

FALMOUTH & TRURO PORT HEALTH AUTHORITY



OFFICER'S AND MEMBER'S CODE OF CONDUCT

REVIEWED MARCH 2008

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STANDARDS

Local Government employees are expected to give the highest possible standard of service to the public and where it is part of their duties, to provide appropriate advice to councillors and fellow employees with impartiality. Employees will be expected through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service. Employees must report to the appropriate Chief Officer any impropriety or breach of procedure.

DISCLOSURE OF INFORMATION

It is generally accepted that open government is best. The law requires that certain types of information must be available to Members, auditors, government departments, service users and the public.

Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it onto others who might use it in such a way. Any particular information received by an employee from a Councillor which is personal to that Councillor and does not belong to that authority should not be divulged by the employees without the prior approval of that Councillor, except where such disclosure is required or sanctioned by the law.

It is the Authority's adopted policy that confidential information should not be disclosed to unauthorised sources. Confidential information is not exhaustively defined but it does not include personal details regarding an employee's private affairs unless the consent of the person had first been obtained provide the person requesting the information has the authority to require and receive it and information relating to competition namely;

- Contract strategy leading to an invitation of competitive bids,
- Pricing structure of in-house services for example methods of charging for services, internal practice accounts, hourly rates etc,
- Price of any in-house tender bid,
- Business plans/confidential element of,
- Other commercially sensitive information and documentation whether stored on a computer or otherwise, i.e. that which may be of value to a potential competitor and to which he or she would not be entitled in preparing a bid.
- Political neutrality.

Employees serve the Authority as a whole It follows they must serve all Councillors and not just those of the controlling group and must ensure that the individual rights of all Councillors are respected.

An officer should not be called upon to advise any political and/or other group of the Authority, either as to the work of the group or as to the work of the Authority.

Employees whether or not politically restricted, must follow every lawful expressed policy of the Authority and must not allow their own personal or political opinions to interfere with their work.

RELATIONSHIPS

Councillors

Employees are responsible to the Authority through its Senior Managers. For some, their role is to give advice to Councillors and Senior Managers and all are there to carry out the Authority's work. Mutual respect between employees and Councillors is essential to local government. Close personal familiarity between employees and individual Councillors can damage the relationship and prove embarrassing to other employees and Councillors and should be avoided. The canvassing of Members of the Authority by employees in connection with any appointment is prohibited and any such canvassing shall disqualify the candidate. Further, any relationship between a Member and a candidate for an appointment with the Authority must be disclosed at the time of application.

The Local Community & Service Users

Employees should also remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the Authority.

Contractors

All relationships of a business or private nature with external contractors, should be made known to the Chief Port Health & Executive Officer. Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

Appointment and other employment matters

Employees involved in appointments should ensure that these are made on the basis of merit. It would be unlawful for an employee to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with him or her.

Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner, etc.

Outside Commitments

Some employees have conditions of service which require them to obtain written consent to take any outside employment. All employees should be clear about their contractual obligations and should not take outside employment which conflicts with the Authority's interests.

Personal Interest

Employees must declare to the Chief Port Health & Executive Officer any non-financial interests that they consider could bring about conflict with the Authority's interest.

Equality Issues

Employees should comply with and operate within the Authority's policy on equal opportunities and related procedures and practices. Employees should not discriminate against other employees of the Authority, clients or members of the public on the grounds of sex, race, creed, nationality, ethnic origin, disability or marital status. Employees should not carry out any form of victimisation or harassment including that of a sexual nature in respect of other employees of the Authority or of members of the public.

Malpractice

Reporting

The general public are encouraged to report any concerns or suspicions which they may have relating to fraudulent behaviour or corruption. They may ring at any time the Chief Port Health & Executive Officer or the Responsible Financial Officer. Elected Members may also report directly through the Chief Port Health & Executive Officer or the Responsible Financial Officer.

Employees play an important part in the Authorities stance on dishonesty. They have a duty to protect public assets and a responsibility to report any concerns which they may have. They can do this without fear of recrimination and in the knowledge that such concerns will be treated in complete confidence and properly investigated.

Corruption

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

Use of Financial Resources

Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the Authority.

Employees should, in dealing with any financial matters, comply with the Authorities financial procedure rules.

Employees shall be accountable for all monies, property and related documentation committed to their charge in accordance with the local Government Act 1972. Further all employees shall pay all monies due from them to the proper officer of the Local Authority or as otherwise directed.

Hospitality & Gifts

Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the Local Authority in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the Authority should be seen to be represented.

Employees should ensure that their actions in no way undermine the confidence of Members, other employees and the public. This is very important in respect of offers of

hospitality from contractors/consultants, voluntary or pressure groups, either current or prospective, who carry out work on behalf of the Authority or are seeking Authority approval in certain areas.

When hospitality has to be declined those making the offer should be courteous but firmly informed of the procedures and standards operating within the Authority.

Sponsorship – Giving and Receiving

Where an outside organisation wishes to sponsor or is seeking to sponsor a Local Government activity, whether by invitation, tender, negotiation or voluntary, the basic conventions concerning acceptance or gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

Communications with the Press and Media

Members of staff are reminded of the Authorities policy in relations to staff communicating with the press and media, which is as follows:

The Chief Port Health & Executive Officer is authorised to communicate with the press and media upon fact and policy concerning matters of a wider strategy nature or affecting the organisation corporately or generally and his/her absence the Deputy Port Health Officer is so authorised.

There is therefore no authority for any other member of the staff to communicate with the press and media unless special permission is granted by the Chief Port Health & Executive Officer.

Application of the Code of Conduct

This code applies to all employees of the Authority and it should be noted that failure to abide by these guidelines and policies could result in disciplinary proceedings.