

Romsley Parish Council Code of Conduct for Clerk/RFO



1. Introduction

- 1.1 The public are entitled to expect the highest standards of conduct from all the Clerk/RFO.
- 1.2 This Code is based on models produced by the Local Authority Associations and the Local Government Management Board.

2. Status of the Code

- 2.1 The code sets out the **minimum** standards that employees should observe and will form part of her Contract of Employment. Its aim is to lay down guidelines for the clerk/RFO which will help maintain and improve standards and protect them from misunderstanding or from criticism. **Any breaches of this code may lead to disciplinary action being taken.**
- 2.2 In addition, to this code the Clerk/RFO must abide by the terms of the Council's Standing Orders and Financial Regulations.

3. Seven Principles of Public Life

- 3.1 The Nolan Report on Standards in Public Life defined good conduct for employees of public bodies as that of acting: -
 - Fairly
 - In good faith and
 - To meet the specified objectives of the body to which they have been appointed.
- 3.2 There are several principles, of which seven stand out, and which have been taken from the Nolan Report. These principles underpin this Code of Conduct.

3.2.1 Selflessness

Holders of public office should take decisions solely in terms of the public's interest. They should not do so to gain any benefits financial or otherwise for themselves, their family, or their friends.

3.2.2 Integrity

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

3.2.3 Objectivity

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

3.2.4 Accountability

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

3.2.5 Openness

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

3.2.6 Honest

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

3.2.7 Leadership

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

4. Service Standards

- 4.1 Clerk/RFO must give the highest possible standard of service to the public and, where it is part of their duties; provide appropriate advice to elected members.
- 4.2 Clerk/RFO must always remember their responsibilities to the community they serve and ensure courteous, efficient, and impartial delivery of services to all groups and people within that community according to the council's policies.

5. Political Neutrality

- 5.1 Clerk/RFO must serve all elected members. In addition, they must ensure that the individual rights of all elected members are respected.
- 5.2 Subject to rules laid down from time-to-time employees may be required to advise political groups. They must do so in ways consistent with the Clerk/RFO's political neutrality.
- 5.3 Whether or not the Clerk/RFO are politically restricted by the law they must follow the lawfully expressed policies of the council and must not allow their own personal or political opinions to interfere improperly with their work.

6. Personal Interests

Memberships of Pressure Groups or/and Secret Societies

- 6.1 Clerk/RFO shall disclose any personal interest that may conflict within the council's interests, for example, involvement with an organisation or pressure group which may seek to influence council policy.
- 6.2 Clerk/RFO shall declare in writing any membership of secret societies. This includes any lodge, chapter society, trust or regular gathering or meeting (other than a professional association), which: -
 - 6.2.1 Is not open to members of the public who are not members of that lodge, chapter, society, trust; and
 - 6.2.2 Includes in the grant of membership an obligation on the part of the member a requirement to make a commitment (whether by oath or otherwise) of allegiance to the lodge, chapter, society, gathering or meeting; and
 - 6.2.3 Includes, whether initially or subsequently, a commitment (whether by oath or otherwise) of secrecy about the rules, membership or conduct of the lodge, chapter society, trust, gathering or meeting.
- 6.3 Any declaration in relation to 6.1 or 6.2 shall be kept in the Register of Officer's Interests in the Clerk's office and on the Clerk's personal file.
- 6.4 Clerk/RFO must as soon as possible, make known in writing all relationships of a business or private nature which they have with contractors or potential contractors. Orders and contracts must be awarded on merit by fair competition against other tenders and no special favors must be shown to potential contractors (particularly those run by, for example by friends, personal or business associates, spouses, or relatives). In the tendering

process, no part of the community can be improperly or illegally discriminated for or against.

- 6.5 Clerk/RFO who, in the course of her job, engage or supervisors, or have any other official relationship with contractors must declare as soon as possible, that relationship in writing to the council. Clerk/RFO have, or in the past have had, a relationship in a private or domestic capacity with contractors (or their senior staff), must declare their relationship in writing, as soon as practicable to the Council.
- 6.6 Any declaration in relation to 6.4 or 8.5 shall be kept in the Register of Interests in the Clerk's office and on the employee's personal file.

7. Whistle Blowing

- 7.1 The council's commitment to the highest standards of openness and accountability means that the Clerk/RFO has a duty to: -
 - 7.1.1 Raise with the council issues if they have reason to think might involve fraud, corruption, or any irregularities which they feel has been dealt with improperly.
 - 7.1.2 Provide them with any evidence or relevant information that they have in this respect.
- 7.2 The council will take reasonable steps to protect the anonymity of the Clerk, unless the council has no alternative but to rely upon any statements made by an individual.

8. Appointment and Other Employment Matters

- 8.1 The Clerk/RFO shall not canvass any member of the council in respect of candidates seeking employment with the council.
- 8.2 The Clerk must ensure any appointments are made on merit. There is a strong risk of litigation if an employee makes an appointment based on anything other than the ability of the applicant to undertake the duties of the post.

To avoid accusations of bias the Clerk must not be involved with appointments where they are related to the applicant or otherwise have a close personal relationship with them.

- 8.3 By the same token the Clerk must not be involved in supervisory decisions relating to the discipline, promotion, or remuneration (re-grading) of any employee to whom they are related or otherwise have a close personal relationship.

9. Equality Issues

- 9.1 The Clerk must ensure that all members of the community, contractors and residents have a right to be treated with fairness and equality.

10. Fairness in Tendering

- 10.1 Clerk when involved in the tendering process must exercise and display fairness and impartiality when dealing with customers, suppliers, tenderers, contractors, and subcontractors.
- 10.2 Clerk must avoid any suggestion of impropriety when dealing with friends, personal or business partners, spouses, or relatives in awarding contracts to a business run by them or employing them in a senior or otherwise relevant managerial capacity. Where possible, Clerk must remove herself from the awarding role in such situations.
- 10.3 At all times Clerk when dealing with tenders and contracts must ensure that they comply with the council's Standing Orders and Financial Regulations.

11. Corruption

- 11.1 Clerk in their official capacity must be aware that it is a serious criminal offence under the Prevention of Corruption Acts for them to receive or give any gifts, loans, fees, rewards, or any other advantage for doing or no doing anything or showing favour or disfavour to any person.
- 11.2 Where any substantiated allegation is made the onus is on the Clerk to demonstrate that any such rewards given or received have not been corruptly obtained.

12. Use of Financial Resources

- 12.1 Clerk must ensure that they use public funds entrusted to them in a responsible and lawful manner. In all situations the Clerk shall strive to ensure "value for money" to the local community and to avoid any action which by its nature, could lead to a legal challenge of Romsley Parish Council.

13. Gifts and Hospitality

- 13.1 Clerk is expected to use the Council's money and resources with absolute honesty and be able to always demonstrate that. It is a criminal offence for employees to give, get or ask for any gift, reward or advantage for work done in their official capacity and it is up to the Clerk to show that any such reward was not improperly obtained.

- 13.2 Any offer of gift, favour or hospitality directed at the Clerk should be treated with caution. This applies particularly when the organisation or individual making the offer maybe doing or hoping to do business with Romsley Parish Council (whether by receiving business from the council, receiving council services or being subject to a regulatory function of the council).

14. Sponsorship – Giving and Receiving

- 14.1 Where an outside organisation seeks to sponsor Romsley Parish Council activity whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning hospitality and gifts must apply. In this respect, particular care must be taken in dealing with contractors or potential contractors.
- 14.2 Where Romsley Parish Council seek to sponsor an event or service, special care must be taken to ensure that if any benefit accrues to the Clerk, friends, personal or business associates, spouses or relatives, full disclosure is made to the Council.

15. Confidentiality

- 15.1 Clerk shall not divulge personal information regarding any person or contractor having dealings with the council e.g., Information relating to tenders except where that information is anywhere within the public domain.
- 15.2 All comments to the press shall be channeled through the Chairman and Clerk.