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Employment principles 1.20 Code of Conduct for employees

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Revision History **Next revision due: December 2021+8**

Revision date	Previous revision date	Summary of Changes	Changes marked
24/8/2006		Version 1 adopted	
7/9/2010		Update to politically restricted roles	
9/11/2011		Updates recommended by Internal Auditors to cross reference other policies within Officer Code of Conduct Policy	
19/3/2012		Revised policy to SMF Amendments made to: <ul style="list-style-type: none">• Intellectual Property rights• Politically sensitive posts – additional posts added• Social media guidance added	
25/6/2012		Email to SMF with additional amendments	
28/6/2012		Email to SMF – final changes proposed	
27/10/2014	28/9/2012	Reviewed and updated by HR Manager	
04.12.2015		Reviewed and Updated by HR Manager	
03.04.2019		Reviewed and updated by HR Officer	

Approvals

Title	Date of Meeting
National Park Authority	4/12/2015
Corporate Management Team	22/10/2015
Staff Consultation	N/A
Staff Management Forum	16/4/2015

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Related Policies *All other policies in sections 1, 5 and 6 of Signpost, specifically:*

- 1.1 Disciplinary policy*
- 1.2 Grievance policy*
- 1.7 Harassment policy*
- 1.23 Member – Officer Protocol*
- 5.5 Hospitality policy*
- 6.1 [IT User Policy](#)[change](#)*
- 6.3 [Acceptable use of email policy](#)*
- 6.6 [Social Media and Online Participation Guidelines](#)[change](#)*

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Who does this cover?

The Code applies to all employees of the Brecon Beacons National Park Authority.

Inevitably some of the issues covered by the Code will affect senior, managerial and professional employees more than it will others. The Code is intended to cover all employees under a contract of employment within the Authority. Activities carried out by employees acting as members of companies or voluntary organisations should be subject to the minimum standards within this Code.

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Introduction

The public is entitled to expect the highest standards of conduct from all employees who work for the Authority. This Code outlines existing laws, regulations and conditions of service and provides further guidance to assist the Authority and their employees in their day-to-day work. The Code is produced in the light of the challenges that employees face in the new and more commercially orientated environment. This includes the introduction of Best Value and market testing.

Status of the Code

The Code sets out the minimum standards that should apply. The aim of the Code is to lay down guidelines for the Authority's employees which will help maintain and improve standards and protect employees from misunderstanding or criticism. It is based upon the Code written by the Local Government Management Board (LGMB) which has been approved by the Local Authority associations in England and Wales and the Local Government Management Board (LGMB).

Standards

Authority 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 Members and fellow employees with impartiality. All employees must comply with the Authority's Equality Policy Statement. Employees will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the Chief Executive/Director any deficiency in the provision of service. Employees must report to the appropriate manager any impropriety or breach of procedure.



[1.17 Equality Policy Statement](#)

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. The Authority itself may decide to be open about other types of information. Employees must be aware of which information their Authority is and is not open about, and act accordingly.

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

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The duty of confidentiality applies to all staff in the Authority. A breach of confidentiality may be considered a Disciplinary matter. However, employees who suspect wrongdoing and disclose these concerns do without fear of victimisation, discrimination or disadvantage in line with the Authority whistle blowing policy



1.12 Whistle Blowing Policy

Media

Employees must not make statements to the Media, or any public statement which concerns the business of the Authority unless they have been authorised by the Chief Executive/Communications Officer to act generally as a spokesperson or have been expressly authorised to act as a spokesperson in relation to a particular situation.

All communications should be agreed and distributed through the Chief Executive/Director of Delivery

Employees must never publish or disclose any information on any form of social media site, about the Authority which is not already in the public domain.

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Political neutrality

Employees serve the Authority as a whole. It follows they must serve all Members and must ensure that the individual rights of all Members are respected.

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. See details of the politically restricted posts which can be found in

Appendix I.

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Relationships

Members

Employees are responsible to the Authority through their Line Managers and Directors. For some, their role is to give advice to Members and senior managers and all are there to carry out the Authority's work. Mutual respect between employees and Members is essential to good local government. Close personal familiarity between employees and individual Members can damage the relationship and prove embarrassing to other employees and Members and should therefore be avoided. Employees who enter a personal relationship with a Member should declare this to their Line Manger/HR



Declaration of Interest Form.



Section 1.23 Protocol for Member and Officer relations

The Local Community and Service Users

Employees should always 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, or potential contractors, should be made known to the Director. 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.

~~Employees~~**Important:** Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, should declare that relationship to their Chief Executive Director and HR ~~Manager~~Officer and complete a declaration of Interest Form.



Declaration of Interest Form.

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Accountability

All employees are responsible for their actions during the normal working day and outside working hours if it brings the Authority into disrepute.

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The public perception of the Authority is important and therefore employee should be suitably dressed for their duties and responsibility at all times. This includes wearing appropriate PPE in accordance with health and Safety Standards.

To prevent security breaches the Authority has a card identification for all employees and are expected to have their ID with them at all times and if challenged are required to show the ID to confirm their identity.

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.

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It is a requirement of all job applicants to declare whether they are related to an existing employee or Member of the Authority.

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—Secondary Employment /Outside Commitments

The code is applicable to all persons employed by the Authority on whatever basis including secondment, temporary assignments and work with voluntary organisations or trusts, or as a board member of arms-length voluntary organisations or trusts, or of a direct service organisation.

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Important: It extends to additional or dual employment that has been secured as a result of working for the Authority.

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Employees of all grades should not undertake outside work if their official duties overlap in some way with their proposed work and it causes a conflict of interest, or if it

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Part Time Staff

makes use of material to which the employee has access by virtue of his or her position (for example, a planner who draws up plans within his or her own authority for an applicant for planning consent). It is irrelevant whether the work is paid.

All cases of secondary employment or outside working/voluntary commitments must be notified to HR and, if deemed necessary, be discussed with their Line Manager and Chief Executive.

Part Time Staff

The general requirement that you devote your whole time service to the work of the Authority and not engage in any other business or take up additional employment (paid or unpaid) is waived to allow you to find gainful employment in your non-working days for the Authority, however, it is important that you must adhere to the principles if there is a conflict of interest and the use of intellectual property.

~~Some employees have conditions of service which require them to obtain written consent to take any outside employment.~~

IMPORTANT: All employees should be clear about their contractual obligations and should not take ~~outside employment~~ secondary employment which conflicts with the Authority's interests.



Declaration of Interest Form

Conflict of Interest

Conflicts of interest.

As an employee you must not misuse your position or any information obtained in the course of employment to further your own interests or the interests of others who do not have the benefit under the Authority policies. Such misuse use might result in Disciplinary action. A conflict can arise if your outside activities interests influence or interfere with the decisions you make in the course of your work for the Authority, or appear to or could be perceived to influence or interfere with the decisions you make in the course of you work. Within this context, outside activities, private, personal or financial interests include those that you or a family member may have.

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Examples:

You, a family member, or personal contact own property, or intend to buy property, the value or purchase price of which may be affected by a decision or recommendation that you are involved in making, in the course of employment.

You have access to information at work which may assist or be perceived as assisting you in a private venture.

You use Authority systems/contacts to obtain materials for your own use at a preferential price.

You are involved in making a purchasing decision involving external suppliers/contractors and you, or family member, or a personal contact has an interest (financial or otherwise) in one of the potential suppliers/contractors.

~~Employees should follow the Authority's rules on the ownership of intellectual property or copyright created during their employment.~~

~~Specifically, rights to any and all intellectual property created during the term of employment shall reside with the Authority. This includes, but is not restricted to, written work, graphic design, software code, databases and business processes. Further, employees waive all moral rights to be identified as the author of such intellectual property and to its accurate representation.~~

~~Employees should make their line manager aware of any innovative piece of work that they produce which may relate to the work of the Authority or their role within the Authority.~~

Declaration of Interest Form



Signpost/Corporate/HR/HR Forms/Declaration of Interest Form

No outside work of any sort should be undertaken in the office nor make use of any Authority resources e.g. telephones, photocopier, and colleague time. Correspondence and incoming telephone calls related to outside work are not allowed.

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Use of Authority Assets

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Copyright/ Ownership/ Intellectual Rights

Employees should follow the Authority's rules on the ownership of intellectual property or copyright created during their employment.

Specifically, rights to any and all intellectual property created during the term of employment shall reside with the Authority. This includes, but is not restricted to, written work, graphic design, software code, databases and business processes. Further, employees waive all moral rights to be identified as the author of such intellectual property and to its accurate representation.

These rules apply irrespective of whether the work has been done alone or with another person or persons.

Employees should make their line manager aware of any innovative piece of work that they produce which may relate to the work of the Authority or their role within the Authority.



Declaration of Interest Form

Personal interests

Employees must declare to an appropriate manager any non-financial interests that they consider could bring about conflict with the Authority's interests.

Employees must declare to ~~their Director~~ the Chief and Executive and HR Officer ~~Manager~~ any financial interests which could conflict with the Authority's interests.

Any employee facing criminal charges should notify the Chief Executive without delay, with the exception of minor driving offences if their job does not include a car. This applies to charges incurred on or off duty.

Drug and Alcohol Misuse

The Authority has a policy of Drug and Alcohol Policy which is aimed at ensuring that employees report fit for work and remain fit to perform duties. The consumption of Alcohol is not permitted on the Authority premises and prohibits the use, possession, distribution or sale of drugs.

Employees should declare to ~~their Director~~ the Chief and Executive and HR Officer ~~Manager~~ membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct.

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Financial Interests

Employees must declare to the Monitoring Officer or Section 151 Officer any financial or non-financial interests that they consider could bring them into conflict with the Authority's interests.

Employees are required to declare an interest if it comes to their attention that they have a connection or potential connection with any business or organisation which deals with the Authority, e.g. a relative is a supplier.

Employees must never publish or disclose any information on any form of social media site, about the Authority which is not already in the public domain.



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[Declaration of Interest Form](#)

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Equality issues

All the Authority's employees should ensure that policies relating to equality issues as agreed by the Authority are complied with in addition to the requirements of the law. All members of the local community, customers and other employees have a right to be treated with fairness and equity.

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. If an allegation is made and substantiated through evidence you will be required to demonstrate to the Authority that any such rewards have not been corruptly obtained.

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Declaration of Bribes /Threats

Employees must disclose to the appropriate manager, details of any threats, offers or bribes made to them by:

Any person under the supervision of the service, or made on behalf of such a person, which the intention of securing some advantage.

Any person attempting to secure some advantage on behalf of themselves, others or their company in connection with dealings with the Authority.

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.

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[Finance Procedures Anti-Fraud and Corruption Policy](#)

Hospitality

Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the 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. They should be properly authorised and recorded through a register maintained by the PA to the Chief Executive.

When hospitality has to be **declined** those making the offer should be courteously but firmly informed of the procedures and standards operating within the Authority. The offer should also be recorded in the register maintained by PA to the Chief Executive

Employees should not accept significant personal gifts from a Member, contractors and outside suppliers, although the Authority may wish to allow employees to keep insignificant items of token value such as pens, diaries, etc. ~~but~~ your Director should Line Manager should be consulted on any such insignificant items.

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

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



Section 5.5. Hospitality

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Sponsorship - Giving and Receiving

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

Where the Authority wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to the appropriate Director of any such interest. Similarly, where the Authority through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

Other

The Code of Conduct is available to all employees throughout the Authority and should be issued to all new recruits as part of their induction. In addition, any updates to the Code will be communicated to all employees.

Employee are required to acknowledge in writing they have read this Code and that they fully understand the principles of the guidance given. Any employee who is in doubt about any aspect of the Code should seek guidance from their line manager or HR.

The Code will be subject to regular review. Any amendments with be made in consultation with Trade Unions and Staff Representatives.

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Further references:



All employees of the National Park Authority should read and familiarise themselves with the following policies in Signpost:

Whistleblowing policy	Signpost 1.12
Use of Mobile Phone policy	Signpost 5.1
Use of Authority Vehicles policy	Signpost 5.4
Hospitality policy	Signpost 5.5
IT User Policy	Signpost 6.1
Acceptable use -of Email policy	Signpost 6.3
Social Media and Online Participation Guidelines	Signpost 6.6

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Appendix I. (Adopted at ~~Corporate Resources Committee~~National Park Authority Committee 6th May 2005)

List of politically restricted posts

The Local Government and Housing Act 1989 imposes restrictions on the political activities of certain local government staff by providing that those staff who hold politically restricted posts are prevented from standing for election or otherwise becoming a member of a local authority, a Member of Parliament, a Member of the National Assembly for Wales or a member of the European Parliament. Such ~~postholders~~post holders must also not act as election agents, be an officer etc. of a political party involved in general management of the party or branch or canvass on behalf of a political party or candidate. They are also prevented from speaking to the public with the apparent intention of affecting support for a political party and publishing any work intended to affect public support for a political party.

When staff are using social media you need to take into consideration the guidance provided by the Authority and utilise any relevant functionality of the particular platform you are engaged with to ensure you do not breach this policy, e.g. privacy settings, group memberships, etc.



6.6 Social Media guidance

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There are two categories of politically restricted posts. These are

a) Those posts specified in the Act

b) Sensitive posts i.e. those posts whose duty involves giving advice on a regular basis to the Authority, a committee or sub-committee or speaking on behalf of the Authority on a regular basis to journalists or broadcasters.

The Authority is obliged to prepare and maintain a list of such posts. Having regard to the current staff structure it would appear that the following are the politically restricted posts within each category

a) Specified posts

Chief Executive
Monitoring Officer
Section 151 Officer
Director of ~~Planning~~Delivery
~~Finance Manager and Section 151 Officer~~Director of Countryside & Land Management
Head of Planning and Heritage

b) Sensitive posts

Head of Planning and Heritage
~~Planning & Heritage Manager~~
Principal Planning Officers
Senior Planning Officers
Planning Officers
Senior Heritage Officer
Enforcement Officers

~~Conservation~~Natural Resources Manager
Senior Ecologist and Climate Adaptation Officer
Funding Development Officer

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Commercial Manager
Sustainable Tourism Manager
Sustainable Communities Manager

Democratic Services Manager
~~Public Engagement Manager~~
Communications Officer
~~PR & Events Officer~~
Human Resources ~~Manager~~ Officer
IT & Systems Manager
~~Finance Manager~~

Notes:

With effect from 12 January 2010 politically restricted posts fall into two broad categories: specified posts and sensitive posts.

a) Specified posts:

- the Head of the Paid Service (HoPS) (s4 LGHA)
- the statutory chief officers, (including the director of children's services and director of adult social services in England, and the chief education officer and director of social services in Wales, the chief officer of a fire brigade, the chief finance officer (s.151 LGA 1972)
- non-statutory chief officers (officers reporting to the HoPS excluding secretarial/clerical support staff)
- deputy chief officers (officers reporting to a Chief Officer excluding secretarial/clerical support staff)
- the monitoring officer (s 5 LGHA)
- officers exercising delegated powers, i.e. persons whose posts are for the time being specified by the authority in a list maintained in accordance with s 100G(2) of the LGA 1972
- assistants to political groups

All these post holders are politically restricted without rights of appeal for exemption to the local authority's standards committee (in England) or to the Independent Adjudicator to Local Authorities in Wales

b) Sensitive' posts

A sensitive post is one which meets one or both of the following duties-related criteria:

- giving advice on a regular basis to the authority itself, to any committee or sub-committee of the authority or to any joint committee on which the authority are represented; or where the authority are operating executive arrangements, to the executive of the authority; to any committee of that executive; or to any member of that executive who is also a member of the authority
- speaking on behalf of the authority on a regular basis to journalists or broadcasters.

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