</p> <p>16.5 You must tell your manager if you have any criminal proceedings pending against you.</p> <p>16.6 If you work with young people or vulnerable adults and you believe that you are or might be thought of as a risk to these groups it is extremely important that you seek advice from your manager. If you do not disclose this, this can be treated as misconduct, including gross misconduct which carries a possible penalty of dismissal.</p>	<p>16.0 CRIMINAL CONVICTIONS</p> <p>16.1 Before you start working for us, you must tell us about any unspent criminal convictions, cautions, warnings, reprimands, binding over or other orders, pending prosecutions or criminal investigations.</p> <p>If you are applying for a role, which involves working with children and vulnerable adults and your job is covered by the Rehabilitation of Offenders (Exceptions) Order 1975 (Amendment) 2013, you must follow our guidance on 'declaration of criminal convictions and cautions' at the application stage and tell us about:-</p> <ul style="list-style-type: none"> All filtered convictions and cautions for any roles, where you have to complete an enhanced Disclosure and Barring Service(DBS) with no barred lists check.Please see guidance on declaration of criminal convictions and cautions for the filtered list. <p>OR</p> <ul style="list-style-type: none"> All convictions and cautions for any roles, where you have to complete an enhanced Disclosure and Barring Service (DBS) with barred lists check. <p>If you are unsure about which criminal convictions and cautions that you need to tell us about, please ensure that you contact the recruiting manager for further advice.</p> <p>16.2 When employed by us, you must tell your manager if you have any criminal proceedings pending against you, if you are bound over, receive a conviction, caution, reprimand or warning.</p>	<p>Changes required due to:-</p> <p>Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) Order 2013 – requirement for employer to only ask for unspent/ relevant convictions and cautions from certain employment groups</p> <p>Government Disclosure and Barring Service Applicant only certificates and Update Service for employers to check applicants status on-line</p> <p>Protection of Freedoms Act (2012) – It is against the law for an employer to employ a person on the barred lists for work with children and vulnerable adults</p>
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<p>Section 17 Alcohol, Drugs and Substances</p> <p>17.0 ALCOHOL, DRUGS AND SUBSTANCES</p> <p>17.1 While you are at work, you must be in a condition to do your job safely.</p> <p>17.2 The effects of drinking alcohol cause you to perform your work less well. It may a health and safety risk - especially if you drive or use machinery. Because of this, you must not drink alcohol:</p> <ul style="list-style-type: none"> • Before you start work • During your working hours • During a lunch break from work • On any other break during your working day • At functions such as conferences within working hours. 	<p>17.1 While you are at work, you must be in a condition to do your job safely.</p> <p>17.3 The effects of drinking alcohol cause you to perform your work less well. It is a health and safety risk. Because of this, you must not drink alcohol:</p> <ul style="list-style-type: none"> • Before you start work • During your working hours • During a lunch break from work • On any other break during your working day • At functions such as conferences within working hours. 	<p>New SCC Alcohol, Drugs and Substances Policy (2013) requiring minor amendments to code of conduct wording.</p>

<p>17.3 If you drink alcoholic drinks at these times, this may be regarded as misconduct or gross misconduct, which could lead to dismissal.</p> <p>17.4 If you use illegal drugs, or prescription drugs that have not been prescribed for you, this will not be accepted. This may result in the Council contacting the police to report it. Use of illegal drugs that have not been prescribed for you before or during work, on breaks or at functions may be considered misconduct or gross misconduct, which could lead to dismissal.</p>	<p>17.5 If you drink alcoholic drinks at these times, this may be regarded as misconduct or gross misconduct, which could lead to dismissal.</p> <p>17.6 If you use substances, illegal drugs, or prescription drugs that have not been prescribed for you, this will not be accepted. This may result in the Council contacting the police to report it. Use of illegal drugs or prescription drugs that have not been prescribed for you before or during work, on breaks or at functions may be considered misconduct or gross misconduct, which could lead to dismissal.</p>	
<p>Appendices</p>	<p>Appendices added:- Appendix A Declaration of Interests Policy Appendix F Social Networking Policy</p> <p>Appendices updated Appendix D Whistleblowing Policy and Procedure</p>	<p>SCC Declaration of Interests Policy and Procedure (2014) replacing Membership of Secret Society (2001-2014)</p>

	Appendices added	Appendix A - Declaration of Interest Policy Appendix F - Social Networking Policy
	Appendices updated	Appendix D - Whistleblowing Policy and Procedure minor amendments in line with legislation.

Louise Pellett, Kirsty Surtees, February 2014