

<b>The Code of Conduct</b>
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**Contents**

1. Why do we need a Code of Conduct
2. What this Code covers
3. What are your rights and responsibilities
4. Principles you must understand and follow
  - Our public service responsibilities
  - Committed to the needs of our customers, service users and partners
  - Responsible with information
  - Duty of care for safeguarding, wellbeing, health and safety
  - Raising concerns
  - Communication and using social media
  - Trusted with money
5. Information and training
6. Review and monitoring

**Appendix A:** The seven principles of public life

**Appendix B:** The Wellbeing of Future Generations Act (Wales) 2015

**Appendix C:** The Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001

**Appendix D: Code of Conduct Declarations in respect of potential conflict of interest & gifts / hospitality**

**1. Why do we need a code of conduct?**

- 1.1 All public organisations in Wales are expected to keep to the highest standards of conduct when running their services. To achieve this, we must draw up a code of conduct that includes the seven Principles of Public Life, which are set out in **Appendix A**.
- 1.2 We also have to keep to the Wellbeing of Future Generations (Wales) Act 2015. To achieve this, we must think more about the long term, work better with people, communities, and each other, look to prevent problems and take a more joined-up approach. When making our decisions we need to take into account the effect they could have on people living in Wales in the future.
- 1.3 The purpose of this code of conduct (the code) is to:
  - guide the Authority and employees in the work we do and the decisions and choices we have to make at a local and regional level;

Pembrokeshire County Council	Document Control No: 005
	Page 1 of 13
Code of Conduct	Revised Version Published September 2019

- reassure the public that our Authority is being run in line with a consistent set of standards; and
  - protect our employees from unfair criticism or misunderstanding.
- 1.4 The code allows us to focus on the five ways of working needed so that we can deliver services into the future as required by the Wellbeing of Future Generations Act. These are set out in **Appendix B**.
- 1.5 The code also keeps to the requirements of Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001. These requirements are summarised in **Appendix C**.

## 2. What this code covers

- 2.1 You must understand and follow the code as it forms part of your terms and conditions of employment and part of the contract between you and our Authority.
- 2.2 You must keep to this code. If you fail to do so, we may take disciplinary action.
- 2.3 Agency workers, secondees and temporary workers also must keep to the standards set out in the code.
- 2.4 Volunteers are also expected to keep to the standards set out in the code and this will be set out in your 'terms of engagement' as an approved volunteer.
- 2.5 This code applies as well as any separate professional codes of practice and codes of conduct that specialist roles and trade union representatives must keep to.
- 2.6 We will also refer to the code in procurement information. Although we cannot enforce the code against other contractors or partnership organisations directly, it is expected that they will also keep to this code.
- 2.7 This code does not deal with the conduct of an elected member, who have their own code of conduct as part of the Authority's [Constitution](#). If you have a concern about an elected member, our [Whistleblowing Policy](#), gives you the appropriate legal protection against any negative comeback.

## 3. What are your rights and responsibilities?

- 3.1 As an employee, you have the right to:
- be spoken to politely;
  - be treated with dignity and respect;
  - have your point of view listened to and given due consideration;
  - have your efforts and achievements valued;
  - be treated equally and fairly and not to suffer a disadvantage if you speak out against any wrongdoing or raise a concern;
  - be given a healthy and safe working environment;
  - speak out if you are the victim of bullying or harassment, and to expect your complaint to be taken seriously.
- 3.2 You must:
- follow a reasonable instruction or keep to a reasonable contractual requirement;

- declare any actual conflict of interest or any situation where there is the possibility for, or anything that may give rise to a belief of, conflict of interest in any matter that involves you;
- wear any uniform issued for health and safety reasons;
- report any safeguarding concerns to make sure that children and adults at risk are protected from abuse;
- co-operate in any investigation;
- comply with our policies and procedures.

If a monitoring officer is carrying out an investigation in line with regulations made under section 73(1) of the Local Government Act 2000, you must keep to any requirement made by that officer in connection with the investigation.

**3.3 You have a responsibility to:**

- do your best to make sure that you do not put yourself in a position where your personal life and job conflict;
- make sure that your behaviour, both at work and outside of work does not harm our reputation or the credibility of individuals within the Authority in any way or undermine our trust and confidence in you;
- make sure what you wear, including jewelry, is appropriate in relation to your duties;
- consider others as they carry out their duties;
- express your point of view without being aggressive;
- listen to what others say and respect their point of view;
- make sure that you act at all times with impartiality, honesty and integrity;
- deliver a high-quality service;
- disclose information which is relevant to your capability, capacity and suitability to carry out the duties and responsibilities for which you are employed. You must immediately inform your manager if, during your employment, you 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 council:
  - advised that they are under investigation for a criminal act (including road traffic offences)
  - 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 and convicted of any offence
  - given a police caution

Pembrokeshire County Council	Document Control No: 005
	Page 3 of 13
Code of Conduct	Revised Version Published September 2019

- In all cases, a failure to disclose relevant information or the deliberate withholding of such information can amount to a breach of trust and confidence and may lead to disciplinary action up to and including dismissal.
  - take prompt action if you witness, or are made aware of, any form of bullying or harassment. You should not assume it is someone else's problem or responsibility.
- 3.4 No code can set out the appropriate conduct or behaviour for every situation. Our Authority relies on you making a reasoned judgement as to what is right and proper in any given situation. If you are in any doubt about what to do, you must get advice from your line manager, HR team, or trade union representative.
- 3.5 We will treat breaking the code as misconduct and it may result in further action under the [Disciplinary Policy](#).

#### 4. Principles you must understand and follow

##### Our public service responsibilities

- 4.1 We are part of the wider public service in Wales and we have a responsibility to work in effective partnership with other parts of our own Authority and with the wider Welsh public service. Increasingly we are working jointly with others in formal partnerships such as joint committees, shared services, consortia arrangements and trade unions.
- 4.2 While joint working may present new and different procedural challenges, the principles relating to our conduct will stay the same. We should act with selflessness and not aim to gain politically, financially in our careers, and must act only in the public interest at all times. This will help us to deliver better services for the people of Wales.
- 4.3 When working with others we must respect our partner organisations and their priorities and viewpoints.
- 4.4 We should take part in our joint working arrangements with openness, integrity, and impartiality, recognising that the wider public good may sometimes need organisations and individuals within them to compromise.
- 4.5 You should make sure that you understand the relevant policies and procedures that apply to these partnership arrangements and the effect on your role and responsibilities. You should also ask for advice if there are any actual or possible conflicts of interest arising from the partnership arrangements.
- 4.6 When carrying out our roles, we also have responsibilities to make sure that our decisions and actions are free from bias, corruption, discrimination, and personal interest. Examples include, but are not limited to, giving advice to politicians (including elected members) approving planning applications, awarding contracts and appointing employees [LGA 1972 section/117](#). This means you must:
- declare all private interests which conflict, or could be seen to conflict, with your role, official duties and responsibilities; including those you may already hold when you start working for us;
  - refuse gifts or hospitality that are offered to you in your work role or, if this would embarrass the person giving them, declare these gifts and donate them to a good cause;
  - make sure that your personal or political opinions don't interfere with your work or our policies; Politically Restricted Posts
  - make sure you declare any other employment, volunteering activities or public appointments or role that may conflict with your current role before you take it up;

- make sure that you do not take part in any recruitment if you are in a close relationship with, or closely related to, a candidate for a role;
- declare any relationships or interests in another Authority which features in a procurement exercise; and
- declare any business interests (including being a director or holding shares) which you or members of your immediate family hold, which would improve your business interests as a result of your role.

**Appendix D Code of Conduct Declarations Forms** are provided for you to declare in writing to your manager, any interest or association with any council activity, which could cause a potential conflict of interest. The Forms should then be forwarded to HR.

- 4.7 You should be aware that it is a criminal offence under the Bribery Act 2010 to corruptly receive any gift, fee, reward, or advantage in your role as an officer of the Authority. It is also an offence to offer, promise, or give a bribe, as covered in the [Counter Fraud, Corruption & Bribery Policy Statement and Strategy 2018-21](#). This behaviour is an example of gross misconduct and, will be subject to the Discipline Policy, and may result in criminal proceedings.
- 4.8 You must keep to all our acceptable use policies when you use resources to carry out your role and official duties. This includes all ICT equipment (computers, laptops, email, phones (landlines and mobiles) as covered in the [IT Security, Internet, Email, Skype for Business and Telephony Policy](#)), social-media channels [Social Media Policy](#), vehicles and office equipment including printers and photocopiers.
- 4.9 You must ensure that you uphold good governance in decision making; Pembrokeshire County Council's [Local Code of Governance](#) has been developed in accordance with 'Delivering Good Governance in Local Government: Framework (CIPFA/Solace, 2016)' which places sustainable economic, societal and environmental outcomes as a key focus for governance processes and structures.
- 4.10 Certain job roles are politically restricted, for example, because of the role and the nature of the work needed to be carried out. We will tell you if this applies to your job role when you are made an offer of employment or change role. If it does apply to you, you must keep to any restrictions placed on your political activities and these restrictions will be included in your contract of employment.

**Committed to the needs of our customers, service users and Partners**

- 4.11 As we go about our work, we need to use the highest standards of customer care. This is just as important when we are saying 'no' as when we are saying 'yes'. Our customers, service users and partners have the right to expect politeness and promptness from us and to trust that when we say we will do something, we will do it, please refer to [Our Customer Charter](#).
- 4.12 This does not mean that we will always be able to do what everyone wants us to do. However, what it does mean is that we will treat others as we would expect to be treated ourselves, keeping them informed of what is happening and explaining the reasons for our actions. We will meet our planned targets wherever possible and will

Pembrokeshire County Council	Document Control No: 005
	Page 5 of 13
Code of Conduct	Revised Version Published September 2019

let our customers, service users and partners know as early as we can about any delay, giving a full explanation of the situation.

- 4.13 We will handle any complaints we receive in line with our [Complaints Policy](#) and, whether or not we uphold a complaint, we will make good customer care and service delivery our priority. There will be times we get things wrong and we will use these occasions to learn lessons to get things right in the future.
- 4.14 We will also treat all our customers and service users equally, no matter what their background, making reasonable adjustments where appropriate.
- 4.15 Our customers, service users, and partners have a right to be treated fairly and equally. You must not do anything that could be considered as discrimination against our customers, service users and partners, or that could be considered to be bullying or harassment, such as making offensive or derogatory comments relating to age, sex, race, religion or belief, sexual orientation, disability, marriage or civil partnership, pregnancy or maternity, gender reassignment or any other legally protected characteristic.
- 4.16 We are also committed to serving our customers and service users in the language of their choice as we aim to make it easier for people to use the Welsh language in their day-to-day lives.
- 4.17 To help us to continually improve the way that we do this, we need to ask for and accept feedback from our customers, service users and partners. We need to fully understand what they need from us, and how we can best work together. We will do this by:
  - learning any lessons identified from the complaints and compliments we receive;
  - treating our customers, service users and partners with respect, in line with our equality and diversity plan and all related legal requirements; and
  - offering services in Welsh and English, and alternative formats, so that they are more easily accessible to more people.

### **Responsible with information**

- 4.18 We all have a responsibility to handle and manage information appropriately and make sure it is only used for the purpose for which it is held. Please familiarise yourself with the [Data Protection Policy](#) on how you can make sure you are doing this. In summary:
  - Do not reveal any confidential information to anyone who is not authorised to receive it, or use it for personal gain.
  - Fully protect any personal information you use. This means not revealing your passwords to others, including passing on passwords so others can access information on your behalf.
  - Use appropriate security markings and classifications on all your work, for example, 'sensitive' and 'confidential'.
  - Respond to requests under the Freedom of Information Act, data protection legislation, GDPR and Environmental Information Regulations appropriately and accurately, please appraised yourself of these requirements in [Information Governance](#).
  - Store records securely in line with our [Retention Schedules](#). Day-to-day storage is also important and you must keep a clear desk, locking your computer and storing paperwork securely when away from your desk.
  - Acknowledge the copyright of others in all of your work. You can only use information if you have the right to do so.

- 4.19 Certain public authorities such as the Police, Wales Audit Office or Health and Safety Executive may want to gain information using their statutory powers, which they would normally quote when making the request. These Authorities will accept the need to produce written authority when asking for information.
- 4.20 All intellectual property rights (IPR) relating to any work completed during work time will belong to us. However, we will recognise the rights of authorship where joint IPR might apply, for example when publishing research papers.

**Duty of care for safeguarding, wellbeing, health and safety**

- 4.21 An essential part of our work is to protect the wellbeing and health and safety of the public, our partners and each other as we carry out our work and responsibilities.
- 4.22 We will do this in a way that appreciates our diversity and treats each other respectfully. To achieve this we will:
- look out for each other’s safety and wellbeing;
  - take all reasonable steps to protect our own and others’ health and safety and keep to all relevant health and safety legislation, regulations and guidance;
  - follow all wellbeing, health and safety procedures relating to our work and use only the equipment which we are authorised to use;
  - report any safeguarding concerns to make sure that children and adults at risk are protected from abuse. [Safeguarding Adults and Children in Pembrokeshire](#)
- 4.23 If you act on your concerns, we will give you appropriate advice and support during any investigation. Please appraise yourself of the [Whistleblowing Policy](#).

**Raising concerns**

- 4.24 We are all responsible for carrying out our roles and official duties in a legal and clear way, in line with the requirements of the code.
- 4.25 If we are aware of actions by others that may fall below these standards or, in more serious cases, break our legal responsibilities or risk the health and safety of others, we all have an extra responsibility under the code to take some action.
- 4.26 We take our responsibilities for public money very seriously. We have procedures in place, which anyone who has concerns about the legality or legitimacy of what they are being asked to do can use, to raise concerns. With this in mind you must:
- raise concerns about malpractice or impropriety within the Authority or our Partner organisations in a responsible and effective way, rather than overlooking a problem or assuming it is someone else’s responsibility to raise it; and
  - raise any concern if you believe you are being required or pressurised to act in a way that is illegal, unsafe, improper or otherwise inconsistent with this code.
- 4.27 You must raise these concerns and any others about malpractice or impropriety using our [Whistleblowing Policy](#) to bring the matter to the attention of the most appropriate senior or impartial person.

Pembrokeshire County Council	Document Control No: 005
	Page 7 of 13
Code of Conduct	Revised Version Published September 2019

4.28 If you act on your concerns, we will give you appropriate advice and support during any investigation.

### **Communication and using social media**

- 4.29 Effective communication with the public is part of delivering high-quality public services. If you receive any enquiries from the press, you should first refer them to your line manager or press and media team.
- 4.30 New digital technology, such as social media (for example, Facebook, WhatsApp and Twitter), helps us to communicate more effectively with people and other organisations and partners but it also carries with it responsibility. Communicating on social media is governed by the same scrutiny as more traditional forms of communication. As a result, we must be cautious and put in place the same levels of protection related to accuracy, impartiality and whether it is appropriate to share information with others as we do with other forms of communication, please refer to our [Social Media Policy](#).
- 4.31 This code applies equally to using social media at work or at home, in your official and personal life. Posting any content that is considered inappropriate, whether in an official or personal capacity, may result in disciplinary action, which could lead to dismissal.

### **Trusted with money**

- 4.32 The money we use to carry out our jobs is entrusted to us by local taxpayers, the Welsh Government, and other funders on their behalf. It is not just the job of our colleagues in the finance department or budget holders to make sure this money is used wisely to deliver value for money, and for the purposes intended.
- 4.33 We all have a responsibility to do this and are all trusted to make sure appropriate and proportionate spending takes place in relation to our activities.

This means you must:

- make sure public money is used properly and efficiently, avoiding waste and extravagance. Even if you are not a budget holder, you have a responsibility to make sure you provide value for money on behalf of taxpayers;
- represent financial information honestly and do not abuse your role and official position or reveal information to achieve personal gain, or to cause loss to another person or Authority; and
- claim expenses accurately in line with our [Expenses Policy](#).

## **5. Information and training**

- 5.1 We will tell all employees about this policy and will remind you at least once every year to reread this Code. We will ensure you are signposted to the Employee Handbook during your induction and that you sign that you have read and understood this Code in the [Corporate Induction Welcome Booklet](#).
- 5.2 We have developed this Code in partnership with the trade unions.

## **6. Review and monitoring**

This policy forms part of the Employee Handbook and will be reviewed with Trade Unions as and when required. We will tell you about any changes agreed and made to this policy.

## Appendix A:

### The seven principles of public life

Set out below are the seven general principles of conduct that underpin public life (the Nolan Principles [the-7-principles-of-public-life](#)). We need to take account of these and they are reflected within the requirements of this code of conduct document.

#### 1. Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

#### 2. Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

#### 3. Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

#### 4. Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

#### 5. Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

#### 6. Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

#### 7. Leadership

Holders of public office should promote and support these principles by leadership and example.

Pembrokeshire County Council	Document Control No: 005
	Page 9 of 13
Code of Conduct	Revised Version Published September 2019

## Appendix B: The Wellbeing of Future Generations Act (Wales) 2015

The Future Generations Act<sup>1</sup> sets out five ways of working needed for public organisations to achieve the seven wellbeing goals. They provide an opportunity for innovative thinking, reflecting the way we live our lives and what we expect of our public services:

Public service values – the beliefs we hold	Wellbeing delivery principles – how we will work
<p><b>Working for the long term:</b> To protect the ability of future generations to meet their own needs involves real long-term integration and collaboration which looks at the wellbeing of people and communities, economic prosperity and the health of the natural environment.</p>	<p><b>Long term:</b> The importance of balancing short-term needs with the need to protect our ability to meet long-term needs.</p>
<p><b>Always growing and improving:</b> We will be positive and at our best for the people of Wales and each other by choosing positive attitudes and behaviours, embracing learning and development and sharing ideas on ways to improve and deliver public services.</p>	<p><b>Prevention:</b> How acting to prevent problems happening or getting worse may help public organisations meet their aims.</p>
<p><b>Working together:</b> Where everyone is involved in delivering public services and they value others' contributions, share common principles and collaborate for the benefit of the people of Wales, within and across organisational boundaries and sectors.</p>	<p><b>Integration:</b> Considering how the public organisation's wellbeing aims may affect each of the wellbeing goals, or their other aims, or on the aims of other public organisations.</p>
<p><b>Treating everyone with respect:</b> Recognising, valuing and respecting the diversity of the people of Wales is central to seeing people as individuals and doing the right thing, at the right time and in the right place for each other.</p>	<p><b>Collaboration:</b> Acting in collaboration with any other person (or different parts of the organisation) that could help them meet their wellbeing aims.</p>
<p><b>Putting people first:</b> Our organisation needs to be focused on the needs of the people of Wales. This means we need to genuinely involve people in decision-making which affects them and their communities.</p>	<p><b>Involvement:</b> The importance of involving people with an interest in achieving the wellbeing goals, and making sure that those people reflect the diversity of the area which the organisation serves.</p>

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<sup>1</sup> [Future Generations Act](#)

## Appendix C: The Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001

Relevant authorities must keep to the Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001<sup>2</sup> and the principles are summarised below.

### 1. General principles

- The public is entitled to expect the highest standards of conduct from all employees.
- The role of employees is to serve their employing organisation in providing advice, putting in place its policies, and delivering services to the local community.
- In performing their duties, they must act with integrity, honesty, impartiality and objectivity.

### 2. Accountability

- Employees work for their employing organisation and serve the whole of that organisation.
- They answer to, and owe a duty to, that organisation.
- They must act in line with the principles set out in this code, recognising the duty of all public sector employees to carry out their public functions reasonably and according to the law.

### 3. Political neutrality

- You, whether or not politically restricted, must follow every lawful policy of the organisation and must not allow your own personal or political opinions to interfere with their work.
- If you are politically restricted (because of the post you hold, the nature of the work you do, or the salary you are paid), you must keep to any statutory restrictions on your political activities.

### 4. Relations with members, the public and other employees

- Mutual respect between employees and members is essential to good local government, and working relationships should be kept on a professional basis.
- You should deal with the public, members and other employees sympathetically, efficiently, and without bias.

### 5. Equality

You must keep to policies relating to equality issues, as agreed by the authority, as well as the requirements of the law.

### 6. Stewardship

<sup>2</sup> [www.legislation.gov.uk/wsi/2001/2280/made/data.pdf](http://www.legislation.gov.uk/wsi/2001/2280/made/data.pdf)

Pembrokeshire County Council	Document Control No: 005
	Page 11 of 13
Code of Conduct	Revised Version Published September 2019

You must make sure that you use public funds entrusted to you in a responsible and lawful way, and must not use property, vehicles or other facilities of the organisation for personal use unless authorised to do so.

## 7. **Personal interests**

You must not allow your private interests to conflict with your public duty. You must not misuse your official position or information you have gained in the course of your employment to further your private interests, or the interests of others. In particular, you must keep to any rules of your organisation on [LGA 1972/ s.117](#):

- registering and declaring financial and non-financial interests; and
- declaring hospitality or gifts offered to or received by you, from any person or organisation doing or wanting to do business, or otherwise benefiting or aiming to benefit from a relationship with the organisation. You must not accept benefits from someone else unless authorised to do so by your relevant organisation.

## 8. **Whistle-blowing**

If you become aware of activities, which you believe to be illegal, improper, unethical, or otherwise inconsistent with this code, you should report the matter, acting in line with your rights under the Public Interest Disclosure Act 1998, and with the relevant organisation's confidential reporting procedure, or any other procedure designed for this purpose.

## 9. **Treatment of information**

- Openness in passing on information and decision-making should be the norm in relevant authorities. However, certain information may be confidential or sensitive and so not appropriate for a wide audience.
- Where confidentiality is necessary to protect the privacy or other rights of people or organisations, information should not be released to anyone other than a member, relevant organisation employee, or other person who is entitled to receive it, or needs to have access to it so they can do their job.
- Nothing in this code can be taken as replacing existing statutory or common-law obligations to keep certain information confidential, or to reveal certain information.

## 10. **Appointing employees**

- If you are involved in recruiting and appointing employees, you must make sure that appointments are made on the basis of merit.
- To avoid any possible accusation of bias, you must not be involved in any appointment, or any other decisions relating to discipline, promotion or pay and conditions for any other employee, or prospective employee, you are related to, or with whom you have a close personal relationship outside work.

## **Investigations**

If a monitoring officer is carrying out an investigation in line with regulations made under section 73(1) of the Local Government Act 2000, you must keep to any requirement made by that officer in connection with the investigation.

**Appendix D: Code of Conduct Declarations in respect of potential conflict of interest & gifts / hospitality**

Pembrokeshire County Council	Document Control No: 005
	Page 13 of 13
Code of Conduct	Revised Version Published September 2019