

HUMAN RESOURCES POLICIES AND PROCEDURES

CODE OF CONDUCT

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Name of policy author	Pam Robertson
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HUMAN RESOURCES POLICIES AND PROCEDURES

Title: Code of Conduct	Reference Number:
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1. Operational Summary

1.1. Policy Aim

The purpose of this policy is to ensure that all colleagues of Advance Northumberland maintain the highest standards of conduct.

1.2 Policy Summary

All colleagues must be clear about the standards of conduct which are expected of them whilst employed by Advance Northumberland. The policy provides a guide to all colleagues on what Advance Northumberland considers appropriate in relation to conduct. The policy also embraces the seven principles of public life which were drawn up by the Nolan Committee and endorsed by Parliament.

The principles of public life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, and in the health, education, social and care services.

As an arms-length organisation, owned by Northumberland County Council, these principles apply to Advance Northumberland colleagues.

All public office-holders are both servants of the public and stewards of public resources.

You are expected to consider carefully where and how to apply them in your daily duties. Please refer to the Code of Conduct which gives more information.

The Seven Principles are:

Selflessness - Acting solely in terms of the public interest.

Integrity - Avoiding placing yourself under any obligation to people or organisations that might try inappropriately to influence you in your work. You should not act or take decisions in order to gain financial or other material benefits for yourself, your family, or your friends. You must declare and resolve any interests and relationships as detailed in the Code of Conduct.

Objectivity - Act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability - Be accountable to the public for your decisions and actions and submit yourself to the scrutiny necessary to ensure this.

Openness - Act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty - Act with honesty and be truthful.

Leadership - Exhibit these principles in your own behaviour. Actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

These principles apply to all aspects of public life. Advance Northumberland has set them out here for the benefit of all who serve the public in any way.

1.3 What it means for our colleagues

Managers / Supervisors – are responsible for ensuring adequate dissemination and implementation of the policy.

All colleagues – are responsible for reading and adhering to the policy.

2. Scope

2.1 This Code applies to all colleagues of the Company and others working within it regardless of the basis of the employment including:-

- secondments (both to and from the Company),
- temporary assignments (both to and from the Company), Apprentices, Work Placements and Trainees,
- full-time, part-time, casual, seasonal colleagues and volunteers
- colleagues acting as members of companies or voluntary organisations,

2.2 Executive Directors, should this policy be applied, would be referred to the Chief Operating officer

2.3 Chief Operating Officer, should this policy be applied, would be referred to the Chairman of the Board

2.4 The Code also extends to additional or dual employment that has been secured as a result of working for Advance Northumberland.

2.5 Inevitably some of the issues covered by the Code will affect senior, managerial and professional colleagues more than it will others - but the basic principles apply to everyone.

3. Standards

3.1 General Principles

As an arms-length organisation, owned by Northumberland County Council, the public is entitled to expect the highest standards of conduct from all colleagues. The role of our colleagues is to serve the Company in providing advice, implementing its policies, and delivering services to the local community. In performing their duties, they must act with integrity, honesty, impartiality and objectivity.

3.2 Accountability

All colleagues are accountable to and owe a duty to the company. They must act in accordance with the principles set out in this Code, recognising the duty of all colleagues to discharge their role reasonably and according to the law.

3.3 Political Neutrality

All colleagues must follow every lawfully expressed policy of the company and must not allow their own personal or political opinions to interfere with their work.

3.4 Mutual Respect

Mutual respect between colleagues and customers is essential to a successful organisation and working relationships should be kept on a professional basis.

All colleagues should deal with other colleagues, customers and business contacts in an efficient and sympathetic way and without bias.

3.5 Dignity at Work

All colleagues must comply with policies relating to equality and diversity issues, as agreed by the Company, in addition to the requirements of the law.

3.6 Stewardship

All colleagues must ensure that they use company funds entrusted to them in a responsible and lawful manner, and must not utilise property, vehicles or other facilities of the company for personal use unless expressly authorised to do so.

3.7 Personal Interests

Whilst colleagues' private lives are their own concern, they must not allow their private interests to conflict with their employment. They must not misuse their position or information acquired in the course of their employment to further their private interests, or the interests of others. In particular, they must comply with:

- (1) the Company's rules on the registration and declaration of financial and non - financial interests,
- (2) the Company's policy on the declaration of hospitality or gifts offered to or received by colleagues, from any person or organisation doing or seeking to do business, or otherwise benefiting or seeking to benefit from a relationship with the company. Colleagues must not accept benefits from a third party unless authorised to do so by the Chief Operating Officer.

3.8 Whistleblowing

In the event that a colleague becomes aware of activities which they believe to be illegal, improper, unethical or otherwise inconsistent with this Code, they should report the matter. This should be done in accordance with the colleague's rights under the Public Interest Disclosure Act 1998, and with the Company's confidential reporting procedure, or any other procedure designed for this purpose as outlined within the Company's Whistleblowing Policy.

The Company also has an independent confidential service where colleagues can raise concerns. The hotline does not replace the internal reporting procedures but is used alongside them to provide an alternative for any colleague who, for a number of reasons, may not wish to use the internal options. All reports made will be strictly confidential and callers can remain anonymous if they wish to do so.

Reports can be made by calling Safecall free of charge, 24 hours a day, by telephone on 0800 9151571 or on the website – www.safecall.co.uk/report

3.9 Treatment of Information

Openness in the dissemination of information and decision making should be the norm in the Company. However, certain information may be confidential or sensitive and therefore not appropriate for a wide

audience. Where confidentiality is necessary to protect the privacy or other rights of individuals or bodies, information should not be released to anyone other than a board member, employee or other person who is entitled to receive it or who needs to have access to it for the proper discharge of their functions. Nothing in this Code can be taken as overriding existing statutory or common law obligations to keep certain information confidential, or to divulge certain information.

3.10 Appointment of Staff

All colleagues involved in the recruitment and appointment of team members must ensure that appointments are made on the basis of merit. In order to avoid any possible accusation of bias, such colleagues must not be involved in any appointment, or any other decisions relating to discipline, promotion or pay and conditions for any other colleague, or prospective colleague, to whom they are related, or with whom they have a close personal relationship outside work. Colleagues should notify their line manager if they are aware of an application from such an individual at the earliest opportunity so as to avoid embarrassment.

4 Guidance on Standards

4.1 Loyalty

It is a fundamental implied term of Advance Northumberland contracts of employment that colleagues are loyal to the Company.

Generally speaking, colleagues must not actively criticise or challenge the policies or decisions of the Company or its managers in public. However, it is perfectly legitimate for you to use the methods of protest and persuasion that any citizen can use such as letters of complaint, approaches to your local councillor, attendance at protest meetings or writing to the press. What you must not do is to use "inside information" which is not available to the public at large or to capitalise on your position in the Company if you make statements intended to be published to the public at large. Neither must you deliberately set out to publicly embarrass or undermine your managers, your Directorate or the Company.

4.2 Personal Behaviour

At all times, colleagues are ambassadors for the Company and their behaviour should reflect that. Any behaviour that could be seen to bring the Company into disrepute could lead to disciplinary action being taken.

The consumption of alcohol or non-prescription drugs during the working day (including lunch breaks) or before commencing work is strictly prohibited as even small quantities have an adverse effect on work performance and the reputation of the Company. If anyone is suspected of being incapable of properly performing their official duties by reason of alcohol or drugs, they will be required to undergo Drugs and Alcohol testing and will be suspended from work, pending the outcome of those tests. If the test proves positive, this could lead to disciplinary action, including dismissal, being taken. The Company has a drug and alcohol policy that has a just cause testing regime and offers support for those colleagues who seek help with issues relating to drugs and alcohol use.

All colleagues must observe the statutory smoking ban and adhere with the Company's Smoke free Workplace Policy. The policy states clearly where smoking is banned and those who breach the rules may be liable to disciplinary action. All colleagues are expected to report incidents where the policy is being breached.

The Company accepts that social networking and use of the internet for other ways of recording personal thoughts is commonplace, but colleagues have a duty to represent the company at all times. This means that colleagues should not post photos, videos or comments online that could bring the Company into

disrepute, either through referring to the Company, Northumberland County Council or its clients directly, or by making comments that could be deemed to harm the public's image of the people that we employ. Further information regarding the expected behaviour of colleagues when using the social media is available in the Social Networking Guidelines and Policy.

4.3 Personal Appearance

In appearance as well as behaviour, colleagues should regard themselves as an ambassador for the Company and dress in clothing that is appropriate for their duties. We have Dress for your Day guidance, which is available on the intranet.

Any colleague required to wear specific items of clothing, hairstyles or jewellery in accordance with their ethnic background or faith, will have this accommodated, providing this does not pose a hazard to the health and safety of any person or contravene any legitimate or reasonable requirement of the Company.

Further guidance on what the Company deems acceptable regarding employee's appearance is available in the Acceptable Standards of Appearance at Work Policy.

4.4 Equality Issues

The Company is committed to tackling discrimination in how it treats its colleagues and how it delivers services, and also to actively promoting and championing equality in the community. All colleagues are entitled to expect fair and reasonable treatment by their colleagues, managers and Board members. If any colleague feels that they have been unfairly treated, discriminated against or harassed, they are entitled to make use of the Company's Grievance Procedure.

All of our team members are also entitled to be treated with respect by clients, customers and members of the public, and be supported with this by the Company. In the same way, we expect our team members to treat their colleagues and members of the public fairly and with respect. Not only is it a criminal offence to harass another person on any ground, it is also a disciplinary offence within Advance Northumberland. It is responsibility of each colleague to read and abide by our Dignity at Work Policy, undertake the mandatory training and to be familiar with their legal duties under the Equality Act 2010.

4.5 Health and Safety Issues

In line with legal and contractual obligations, all colleagues are required to cooperate and ensure compliance with Corporate and Group Health & Safety Policies and objectives. This includes adherence to all identified safe working procedures and risk assessments. All colleagues are actively encouraged to familiarise themselves with Health and Safety documentation, especially risk assessments, attend any training identified as part of their role and raise any health and safety concerns with, in the first instance, their line manager.

Colleagues who use their own vehicle on Company business are responsible for ensuring that they are properly licensed to drive and that the vehicle in question is properly maintained, taxed, insured and has a current MOT certificate (where appropriate). The insurance policy must cover drivers for the use of the vehicle in connection with their employment (business use). On a regular basis drivers will have to produce satisfactory evidence that they and any vehicle used complies with prevailing statutory requirements in relation to driving and vehicle licensing, taxation and certification. If an individual or the vehicle are unable to meet the statutory requirements then colleagues must notify their line manager immediately and must not use the vehicle on Company business. Failure to comply with these provisions is a disciplinary matter.

4.6 Outside Commitments

An individual's off-duty hours are their own personal concern, however, colleagues should not put themselves in a position where their duty and their private interests conflict. As a general rule, the Company will not attempt to preclude individuals from undertaking additional employment, but any such employment must not, in the view of the Company, conflict with or react detrimentally to the Company's interests, or in any way weaken public confidence in the conduct of the Company's business.

No secondary employment will be allowed if it results in a breach of the Working Time Regulations. If you are in any doubt about this you should seek advice from your Head of Department/Director or the HR Team.

You are required to devote your whole-time service to the work of the Company and not engage in any other business or take up any other additional appointment (paid or unpaid) without the express consent of the Company. Colleagues should check with their manager to ensure that any other employment they propose to undertake does not conflict with their employment with the Company and/or with the provisions of the Working Time Regulations which are explained in the Company's Working Time Policy. This provision applies to part-time and full-time employees.

If individuals engage in any paid or unpaid secondary employment or business, they must not use or mention their employment with the Company, in order to gain business or trade for that secondary employment.

Colleagues must not engage in any secondary employment or business on Company premises at any time. To do so could be interpreted as gaining a pecuniary advantage by way of your employment and that is illegal.

Colleagues engaged in secondary employment must not park any vehicle on Company property if it can be identified as being a vehicle used for that employment or if it contains any visible materials relating to that secondary employment. If the vehicle otherwise satisfies the foregoing conditions it must also be suitable and available for use in your official capacity if you are required to use a vehicle in your employment with the Company.

Colleagues must not store any items connected with any secondary employment or any personal items (except those which are used in connection with your official duties) on Company property.

4.7 Intellectual Property

All creative designs, writings and drawings produced by individuals in the course of their duties are the property of the Company.

All inventions made by colleagues remain the property of the Company if made during the course of normal duties. Normal duties are those described in an individual's terms of employment, role profile and those arising from an instruction from a manager or other authorised representative of the Company.

This means that colleagues are not free to disclose, publish or otherwise use the work they produce for the Company for personal gain or benefit unless they have express, prior approval from your Head of Department/Director.

Fees for giving lectures or writing articles may only be retained by colleagues where these activities are not integral to their employment or position with the Company and they are conducted in the individual's own time.

4.8 Personal Interests

All colleagues must declare any financial and/or non-financial interests which could conflict with the Company's interests. This information is collected on commencement of employment and then annually via the HR Team, using the "DECLARATION OF INTERESTS AND MEMBERSHIPS" form.

The information supplied above will not affect a person's position in the Company. The information will normally be made available only to the Head of Department/Director and the HR Team. However, where a relevant complaint or query is made, the COO the internal auditors will also have access to the information so that a proper response can be made to the complaint or query.

4.9 Use of Company Property and Information

The general rule is that colleagues must only use Company property for work purposes and the paragraphs below set out this requirement in more detail.

Colleagues who are involved in the tendering process or dealing with contractors should be clear on the separation of client and contractor roles within the Company. Members of the Senior Leadership Team with both client and contractor responsibility, must be aware of the need for accountability and openness.

All colleagues must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors. Colleagues with any direct or indirect interest in the outcome of a tender must play no part in the selection of tenderers, contractors or subcontractors and such interests should be declared to your Head of Department/Director.

Team members who are privy to confidential information on tenders or costs for either internal or external contractors, must not disclose that information to any unauthorised party or organisation.

Colleagues should ensure that no special favour is shown to current or recent former colleagues or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

4.10 Bribery Act 2010

Colleagues are warned that it is a serious criminal offence 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. If an allegation is made, the law is such that the onus is on individuals to demonstrate that any such rewards have not been corruptly obtained.

Any offers of a bribe must be reported immediately to the Chief Operating Officer.

There are several offences under the Bribery Act 2010 including:

- Bribing - where a person offers, promises or gives a financial or other advantage to another person, with the intention of inducing them to perform improperly a relevant function or activity, or to reward a person for such improper performance.
- Receiving a bribe - Where a person requests, agrees to receive or accepts a financial or other advantage with the intention that, in consequence, a relevant function or activity should be performed improperly by themselves or another. It does not matter whether the advantage is direct or through a third party, or whether the benefit is for that person or another.
- Bribing a foreign official - Where a person with the intention of obtaining or retaining business, or an advantage in the conduct of business, bribes a foreign public official with the intention of influencing them in their capacity.

The offences under the Act carry a maximum of 10 years imprisonment and/or an unlimited fine for an individual. You should read and abide by any advice provided by the Company in relation to its Anti-Fraud and Corruption Strategy. All colleagues are expected to complete the Anti-Bribery e-learning module.

4.11 Hospitality

Colleagues should only accept offers of hospitality if there is a genuine need to impart information or represent the Company 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 and where the Company should be seen to be represented. In such cases they should be properly authorised by your Head of Department, or if you are the Head of Department/Director, to the COO and recorded using the “DECLARATION OF HOSPITALITY AND GIFTS” book **kept by the Finance Team**.

Heads of Department should review and approve hospitality but also check at the same time that regular instances of hospitality with the same supplier are appropriate.

When hospitality has to be declined those making the offer should be courteously but firmly informed of the fact that Advance Northumberland colleagues must be seen to be acting impartially and with integrity.

When receiving authorised hospitality, colleagues should be particularly sensitive as to its timing in relation to decisions which the Company may be taking, affecting those providing the hospitality.

It is acceptable for team members to accept hospitality through attendance at relevant conferences and courses when it is clear the hospitality is corporate rather than personal, where the Company gives consent in advance and where the Company is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment, etc., are required, colleagues should ensure that the Company meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

A checklist is provided at Appendix A which colleagues can use to help them decide whether or not it is appropriate to accept hospitality.

4.12 Gifts

In a climate where gifts are accepted, the givers of gifts can come to believe that the level of service provided could be influenced by gifts; whether or not this is true in practice. Therefore, colleagues are not permitted to accept significant personal gifts from service users, clients, contractors or outside suppliers, although the Company has no objection to you keeping insignificant items of token value such as pens, diaries, etc., up to a value of £50. Gifts of greater value should be dealt with as set out below. Where a number of small gifts over a period of time amount to more than £50 collectively these should be declared.

Where a gift is offered by a service user or client, the aim must always be to refuse a gift politely and tactfully and to give a proper explanation of the reasons for the refusal. If it is clearly not going to be possible to do this without causing unnecessary distress or offence to the donor, colleagues should try to make an opportunity to consult their manager before accepting. If this is not possible, and to avoid causing significant distress or offence, colleagues should accept the gift but make an immediate written note of the details of the gift and the circumstances in which the gift was made and give that note to their manager at the first available opportunity. The Head of Department/Director will then complete the “DECLARATION OF HOSPITALITY AND GIFTS” so the information can be recorded.

Occasionally a gift may simply be delivered and there may be a problem over returning it, for example, gifts of food or drink at Christmas. Should that happen, colleagues should consult a senior manager about what to do. It may, for example, be acceptable to the donor for the gift to be raffled and the proceeds donated to charity, or it may be possible to ensure that needy clients of the Company (and not any of its own team

members) receive the benefit of the gift. Whatever is done should be agreed with the Head of Department and the agreed course of action should be clearly documented using the “DECLARATION OF HOSPITALITY AND GIFTS”.

5. Monitoring and Audit

The Company will monitor the application of this policy and has discretion to review it at any time through the appropriate consultation mechanisms.

Responsibility for the implementation, monitoring and development of this policy lies with the Human Resources Manager. Day to day operation of this policy is the responsibility of Heads of Department who will ensure that this policy is adhered to.

6. Training and Support

Advice can be gained from the HR department in relation to the implementation of this policy and associated procedures.

7. Associated Documentation and References

Reference	Title
	Check list for gifts and hospitality
	Declaration of hospitality and gifts
	Declaration of Interests and Membership
	Declaration of Officers Interests
	Smoke free policy
	Whistleblowing Policy
	Internet Usage Policy
	Social Networking Policy
	Recruitment & Selection Code of Practice

Gifts and Hospitality

Checklists for considering whether to accept a gift or hospitality

The question in all cases is one of judgement, and the following checklist of queries should help team members decide whether a gift or an offer of hospitality should be accepted or tactfully declined.

- (a) Is the value of the gift/hospitality £50 or over?
- (b) If under £50 is it intended as an inducement?
- (c) Is the extent of the hospitality, or nature of the gift reasonable and appropriate?
- (d) Does the donor have any form of contractual relationship with the Company, does it provide goods or services to the Company of any kind?
- (e) Is the invitation/gift directed to a large group of unrelated individuals or open to the public, or has the invite been sent because of a person's position within the company and nature of their role?
- (f) What do you think is the motivation behind the invitation/gift?
- (g) For hospitality do you want to go and if so, why? Is it because there will be genuine benefits to the Company in terms of networking and contacts gained? Or is a desire to go centred around personal enjoyment?
- (h) Would acceptance of the invitation be, in any way, inappropriate or place you under pressure in relation to any current or future matter involving the Company?

For gifts is there a difficulty in returning the gift? If it would cause offence can the gift be given to charity?

If you decide to accept a gift over £50 this must be put in the register of interests, if you decline a gift over £50 this should also be registered with a statement that the gift was declined.

You should consider carefully whether to register gifts and offers of gifts below £50 having regard to issues highlighted above.