



**people policies**

# Code of Conduct for Employees



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# Policy

## Purpose of the policy

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**The council exists for the benefit of the people of Bristol, and is accountable to them; they are entitled to expect conduct of the highest standard from you.**

This Code of Conduct for Employees sets out standards of conduct expected from you and applies to all employees.

This code has been written for the effective operation of council business and the wellbeing of its employees. All employees are expected to act in accordance with the Code - failure to do so may result in disciplinary action.

The aim of this Code is to assist employees to perform effectively by ensuring the rules and standards of the organisation are clearly communicated.

The various sections of this Code summarise the key policies and procedures in respect of behaviour and the way you are required to work.

## Employee's responsibilities

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**You must consider this Code carefully and comply with it fully as it forms part of the terms and conditions of your employment. If you do not understand something in the code you should ask your manager to help explain it to you.**

**The council endorses the seven principles of public life defined by the Committee on Standards in Public Life – these principles apply to all employees.**

**The principles are:**

**Selflessness:** Holders of public office must take decisions solely in terms of the public interest. They must not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

**Integrity:** Holders of public office must not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

**Objectivity:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office must make choices on merit.

**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.

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

**Honesty:** 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 interest.

**Leadership:** Holders of public office must promote and support these principles by leadership and example.

Therefore, you are expected to:

- Maintain conduct of the highest standard so public confidence in your integrity is sustained
- Ask for clarification from your manager on any aspects of the Code that are not clear
- Incorporate and promote equality in all that you do
- Perform your work to the best of your ability and in accordance with the council's performance management policies and procedures. Where performance falls short of the required standard you should work with your manager, complying with any performance improvement plans, to improve your performance to the required standard.

You are responsible for familiarising yourself periodically with the latest version of the Code and for complying with it at all times.

## Manager's responsibilities

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Managers are responsible for the application of this policy in their work area.

- Managers must ensure this Code is adhered to and will:
  - 1 Set a positive personal model of behaviour
  - 2 Ensure standards in the Code are established and communicated
  - 3 Provide clarification, where required, to improve employee understanding
  - 4 Take appropriate action at the earliest opportunity to manage non-compliance with the standards set out in this Code

## 1 Public funds

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**1.1** The council has responsibility for the administration of public funds. We emphasise to the public and to you the importance of probity, financial control and honest administration. Our arrangements for the prevention and detection of fraud and corruption, are regularly reviewed – suspected irregularities are vigorously pursued.

**1.2** Where you have direct responsibility for financial transactions e.g. the ordering of goods or services, you must comply with our Financial Regulations and Procurement Regulations.

**1.3** If you are found to have claimed entitlement to a government benefit or service (ie Council or Housing Benefit, Direct Payment, Blue Badge, Council Property etc from the council or another local authority), either directly or indirectly, and failed to disclose accurately/fully your financial or other circumstances that may affect your entitlement to the benefit or service, this would be regarded as gross misconduct, and you may be dismissed. Such cases may also be passed to the Police.

## 2 Customers

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You should ensure courteous, efficient and impartial service to all within the community. Antagonistic or aggressive behaviour, is not acceptable. If you work with customers who behave aggressively familiarise yourself with the Code of Practice on Violence and Aggression.

## 3 Equalities

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**3.1** Your commitment to implement equalities in all aspects of your work is fundamental to effective service and working relationships.

**3.2** All members of the local community, customers and colleagues have a right to be treated with fairness and equity.

**3.3** The Public Sector Equality duty applies to all decisions made by the Council. The duty includes the need to promote equality for persons with “protected characteristics” i.e. age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and have due regard to the need to i) eliminate discrimination, harassment, and victimisation; ii) advance equality of opportunity; and iii) foster good relations between persons who share a relevant protected characteristic and those who do not share it..

**3.4** The council will not tolerate discriminatory behaviour, including harassment, which will be dealt with using the Disciplinary policy and may lead to criminal proceedings.

## 4 Health and Safety

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**4.1** You have a duty of care as prescribed in the corporate Health and Safety policy, and you must not act wilfully or intentionally in a manner liable to place the public, your colleagues or yourself at risk.

**4.2** Identify Cards – You must display your identity card at all times on Council premises. An exception can be made when displaying their identity card could put an employee at risk and a risk assessment is in place to this effect. In such circumstances the ID must be retained on the employee's person.

## 5 Standards of Dress and Appearance

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**5.1** You must ensure standards of dress and personal ornamentation are appropriate in relation to your duties. Inappropriate dress can create offence or be interpreted as disrespectful.

**5.2** The council values the ethnic diversity of its workforce and will take into account ethnic and religious dress requirements by ensuring you are free to observe them.

In all cases you are expected to wear any uniform issued for health and safety reasons.

## 6 Professional Qualifications, Registrations and Conduct

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**6.1** If your employment with the council is in a post which requires you to either be registered with a statutory and/or professional organisation, to hold membership of a professional body or hold any other qualification, it is your duty to ensure you are able to comply with the relevant obligation. You may be requested to provide evidence of compliance to your line manager. You should also comply with any duty you may have to inform your professional body of a matter which may impact on your registration or membership. You should inform your line manager of the matter too.

**6.2** You must ensure that the relevant code of practice is followed during the course of your duties, this includes formal reporting to the professional body on any matter where there is a duty to do so.

## 7 Alcohol and Substance Misuse Policy

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**7.1** You are responsible for delivering a high quality service, which depends upon timely attendance and effective performance at work. This may be compromised if alcohol or substances have been misused; you are expected to comply with the Alcohol and Substance Misuse Policy.



# Conflicts of Interest

## 8 Public Duty and Private Interest

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**8.1** Your off-duty hours are your personal concern but you should not put yourself in a position where there is a conflict of interests between your private life and public duties. If, for example you are a member of a secret society which may cause a conflict of interest, such as the Freemasons, you must declare your membership to your manager and on a declaration form that will be held on your HR record.

**8.2** You should raise suggestions or concerns about service delivery with your manager. Suggestions about service delivery away from your own service area can also be raised with relevant management, through staff forums or with your trade union.

**8.3** Any questions or statements you wish to submit as a citizen to public council meetings must be drafted and sent in your own time and using your own resources (e.g. not with work email). You must be clear that you are doing so as a citizen and not as a council employee. You should not lobby a councillor inappropriately on personal employment matters. If you are unsure about the process you are advised to speak to your manager. This does not restrict your right to raise concerns regarding possible malpractice under the whistleblowing policy.

**8.4** The council reserves the right to bring action against you where your conduct outside work conflicts with your public duties, i.e. where your conduct outside of work could undermine the council's reputation or public confidence.

**8.5** Employees must disclose information which is relevant to their capability, capacity and suitability to carry out the duties and responsibilities for which they are employed. An employee must immediately inform their manager in writing if, during their employment with the council, they are subject to any of the following which it would be reasonable to understand may impact upon their role, professional standing or the reputation of the council:

- Advised that they are under investigation for a criminal act (including road traffic offences)

- Arrested in connection with a criminal act
- Notified that criminal charges are being considered against them
- In receipt of a summons to appear before a Court of Law for an alleged offence
- Found guilty and convicted of any offence
- Given a police caution

**8.6** Employees who are required to drive as part of their duties must also declare any penalties received in connection with motoring offences.

**8.7** In all cases, a failure to disclose relevant information or the deliberate withholding of such information can amount to a breach of trust and confidence and may lead to disciplinary action up to and including dismissal.

**8.8** Serious misconduct or criminal offences committed during or outside working hours, which bring you or the council into disrepute, will be subject to disciplinary action under the council's Disciplinary policy, and may result in dismissal.

**8.9** If you are involved with granting permissions or benefits, for example, planning permission, you must take no part in considering any application made by yourself, relative, friend or neighbour.

## 9 Declaration of Financial and Other Interests

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**9.1** You are required to declare any financial interest - whether direct or indirect - in any existing or proposed contract. If you have such an interest you must declare it in writing to your manager.

**9.2** You must also declare in writing to your manager, any interest or association with any council activity, which could cause a potential conflict of interest.

## 10 Secondary Employment

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**10.1** You may undertake secondary employment such as: work on a voluntary, fee-paying or recognition- in-kind basis; or engaging in any other business; as well as secondary employment within the council itself.

**10.2** Appointments as governors, Councillors to other local authorities, membership of the Territorial Army, Justice of the Peace etc., do not constitute secondary employment.

**10.3** Your working time should not exceed an average of 48 hours per week, taking into account secondary employment. Employees graded up to and including spinal column point 28 (or equivalent basic pay pro rata) must notify their manager of any secondary employment undertaken.

**10.4** Employees graded above spinal column 28 (or equivalent basic pay pro rata) and all officers, under JNC Conditions of Service must obtain the express consent of their Chief Officer prior to engaging in any other business or taking up any secondary employment. Employees must subsequently keep their Chief Officer advised of any changes to their secondary employment.

**10.5** You may also be required to disclose your total working hours, to enable the council to monitor your hours worked to comply with the Working Time Regulations.

**10.6** Any secondary employment outside the council must not conflict with the council's interests, or bring it into disrepute. You are not permitted to undertake secondary employment during your working hours, use council property, equipment or associated documents or communications.

**10.7** Your declaration of secondary employment does not remove the right of the council to take action if it is deemed to be detrimental to the interests or reputation of the council, or where it affects your work performance.

**10.8** You may not become a trustee or board member of any organisation which receive any form of funding from the council unless you have the express consent of your Chief Officer, who will consider this in consultation with the Monitoring Officer. If you give lectures/advice for other organisations, using your professional skills and expertise gained through your work at the council if the work forms part of the duties of the post you are regarded as carrying out an official duty and must forward the fees to the employing Directorate.

**10.9** If the lecture/advice work does not form part of your duties you may retain the 'fees' provided the preparation and the lecture/advice is undertaken in your own time and you are not

acting as a representative of the council. You must not use council equipment and/or materials.

## 11 Probity of Records and Other Documents

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**11.1** The deliberate falsification of documents is not acceptable. If you falsify records or other documents to secure pay or another financial benefit for yourself or others, this is regarded as a criminal offence as well as a serious disciplinary matter.

**11.2** Such falsification is dealt with in accordance with the council's Anti-Fraud and Corruption Strategy. Where deliberate falsification is intended to gain a nonfinancial advantage such as flexi-time credit, the council will regard this as a serious disciplinary matter. Any deliberate falsification of records or other documents may lead to your dismissal.

## 12 Financial Inducements, Gifts and Hospitality

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**12.1** It is an offence to accept any fee or reward whatsoever other than your proper pay. You may receive offers of inducements and it is important you are able to recognise what is, and what is not acceptable, it is advisable to discuss these with your manager.

The following guidelines, taken from the council's Financial Regulations, should be adhered to:

**12.2** On no account should an employee accept secondary employment or a financial payment from any person, body or organisation, e.g. contractors, developers, consultants, with which the council is involved. Gifts may only be accepted when they are low cost, functional items suitable for business use, rather than personal use, e.g. diaries, calendars, pens. Other gifts, which may be sent to employees by outside contractors or organisations, should be returned officially with a suitable letter.

**12.3** Normally, visits by employees to exhibitions, demonstrations, conferences, business meals, and social functions, in connection with their official duties shall be at the council's expense.

**12.4** Where hospitality, in the form of meals and drinks, is offered by a third party, this is normally only acceptable where it forms part of, or immediately follows on from, normal business



meetings/discussions held during the normal working day.

**12.5** Where offers of hospitality are made, e.g. invitations to dinners, these should only be accepted if there is a clear and demonstrable benefit to the council, and the hospitality would not expose the council to criticism that the provider of the hospitality was achieving undue influence. Attendance must have the Chief Officer's approval in advance, and will be recorded in the Department Register of Gifts and Hospitality.

**12.6** Offers of hospitality in the form of purely social events and sporting occasions should on no account be accepted when these are from organisations with which the council has commercial links. However, invitations to social events from non-commercial organisations with which the council has a partnership arrangement will be acceptable, but must have the Chief Officer's advance approval, and must be recorded in the Department Register.

**12.7** Regular social contact e.g. drinks in a public house, with representatives of organisations, which supply, or hope to supply, goods or services to the council must be avoided. Where such instances do occasionally take place, i.e. after late working, officers should ensure that they "pay their way" and that the other party does not meet the costs of such contact in full. For their own protection, employees should record such events in the Department Register.

**12.8** Department Registers will be subject to regular Audit inspection.

**12.9** Apart from participating in concessionary schemes arranged by trade unions or other such groups for their members, you should not engage the services of contractors commissioned by the council when acquiring materials, labour or plant at cost, trade or discount prices. Whilst this may enable you to make savings compared with other suppliers, you face the risk of being in a compromising situation, and bringing the council into disrepute – this is not acceptable and cannot be over-emphasised.

**12.10** The acceptance of, or giving of a gift to obtain financial or other advantage, is a criminal offence, as is a threat or retaliation against someone refusing to commit a bribery offence. (Bribery Act 2010). The prevention, detection and reporting of bribery is the responsibility of all those

working for the council or under its control. All workers are required to avoid any activity that might lead to, or suggest, a breach of the Bribery Act 2010.

## 13 Public Concern and Whistleblowing

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**13.1** The council does not tolerate any form of malpractice. You have an important part to play in reporting any concerns, and are expected to co-operate with investigations. Although it is often difficult for employees to report legitimate concerns through fear of victimisation or reprisal, please be assured that in raising concerns you will be supported. Please refer to the Whistleblowing policy for more information.

N.B. Separate provisions apply in Social Care – please refer to your manager for more information.

## 14 Safeguarding

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**14.1** There is a statutory requirement for the Council and its employees to protect children and vulnerable adults. If you have any safeguarding related concerns, you are responsible for speaking promptly to your line manager or another manager about your concerns. You should seek guidance from your line manager or safeguarding lead as necessary.

## 15 Employees in Positions of Trust

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**15.1** If you have a caring role or provide a direct personal service you may experience situations where you could benefit financially. For example, people in residential care homes may express their thanks to you by offering gifts, money or even making you a beneficiary of their will. You should refuse such 'gifts' politely and explain why you cannot accept them before reporting this matter to your line manager.

**15.2** If you, your partner or family have been made a beneficiary in the will of a service user, you should tell your line manager immediately.

**15.3** You, your partner and family must not have any financial dealings with any service user to whom the council provides services, and must not borrow money or property, nor act as executor of a service user's will, except where this is a specific requirement of your post and only within the specific boundaries of your duties.

**15.4** You must not give financial advice to service users except where this is a requirement of your post and within the specific boundaries of your duties.

**15.5** Where a customer is dependent upon you for a service or has special needs, you must not compromise this relationship; avoid unprofessional emotional or physical interaction or sexual interaction with a service user. If you suspect such behaviour on the part of a colleague you must tell your manager immediately.

**15.6** If you work with children or vulnerable adults you must inform your line manager immediately if you are subject to a criminal conviction, caution, ban, police enquiry or pending prosecution - this is essential in helping to safeguard children and vulnerable adults.

## 16 Promotional Offers and Prizes

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**16.1** If you are responsible for the purchase of goods and supplies, any promotional offers or prizes given by suppliers are the council's property. These promotional offers are normally a free gift, holiday offer or vouchers. Promotional offers should only be used for the benefit of the council, and the Chief Officer decides how offers are used promotional offers should be discussed with your manager and a record maintained whether accepted or declined.

## 17 Contracts

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**17.1** If you engage or supervise contractors, or have an official relationship with existing or potential contractors, or have had or have a relationship in a private or domestic capacity, you must declare that relationship to the Chief Officer (this means relationship with a director or employee of the contractor). You must ensure no special favour is shown to current or former partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior capacity.

**17.2** An employee contemplating a management buy-out, or any arrangement to provide a service similar or identical to that provided by the council must, as soon as they have formed a definite intent, notify the Chief Officer.

**17.3** Where a contract awarding process is under way you must withdraw from, or otherwise play no part in that process, and must comply with any

written guidance issued by the Chief Officer, the Monitoring Officer or HR Service Director on their behalf. If you are setting up competing businesses to the council you should not use confidential information obtained during the course of your duties.

**17.4** No materials, information (including contacts, property or other resources) are to be accessed or used by you in the course of your competing business during or after your employment with the council. Where such access or use takes place the council will vigorously pursue its rights.

**17.5** If you carry out competitive tendering services - directly or indirectly - you must declare to the Chief Officer your membership of, or affiliation to, any organisation, which may have an interest in tendering for the service.

**17.6** When dealing with contractors, you should be clear on the separation of the client and contractor roles within the council. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.

## 18 Sponsorship

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**18.1** Where the council sponsors an event or service, you, your partner, spouse or relative must not benefit from the sponsorship. You must seek guidance from the Chief Officer, if you are involved with an event or service, which the council proposes to sponsor.

**18.2** Where the council gives support in the community, through sponsorship, grant aid, financial or other means, you should ensure that impartial advice is given and no conflict of interest exists.

**18.3** Where an outside organisation wishes to sponsor a local government activity by invitation, tender, negotiation or voluntarily, the rules concerning acceptance of gifts and hospitality apply.

## 19 Political Neutrality

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**19.1** You serve the council as a whole and must serve all elected Members - not just those of the controlling group - and must ensure the individual rights of all councillors are respected.

**19.2** Advice to political groups must be given by, or with the consent of, the Chief Officer, who will

ensure advice is given in ways which do not compromise political neutrality.

**19.3** You must not allow your personal or political opinions to interfere with your work. Political assistants appointed on fixed term contracts are exempt from this.

**19.4** Whilst engaged in council business, you must not wear or display any objects indicating support for or opposition to any political party or view. This applies to private vehicles used whilst undertaking council business.

**19.5** If your post is politically restricted you will be advised upon appointment of restrictions and must comply with these.



# Relationships

## 20 Councillors

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**20.1** You must declare any personal relationship with a councillor. Where the relationship could present a conflict of interest, your manager will need to consider how this will be effectively managed.

**20.2** You are accountable to council members through their Chief Officer. Some employees are required to give advice to councillors in the course of their duties. Mutual respect between employees and councillors is essential to provide quality local government services. However, close personal familiarity between you and councillors should be avoided, as this could damage the relationship and prove embarrassing to other employees and councillors.

## 21 Contractors

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**21.1** All orders and contracts must be awarded on merit, by fair competition against other bids, quotations or tenders, and no favouritism must be shown to any business. No section of the community should be discriminated against, and employees in client and contractor units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.

**21.2** If you are privy to confidential information on tenders or costs for external or internal contractors you should not disclose that information to any unauthorised party or organisation.

## 22 The Media

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**22.1** In general, all communications with the media relating to the activities of the council are handled through the Corporate Communications Office. You are not permitted to communicate with the media on matters relating to the activities of the council without authorisation from the Corporate Communications Office. If you are contacted by journalists you should refer them to the Corporate Communications Office. This is not intended to prevent or deter lawful whistleblowing.

**22.2** If you have ideas for positive stories about the council contact the Corporate Communications

Office. If you wish to write material for publication which does not refer to the council, but relates to your profession (e.g. an article in a professional journal), advise your manager before publication. The article should also contain a disclaimer, which states that the views are those of the individual and not of the council.

## 23 Other Employees

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**23.1** You must treat colleagues with courtesy and respect, and must not abuse them verbally or physically. You must not harass or bully or be insubordinate to colleagues and must comply with the standards set out in this Code in relation to Equalities.

**23.2** The provisions of this paragraph apply equally to relationships with colleagues not directly employed by the council, e.g. co-workers from organisations with which the council is in partnership.

**23.3** Employees who are in a partner, family or emotional relationship may at some time work together. Such personal relationships seldom interfere with work and the presumption will be that the relationship will not affect performance.

**23.4** There are situations when a personal relationship between employees becomes a management concern and they may unintentionally impair operational efficiency or affect the integrity of service delivery. You must declare any personal relationship with another employee, where the relationship could affect, or could be perceived to affect your or any colleagues' performance.

**23.5** In any situation where employees in a personal relationship work in close proximity, the council reserves the right (without breach of contract) to require one or both employees to change their roles or duties. This is intended to avoid the employees in a relationship finding themselves in a potentially difficult situation and avoid perceptions of undue influence or unfairness (whether real or imagined).

## 24 Appointments and other Employment Decisions

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**24.1** Appointments should be made on merit. The relevant procedures are detailed in the council's Recruitment and Selection policy, and where internal organisational change is taking place, in the Managing Change policy.

**24.2** In order to avoid any possible accusation of bias, you should not be involved in an appointment, either on an Appointment Panel or as a referee, if you are related to an applicant, or have a close personal relationship with them outside work. Candidates for any appointment with the council must disclose any relationship with a council Member or Chief Officer when making an application. You should not be involved in decisions relating to discipline or other sanction, or in decisions relating to pay, if you are related to, or have a close personal relationship with, the employee who is subject to that decision.



# Use of Council Property, Facilities or Equipment

## 25 Use of Council Facilities and Systems

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**25.1** The council's property and facilities are provided for official council business. You are responsible for taking reasonable steps to ensure the safety and security of any portable equipment provided to you. All council- owned portable equipment and devices must be returned on leaving council employment and any council- owned or supplied data must be deleted. Access to systems used for council purposes must be terminated permanently.

**25.2** Employees are often provided with equipment to use for their work. Telephones, photocopiers, computers and faxes are available for private use, with authorisation from the Chief Officer. Personal use of other council equipment, for any purpose, is not permitted. Where equipment owned by the council is no longer required, you may be permitted to acquire them for private use, with the authorisation of your manager. Depending on the circumstances and the value of the items, you may be required to make a financial contribution to the council, in line with guidance from Internal Audit.

**25.3** As a member of the public, if you wish to access property, facilities, services or equipment, which is normally provided by the council on a commercial basis, you must not gain advantage due to your employment with the council. Where there may be a perception of potential conflict, you must advise your manager you propose to use council property, facilities, equipment or services - your manager will guide you and take appropriate action.

## 26 Use of Council Communication Systems

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**26.1** The council has the right to access and monitor communication systems provided to you, and will monitor usage of its communication systems e.g. telephone, email and Internet access, to ensure their proper use and will run reports detailing usage levels of staff.

**26.2** Communication systems may be accessed when the council suspects an employee has been misusing council facilities, or, for the investigation of suspected fraud or other irregularity. Very exceptionally and where service delivery reasons exist, employees' senior officer, in conjunction with HR and IT, may approve access to emails when an employee is absent. Access to facilities may be temporarily suspended whilst an investigation is on-going and may be permanently withdrawn where misuse is detected. Cases of 'misuse' may result in disciplinary action being taken - this may include dismissal.

## 27 Telephones and Mobile Phones

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**27.1** You should use the telephone or other mobile devices provided by the council for business use only.

**27.2** The council recognises in exceptional circumstances it may be necessary for you to make or receive personal calls or email during working hours - personal use should be brief, and made during your breaks if possible. You must not use your device for personal calls outside the UK.

**27.3** Telephone usage is monitored by the Call Logging System, which also records numbers dialled. The council is able to listen to telephone calls for the purposes of monitoring customer service, investigating potential misuse of the system, and will do so from time to time.

## 28 Email and the Internet

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**28.1** Email and the Internet are available for work use and provisions apply as part of agile working. External email is not secure, you must take this into account when choosing how personal and confidential information is communicated. Good practice guidelines for the use of email and the Internet are available on the Source.

**28.2** You should not make inappropriate comments by emails, and be aware contracts formed by email or over the Internet might be legally binding. Any contractual agreement, offer or acceptance must only be made electronically if you have authority to do this or where specific management authorisation has been given.

**28.3** Cases of 'misuse' may result in disciplinary action being taken. This may include dismissal.

## 29 Personal use

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**29.1** It is recognised that from time to time, email and Internet facilities may be used for personal reasons. Use should be brief, outside of working hours (except in a case of emergency) and must exclude activities listed under 'misuse'. Excessive personal use of email or the Internet is unacceptable and appropriate disciplinary action will be taken.

## 30 Social networking websites

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**30.1** The council does not allow access to social networking websites for personal use during work time. Access to some journals, blogs and social networking sites during work time may be authorised and is permitted only if it is relevant for your work only. You must act in the best interests of the council and comply with your obligations of confidentiality at all times (as set out in the Confidentiality and Information Security, Data Protection and Use of Council Information section of this Policy.)

**30.2** The council respects your right to a private life and you are encouraged to exercise discretion and use social media responsibly at all times.

The council must also ensure relevant protection for its operations, confidential information and reputation. If using social networking websites at work or in your private life, the following applies to you:

- You must avoid making any social media communications that could damage the council's business, operations or reputation, even indirectly.
  - You must not use social media to:
    - 1 defame or disparage the council, staff or any third party;
    - 2 harass, bully or unlawfully discriminate against staff or third parties;
    - 3 make false or misleading statements; or
    - 4 impersonate colleagues or third parties
    - 5 upload or publish photographs, videos or recordings without necessary consent (refer to section 38 for further information)
  - You must not express opinions on our behalf using social media, unless expressly authorised to do so by your manager: you may be required to undergo training in order to obtain such authorisation.
  - You must not post comments about sensitive business-related topics, such as draft proposals or information belonging to any organisation (or person) with which the council works in partnership.
  - You must not do anything to jeopardise our confidential information and intellectual property.
  - You must not include our logos or other trademarks connected to the council's work in any social media posting or in your profile on any social media.
  - Communications for these purposes includes the use of words and images.
- 30.3** Breach of the above, whether at work or otherwise, may result in disciplinary action being taken. This may include dismissal.

## 31 Personal Websites and Blogs

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**31.1** If you wish to set up personal web forums or blogs you must do so outside of work time, not use council equipment and adhere to this Code. Any breach committed in or out of work time could lead to disciplinary action, including dismissal.

## 32 Trade Union Representatives

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**32.1** Accredited trade union representatives can use council communication systems for the purposes of undertaking trade union duties and these will be treated as confidential. See Time off for Trade Union Duties and Activities guidance.

## 33 Misuse

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**33.1** The council's communication facilities must not be used for any activity that is illegal, unacceptable or inappropriate to the good conduct of council business. Cases of 'misuse' may result in disciplinary action being taken. This may include dismissal.

Examples include:

- 1 Creating, sending or forwarding any message that could constitute bullying or harassment (on the grounds of a 'protected characteristic') or whose content or intent would reasonably be considered inappropriate or unacceptable.
- 2 Participating in forwarding chain letters, pictures or graphics etc.
- 3 Accessing pornography
- 4 On-line gambling
- 5 Committing or implying commitment to any contractual arrangements
- 6 Posting confidential information about the council, other employees and clients
- 7 Any illegal activities
- 8 Accessing any non-work related or otherwise inappropriate or unacceptable material
- 9 Mass-mailing/mail shots ("spamming") for specific personal views, gain or other personal use which is not relevant to an employee's job
- 10 Unauthorised use of council facilities or employee's personal IT equipment, for personal use during the employee's working time.

**33.2** This list is not exhaustive and applies to employees whilst they are undertaking city council duties using personal IT equipment. If you are unsure about whether something you propose to do might breach this policy seek advice from your manager.

You must inform your manager immediately if you receive inappropriate communication or material.

You should familiarise yourself with the council's Data Protection Guide.

## 34 General Computer Usage

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**34.1** You are only permitted access to parts of the computer system, which are necessary for you to do your work or for authorised personal use.

The following examples constitute computer misuse:

- 1 Fraud and theft
- 2 Introduction of viruses
- 3 Loading and/or using unauthorised software
- 4 Obtaining unauthorised access
- 5 Using the system for non-work related activities, including games during work time (Use of the system outside work time is permitted, providing the employee has received authorisation from their manager)
- 6 Breach of the council's IT Security policy

This list is not exhaustive.

## 35 Intellectual Property

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**35.1** 'Intellectual Property' is a generic legal term, which refers to the rights and obligations in relation to: inventions, patents, creative writings and drawings (including policy, training and technical documents and materials). If you create these during the course of your employment, the copyright belongs to the council.



# Confidentiality and Information Security, Data Protection and Use of Council Information

## 36 Confidentiality and Information Security

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**36.1** The council supports and promotes the principles of open government and welcomes opportunities to share information with the community. There is some information that is too sensitive or confidential to release however.

**36.2** You should be aware of the type of information which must be made available, and to whom; and the type of information which must not be disclosed at all or without specific permission. “Information” can be stored, or communicated in many ways:

- image (e.g. photos, CCTV, microfiche)
- verbal conversation (e.g. face to face or by telephone, Skype, etc.)
- paper documents and manual filing systems (including personal work-related notes)
- computerised and other electronic systems (e.g. email, voicemail, instant messaging, computer disk, USB, social media, case management systems or other departmental computer systems, etc.)

**36.3** The council’s Information Classification Policy Guidance sets out how to identify what information must be kept confidential and what information can only be disclosed with relevant authority.

The Council must ensure that:

- the information will be protected against unauthorised access
- the confidentiality of information will be assured,
- the integrity of information will be maintained
- regulatory and legislative requirements will be met.

**36.4** The council’s Information Security Policy is found on the Source. Adherence to this policy is mandatory. Any breach of this policy may result in disciplinary and/or criminal proceedings. Disciplinary action may include dismissal.

## 37 Data Protection

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**37.1** The Data Protection Act 2018, which covers and supplements the General Data Protection Regulation 2016, deals with appropriate protection of any information in which any living person can be identified. This is personal information and it may not necessarily include a person’s name. Both the council and all staff are under an obligation to comply with the Data Protection Act 2018.

**37.2** Information about your obligations can be found in the council’s **Data Protection Policy**. These obligations include how personal information should be obtained, stored, accessed and used.

**37.3** A breach of the Data Protection Act 2018 may result in criminal proceedings and may result in disciplinary action which could include dismissal.

## 38 Photography

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**38.1** It is important to be aware that permission may be required when using photographs, videos and recordings that identify people. You must follow the advice and guidance on using these media at **Media consent: photography, videos and recordings – advice and guidance for employees of Bristol City Council**.

**38.2** If you plan to publish or upload any photographs of colleagues to the internet or social media you must seek their permission before doing so.

## 39 Use of Council Information

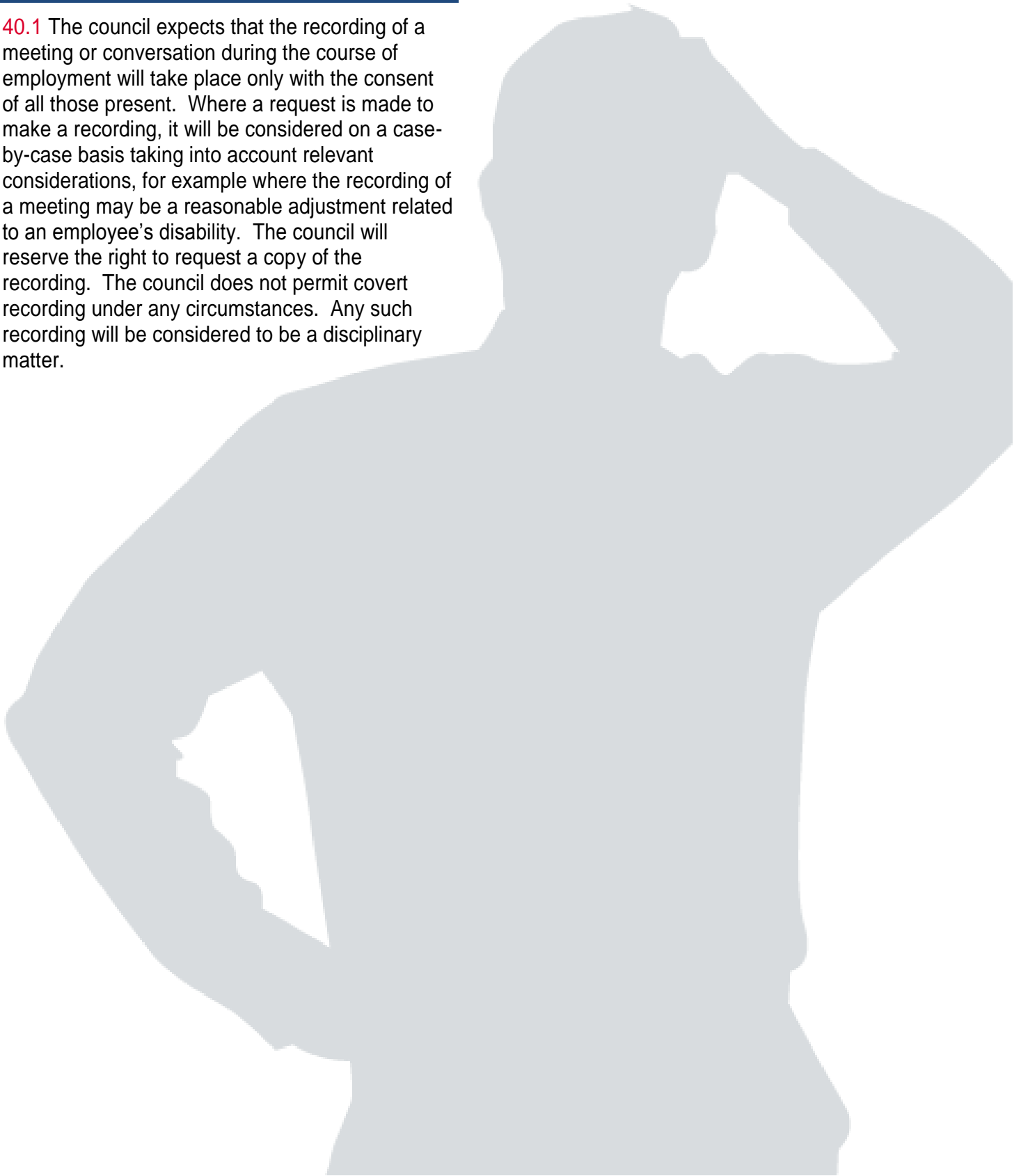
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**39.1** You must not use any information obtained in the course of your employment for personal gain or benefit, or pass it on to others who might use it in such a way. You must not disclose to any third party confidential information, which could be prejudicial to the council's interests.

## 40 Recordings

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**40.1** The council expects that the recording of a meeting or conversation during the course of employment will take place only with the consent of all those present. Where a request is made to make a recording, it will be considered on a case-by-case basis taking into account relevant considerations, for example where the recording of a meeting may be a reasonable adjustment related to an employee's disability. The council will reserve the right to request a copy of the recording. The council does not permit covert recording under any circumstances. Any such recording will be considered to be a disciplinary matter.



# Compliance with the Code

## 41 Contract of Employment

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**41.1** This Code is part of your contract of employment. An extract of the Code is issued to every employee as part of their terms and conditions of employment, together with advice on how to access the full document.

## 42 Failure to comply

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**42.1** Failure to comply with any of the provisions included in this Code may result in disciplinary action being taken under the Disciplinary policy, or legal action if necessary.

## 43 Employee Declarations

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**43.1** You are responsible for ensuring you keep your manager informed of any change of circumstance that gives rise to a need to update your declarations. Declarations should be made in writing using the appropriate form and copies will be held on your HR File. Periodic reviews will also be undertaken and you are required to respond accurately to these.

The council holds all Employee Declarations with proper confidentiality.



# Additional guidance and support

This policy provides you with an overview of the purpose of the policy and the roles and responsibilities of those for whom it is intended. It also provides guidance in the Process section on the application of the policy. There are other documents which provide more detail and helpful guidance that should be read in conjunction with the policy and these are listed below.

## 44 Additional guidance

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**Bristol City Council Financial Regulations**  
**Procurement Regulations**  
**Code of Practice on Violence and Aggression**  
**Anti-Fraud and Corruption Strategy**  
**Internal Audit**  
**Data Protection**  
**The Equalities Act**  
**Time off for Trade Union Duties and Activities**  
**Guidance**  
**Bribery Act 2010 Summary**  
**IT Security Guide**

## 46 Letters and forms

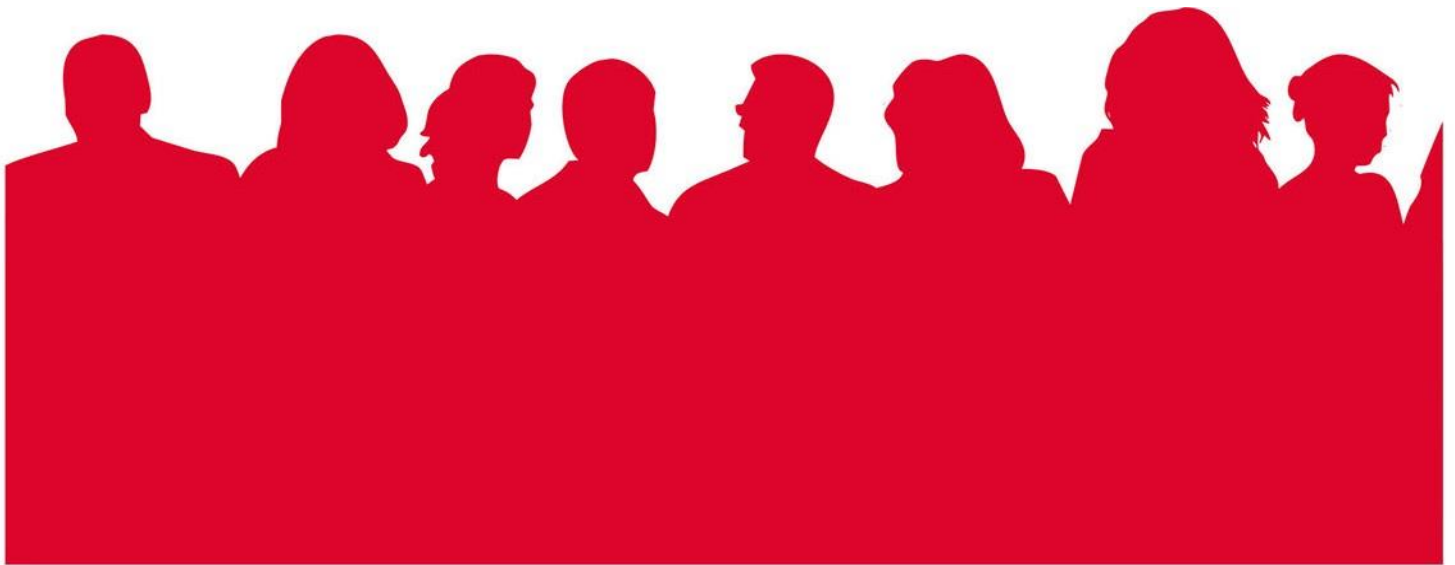
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**Code of Conduct Declaration form**  
**Working Time Directive – Opt Out Letter**  
**Template**

## 45 Associated policies

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**Whistleblowing policy**  
**Equality and Community Cohesion policy**  
**Corporate Health, Safety and Welfare policy**  
**Alcohol and Substance misuse policy**  
**Disciplinary policy**  
**Recruitment and Selection policy**  
**Managing Change policy**  
**IT Security policy**  
**Anti-Fraud, Bribery and Corruption policy**  
**Working Arrangements policy**  
**Data Protection Policy**



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Date adopted: 3 November 2014

The audience of this document is made aware that a physical copy may not be the latest available version. The latest version, which supersedes all previous versions, is available on The Source.

Those to whom this policy applies are responsible for familiarising themselves periodically with the latest version and for complying with policy requirements at all times.

### **History of most recent policy changes – must be completed**

Version	Date	Change
V.1.06	6 November 2018	Updated advice on identity cards and photography
V.1.05	6 August 2018	Removed LADO from last sentence of section 14.
V.1.04	1 August 2018	Fourth bullet point added under “Employee’s Responsibilities – Leadership” Paragraph 3.3 re-written Paragraphs 4.2, 6, 8.2, 8.3, 8.5-8.7, 14, 38 and 40 added
V.1.03	11 June 2018	Data Protection 1998 updated to Data Protection 2018.
V.1.02	23 May 2017	“...fully supported...” changed to “...supported...” in Section 36.

