



# CODE OF CONDUCT

<b>Title</b>	<b>Code of Conduct</b>
<b>Who should use this</b>	All Staff
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<b>Approved by Management Team</b>	
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## Index of Contents

<b>Item</b>	<b>Page(s)</b>
1. Introduction	3
2. Key Principles	3
3. Relationships 3.1 The Organisation 3.2 The Public and Customers 3.3 Councillors 3.4 Other Board Employees	4
4. Conflict of Interest 4.1 Contractors	5
5. Political Neutrality	6
6. Work Outside the Board	6
7. Appointments	6
8. Conduct and Behaviour 8.1 Terms and Conditions of Employment, Policies and Procedures 8.2 Standing Orders, Regulations, Policies, etc 8.3 Appearance 8.4 Criminal Convictions 8.5 Alcohol/ Drugs 8.6 Work Performance 8.7 Personal Views 8.8 Behaviour Outwith Work 8.9 Social Media	7
9. Fraud and Bribery Detection 9.1 Fraud 9.2 Bribery 9.3 Payroll	8
10. Gifts and Hospitality	9
11. Use of Board Equipment and Resources 11.1 Board Vehicles 11.2 ICT	10
12. Media Contact	10

<b><i>Item</i></b>	<b><i>Page(s)</i></b>
13. Contact with the Police	10
14. Reporting Concerns at Work	10
15. Confidential Information	11
16. Patents and Copyright	11
17. Your Rights as an Employee 17.1 Public Statements 17.2 Access to your Councillor	11
18. Conclusion	11

## 1. Introduction

Within these notes Ayrshire Valuation Joint Board is referred to as “The Board”.

This Code of Conduct applies to all Ayrshire Valuation Joint Board employees.

Its purpose is to provide clear and helpful advice and guidance in relation to acceptable standards of behaviour. Because of the differing nature of jobs across the Board, parts of the Code may be more applicable to some employees than to others, but all employees must comply with its terms. The Board may take disciplinary action against an employee, at any level or part of the organisation, who breaches the Code.

As far as possible, employees must also comply with the Code where they are appointed as a representative of Ayrshire Valuation Joint Board on any board, trust, company or other organisation or are seconded to work for another organisation.

## 2. Key Principles

The Code reflects the following key principles of standards in public life:

- **Integrity** – employees should always act with integrity and not place themselves under any financial or other obligation to any individual or organisation which might influence them in their work with the Board.
- **Objectivity** – any decisions which are made in the course of an employee’s work with the Board, including making appointments, awarding contracts or recommending individuals for services or benefits must be based solely on merit.
- **Honesty** – employees have a duty to declare any private interests which might affect their work with the Board. Employees must not act in such a way as to result in financial or other benefit to themselves, their family or friends.
- **Respect** – employees must respect Councillors, other employees and customers and service users, treating them with courtesy at all times.
- **Political Neutrality** – employees must serve the Board and all Councillors, regardless of their political outlook or personal views and must decline requests for assistance with issues that are clearly party political or which do not have a clear link with the work of the Board. Certain employees will, in addition, have more specific restrictions on their political activities if they hold Politically Restricted Posts.
- **Accountability** – employees are accountable to the Board as their employer; the Board is accountable to the public.
- **Openness** – as a general rule, employees should be as open as possible in all the decisions and actions that they take. Employees should give reasons for their decisions and should not restrict information unless this is clearly required by Board policy or law.
- **Leadership** – managers should promote and support these principles by leadership and example.
- **Confidentiality** - confidential information must be used only for the purpose it was obtained and must not be used or disclosed in a manner incompatible with that purpose. It must be kept securely and disposed of in a secure manner in line with data protection principles. Advice and guidance can be sought from the Data Protection Officer, Head of Valuation Services & Assistant ERO.

### **3. Relationships**

The above principles will apply to an employee's relationships with:

#### **3.1 *The Organisation***

Mutual trust and confidence are fundamental principles in any employment relationship. The employment relationship within the Board is no different and Board employees are required to demonstrate and promote these principles and to act in an impartial and honest manner in undertaking their work and in any dealings with the public, customers, Councillors and fellow employees.

#### **3.2 *The Public and Customers***

Employees are required to ensure courteous, professional and impartial service delivery to all groups and individuals within our communities. Each member of the public should be dealt with fairly, equitably and consistently, in accordance with the Board's Equality at Work Policy.

The Board is committed to dealing with customers and service users in a courteous, professional and impartial manner at all times. However, it is also committed to safeguarding the wellbeing and safety of employees and to ensuring they are treated with respect and without threat or danger of violence or aggressive behaviour while carrying out their work. Accordingly, the Board will take action against anyone who behaves in an aggressive or inappropriate manner towards employees, as outlined in the Board's Violence and Aggression at Work Policy.

The Board strives to provide consistent and accessible customer service excellence in the delivery of all services. However, we also recognise that sometimes things can go wrong with the result that the best possible standard of service is not provided. To ensure we are aware of such situations; take remedial action and continually improve, we have established a Complaints Handling Procedure which employees are required to comply with.

#### **3.3 *Councillors***

Both Councillors and employees are public servants but have distinct responsibilities:

- Councillors are elected to office to serve the Ayrshire communities and they are accountable to those communities for oversight and delivery of Board services. When they accept office, Councillors are required to comply with a statutory 'Councillors' Code of Conduct' which provides guidance to Councillors on a number of issues, including their relationship with Board employees.
- Councillors are responsible to the electorate and serve only as long as their term of office lasts. The Board, as a collective body, has ultimate authority to make decisions on behalf of the organisation.
- Employees are responsible to the Board through senior managers; providing advice and carrying out the Board's work. Employees must afford individual Councillors the respect which is due to them as the holders of a democratic mandate.
- Mutual respect between employees and Councillors is essential, but close personal familiarity between employees and individual Councillors can damage the relationship and should, therefore, be avoided.

- Employees must comply with the Protocol for Relations between Councillors and Employees and Amongst Councillors in Multi-Member Wards

### 3.4 **Other Board Employees**

The Board recognises that all employees have the right to be treated with dignity and respect and is committed to providing a working environment which is free from discrimination, harassment, bullying and victimisation. In this respect, every employee has a responsibility to behave with respect towards others, to promote co-operation and harmony and to challenge any form of behaviour that could be considered offensive. The Board's Equality at Work Policy outlines the procedure to be adopted in this respect.

## 4. **Conflict Of Interest**

Employees have an obligation to act in the best interests of the Board and to avoid situations where there may be a potential conflict of interest between the employee's employment relationship responsibilities and his/ her life outwith that employment.

Employees must not:

- (a) use their position to further their own interests or the interests of others who do not have a right to benefit under the Board's policies; or
- (b) allow any private interest to influence decisions in the course of employment.

Any private interest employees have relating to the work of the Board must be declared to their line manager. This could be a financial interest, or one which a member of the public might reasonably think could influence an employee's judgement. It could also be a financial interest that close family members, or people living in the employee's household, might have in the work of the Board. For example, an employee who is involved in procuring services and whose partner works for an organisation that may bid for work or that has a contract with the Board.

Employees whose membership of an organisation might result in a conflict of interest, or could reasonably be perceived by a member of the public as creating a possible conflict of interest in relation to their Board employment, must declare this membership to their line manager.

It is the personal responsibility of every employee to formally declare, and take steps to avoid, any conflict of interest or potential conflict of interest. If an employee is in any doubt as to what may constitute a conflict, they should discuss the matter with their line manager.

### 4.1 **Contracts**

Employees must comply with the Board's Standing Orders Relating to Contracts, the Board's Financial Regulations and other appropriate local procedures.

In entering into contracts for, or on behalf of, the Board, employees are obliged to seek best value for the Board and be able to demonstrate openness, fairness and non-discrimination in the process of awarding contracts.

Employees who have a potential conflict of interest, or a direct or indirect financial interest, in any tender or contract cannot be involved in any aspect of the process and must make their line manager aware of that interest immediately they become aware of the tender or contract.

Through the Board's Service Level Agreement with South Ayrshire Council, procurement etc will be administered by Procurement Services on behalf of the

Board. This process will be governed by all SAC Procedural documents appropriate to such a process.

## **5. Political Neutrality**

The public expects employees to carry out their duties in a politically neutral way and this must be respected by Councillors. This principle is emphasised in the Protocol for Relations between Councillors and Employees in Scottish Councils (Annex C of the Standards Commission for Scotland Guidance on the Councillors' Code of Conduct), which applies to all employees.

The political activities of a small number of employees are restricted by law and those concerned will have been notified in writing of the restrictions that apply to their posts, and the conditions associated with these restrictions form part of their terms and conditions of employment. Any employee who is unsure if their post is politically restricted, or of the restrictions that apply, should contact the Boards Personnel Representatives for clarification.

The Assessor and senior managers have ultimate responsibility in ensuring that the policies of the Board are implemented irrespective of personal views or political opinion.

If an employee is asked by a Councillor to provide assistance with a matter which is clearly party political or which does not have a clear link with the work of the Board, the employee should politely refuse and inform the Councillor that the matter will be referred to a senior manager.

## **6. Work Outside the Board**

With the exception of Chief Officers, where separate arrangements apply requiring them to obtain the express consent of Ayrshire Valuation Joint Board if they wish to undertake paid work out with the Board, there is no restriction on employees undertaking other work of a paid or unpaid nature out with normal working hours, providing the additional work:

- Does not interfere with or impair the employee's ability for the efficient execution of duties within the Board's service;
- Is not carried out during the employee's normal working hours with the Board;
- Does not involve the employee using Board vehicles, plant, premises, equipment, materials or any other Board resources (either on or off Board premises);
- Is not undertaken while the employee is in a Board uniform or where the employee can be identified clearly as being an employee of the Board;
- Does not involve the employee, on behalf of a person or organisation, in return for payment or fee, preparing an application, drawing, report or other documentation which will be submitted to the Board for the purpose of obtaining any licence, consent, warrant, or other form of statutory permission on behalf of that client.

## **7. Appointments**

The Board has a Recruitment and Selection Policy, which, among other things, requires all appointments to be made on the basis of merit, and sets out the procedures and principles to which employees involved in recruitment and selection must adhere.

If an employee, involved in a selection process, has any kind of relationship which might affect their ability to be impartial, that relationship must be declared to the Chair of the Interview Panel, or, if the employee is the Chair of the Interview Panel, to his or her line manager.

Employees must not lobby a Councillor or Board employee either directly or indirectly to promote or secure appointment or the appointment of another person. Any employee who has been lobbied in relation to an appointment must report the matter to his or her line manager.

## **8. Conduct and Behaviour**

### **8.1 *Terms and Conditions of Employment, Policies and Procedures***

Employees are required to comply with all employment terms and conditions, policies and procedures (including this Code of Conduct), some of which are referred to in this document and failure to comply with these may be considered under the Board's Disciplinary Policy and may result in disciplinary action up to and including dismissal.

### **8.2 *Standing Orders, Regulations, Policies, etc***

Employees are required to be aware of and comply with the Board's Standing Orders Relating to Contracts, Scheme of Delegation and Financial Regulations, and to adhere to and implement other Board policies and decisions of Board and Panels, irrespective of their personal views. Failure to comply or implement these may be considered under the Board's Disciplinary Policy and may result in disciplinary action up to and including dismissal.

### **8.3 *Appearance***

Employees are required to be neat and tidy in appearance and wear clothes that are appropriate for their working environment. Where required, uniforms and personal protective equipment must be worn, used appropriately and maintained in a clean and tidy condition.

However, employees are legally entitled to request an alternative dress code, including religious or cultural clothing. Further information is available in the Board's Equality at Work Policy.

The Board reserves the right to prevent employees from wearing clothing or accessories that can reasonably be considered to be offensive to customers or other employees or compromises health and safety requirements. In such circumstances the provisions of the Equality Act 2010 will determine whether or not the particular item of clothing or jewellery can be worn.

### **8.4 *Criminal Convictions***

Employees must inform their line manager as soon as possible if they incur a criminal conviction or are charged with any criminal activity. This includes any road traffic convictions; where there is any doubt as to whether a conviction is a criminal one, employees should seek clarification from their line manager. Employees must also notify their line manager if they are involved in any activity which might have a potential bearing on their employment or which might bring the Board into disrepute. Managers must make the Assessor aware of any such situations.

### **8.5 *Alcohol/ Drugs***

Employees must not consume or be under the influence of alcohol or drugs while at work and must comply with the Board's Zero Tolerance to Alcohol and Drugs standards outlined in the Supporting Employees in Managing Addiction Policy.

## 8.6 **Work Performance**

Employees are expected to attend work in accordance with their contract of employment. If they are unable to attend work due to ill health then they must comply with the requirements of the Framework for Maximising Attendance at Work.

Employees are expected to display an acceptable level of competence within their role and Managers have a responsibility to manage employee performance. Both Managers and employees have a responsibility to conduct and take part in the Performance and Development Review process.

## 8.7 **Personal Views**

In a work capacity, or when using their Board job title or email address, employees must not criticise the Board either through the media, at a public meeting, or in any written communication with members of the public including social media.

## 8.8 **Behaviour Outwith Work**

Employees should not engage in conduct which may discredit the Board. This includes conduct outwith working hours, including social events.

## 8.9 **Social Media**

The Board respects the legal rights of its employees. However, incautious social media use brings with it the risk that employees may breach Board policy, which in turn may constitute misconduct or gross misconduct resulting in disciplinary action up to and including dismissal, even if the breach occurs in the employee's own time.

As a general rule, employees should be aware that if they wouldn't (and shouldn't) say something personally to another individual or publicly about the Board, then it should not be posted on Social Networking Media.

## 9. **Fraud and Bribery Detection**

### 9.1 **Fraud**

Fraud is the use of deception with the intention of obtaining personal gain, avoiding an obligation or causing loss to another party. Fraud can be used to describe a wide variety of dishonest behaviour such as forgery, false representation and the concealment of material facts. In relation to Housing or Council Tax Benefit, knowingly obtaining benefit to which there is no, or lesser, entitlement, either personally or for a third party, is regarded as fraud. The fraudulent use of IT resources is included in this definition, where its use is a material factor in carrying out a fraud.

The Board will use, and disclose as necessary, information it holds, including payroll information, for the prevention and detection of fraud and for the recovery of debt. Additionally, and in terms of its duty to protect the public funds it administers and to assist in protecting the funds administered by other public bodies, the Board subscribes to the National Fraud Initiative (NFI) in Scotland. The NFI is a counter-fraud exercise led by Audit Scotland which uses computerised techniques to compare information about individuals held by different public bodies, such as the Department of Work and Pensions, to identify circumstances (matches) that might suggest the existence of fraud or error. The NFI allows public bodies to investigate these matches and, if fraud or error has taken place, to stop payments and attempt to recover the amounts involved. Further information on the National Fraud Initiative can be found at: [www.south-ayrshire.gov.uk/Council-and-government/fraud-initiative](http://www.south-ayrshire.gov.uk/Council-and-government/fraud-initiative).

The Board expects employees to lead by example in ensuring opposition to fraud. Fraud on the part of an employee is considered an act of gross misconduct, therefore an employee who is guilty of obtaining, or attempting to obtain, personal financial benefit or financial benefit for a third party, through fraudulent means will have that matter dealt with under the Board's disciplinary procedures. The matter may also be referred to the Police.

Where the fraudulent activity has resulted in a financial loss to the Board, the Board will pursue the employee for recovery.

## 9.2 **Bribery**

A bribe is a financial or other type of advantage that is offered or requested with the intention of inducing or rewarding improper performance of a function or activity. It can take many different forms and could be the offering, promise or authorisation of anything of value, or a reward or the giving of aid, donations or voting designed to exert improper influence. Bribes may not always be monetary and may include gifts or hospitality.

Receiving or making bribes is a criminal offence (that carries prison terms of up to 10 years and unlimited fines). Employees must not:

- Accept, agree to accept or request a reward, including gifts, loans, fees, or other financial or non financial advantage, in return for incorrectly performing a function or action.
- Offer, promise or give someone a reward to persuade them to incorrectly perform functions or activities, including such offers made through a third party.
- Bribe a foreign public official in order to win business, retain business or gain business advantage for the Board.

## 9.3 **Payroll**

The Board considers false claims for payroll purposes to be acts of fraud and will treat them as such. Employees must ensure that any claim for payment is accurate – for example, overtime claims must relate only to time that has actually been worked and claims for travelling expenses must be accurate and relate only to journeys necessarily undertaken for business purposes. All employees must comply with the Board's Travel and Subsistence Policy.

Managers must also ensure that time-sheets, travel reimbursement claims, etc, are accurate before authorising them.

## 10. **Gifts and Hospitality**

Employees should **not** accept any personal gift and/ or hospitality offered to them or any member of their family in the course of their employment, unless they can fully justify doing so, and are satisfied that they will not be subject to legitimate criticism.

In particular, gifts and/ or hospitality must not be knowingly accepted during the tendering period of a contract and employees should always be aware of the possibility that the contractor/consultant who offers gifts and/ or hospitality may be tendering for similar or related contract elsewhere.

A register recording the receipt of gifts and hospitality is maintained by the Assessor. Employees must record all offers of gifts and/ or hospitality, whether accepted, declined or used for charitable purpose, in the appropriate register, within 7 days of the offer.

The only exception to the above relates to items of token value, such as inexpensive pens, calendars, flowers or other small tokens of gratitude.

If an employee is in any doubt, he/ she should seek the advice of their line manager.

## **11. Use of Board Equipment and Resources**

The Board is required by law to achieve value for money by ensuring that it has arrangements for securing economy, efficiency and effectiveness in the delivery of services. Employees must adhere to this principle when they use Board equipment, materials and resources.

Employees must not use Board equipment, materials and resources without authorisation or for a purpose not connected with their employment.

### **11.1 ICT**

Employees must comply with the terms of the Board's ICT Acceptable Use Policy governing the personal use of communications systems and provides guidance on: the use of the internet, email and telephones; explains what employees can and can't do; provides information on all the monitoring systems in place; and provides basic housekeeping guidelines and recommendations, and outlines the requirement to encrypt equipment and files.

## **12. Media Contact**

In an employee's work with the Board, contact with the media must only take place where this has been authorised by the Assessor or other designated Senior Officer. Employees who become aware of an issue that potentially will be of media interest must notify their line manager who in turn must alert the Assessor, even if out-of-hours, in accordance with the Board's Media Relations Protocol.

Guidance in relation to contact with the media is available in the Board's Media Relations Protocol and must be followed in all cases.

## **13. Contact With Police**

Employees who, in the course of their work, are contacted by the police as part of a police investigation must notify their line manager before making any comment or providing any information. If for any reason it is not possible to contact the line manager before speaking to the police, the employee should do so as soon as possible thereafter.

## **14. Reporting Concerns at Work**

Employees who become aware of what they reasonably believe to be a serious wrongdoing in the Board, or who receive information regarding malpractice must comply with the Board's Procedure for Reporting Concerns at Work.

The Board will ensure that any employee making a report is safeguarded against any detriment in the course of their employment. The Board will also take all complaints seriously; treat all parties involved fairly; exercise confidentiality wherever possible; and treat victimisation of the reporting officer(s) as a disciplinary offence.

If an employee deliberately submits a report that they know to be untrue or unfounded, he/ she will be subject to the rules of the Board's Disciplinary Policy.

## **15. Confidentiality, Information Security and Records Management**

Whilst in general information about the Board and its decisions will be made available to the public, there are exceptions to the principle of openness where there are confidentiality issues involved.

Employees must respect confidentiality and ensure that they do not divulge any information gained through the course of their work or use it to gain personal advantage or the advantage of a third party. Unless required by law, information must not be disclosed by Board employees if disclosure would compromise rights of personal or commercial confidentiality.

Employees must ensure that all files and documents in their possession are kept in a safe and secure manner and that they adhere to the requirements of the Board's Data Protection Guidance Note.

Employees in any doubt about any issues relating to confidentiality, information security or records management should seek advice from their line manager.

## **16. Patents and Copyright**

Employees must advise their line manager of any invention which is developed or discovered by them in the course of their employment with the Board. In accordance with the provisions of the Patents Act 1977 such inventions belong to the Board and it is therefore the Board's responsibility to decide whether to apply for a patent or other protection in law for any such invention.

In accordance with the Copyright, Designs and Patents Act 1988 and the Registered Designs Act 1949, the copyright, design rights and registered design rights in all written documents and records, software, works of art, designs, industrial and handicraft products and other materials relating to the Board and Board business which are authored, designed or created by employees in the course of their employment belong to the Board as first owner. As the designs of certain industrial and handicraft products are capable of being registered under the Registered Designs Act 1949, employees who create such designs must advise their line manager so that the Board can decide whether to apply for such registration.

## **17. Your Rights as an Employee**

### **17.1 *Public Statements***

As citizens, employees are entitled to express their views about the Board, provided they do not make use of or disclose information gained through their employment with the Board to do so. However, as an employee of the Board employees should not criticise the Board, either through the media, or at a public meeting, or in any written communication with members of the public.

### **17.2 *Access to your Councillor***

As citizens, employees are entitled to raise concerns or complaints about Board services with Elected Members. However, this should not include any concern or complaint about their employment, which should be raised or pursued through the appropriate Board employment policy.

## **18. Conclusion**

Employees should refer any queries or concerns relating to this Code of Conduct to their line manager.