



**SOUTH LANARKSHIRE  
Leisure & Culture**

**“HELP US TO GET IT RIGHT”**

**Code of Conduct for Employees**

**MAY 2009**

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## **1. Introduction**

This Code of Conduct has been developed to set out the minimum standards of Conduct expected from all staff.

This Code sets out the minimum standards which are expected of all employees of South Lanarkshire Leisure and Culture. These standards will be used as a benchmark of good. The Code also incorporates the code of corporate governance.

The Code does not affect employees' rights and responsibilities under the law. Its purpose is to provide clear and helpful advice. While a breach of this Code may give rise to disciplinary action, it is designed to provide guidance on the standards of conduct expected. Any employee who has difficulty in meeting any of the standards contained in the Code, should contact their line manager, the HR section or Trade Union Official for advice.

As the Trust provides various services, some sections of the Code may be more relevant to some employees than others, but all employees must comply with the standards and principles set out in the Code.

**Note:** Details of how to access copies of relevant Trust policies and codes referred to in this document are provided at the end of this document.

## **2. Code of Corporate Governance**

The Trust has approved a "Code of Corporate Governance" to ensure that the business of the Trust is conducted within the law and proper standards, that money is safeguarded and properly accounted for and used in an economic and efficient manner. Underpinning the Trust's approach to corporate governance are the following four principles:

Openness –

You should be as open as possible in all the decisions and actions that you take. You should give reasons for your decisions and should not restrict information unless this is clearly required by Trust Policy and permitted or required by the law.

Accountability-

You are accountable to the Trust as your employer. The Trust, in turn, is accountable to the public.

Integrity-

You should not place yourself under any financial or other obligation to an individual which might influence you in your work with the Trust.

Leadership-

If you are a manager, or team leader, you should promote and support these principles by your leadership and set an example.

### **3. Personal Conduct**

Employees should be aware that the way they behave during working hours also reflects the image of the Trust. Managers will explain to their employees the standards of behaviour expected of them.

Employees must not attend work under the influence either of alcohol or illegal drugs, as these may affect their ability to undertake their duties safely and effectively and may damage the public image of the Trust. The use of Trust vehicles or equipment is prohibited while an employee is under the influence of alcohol, illegal drugs or any prescribed medication that may affect their ability to drive or operate machinery safely. Employees should refer to the employee information leaflet "Driving safely at work" for further details.

Any employee who does attend work under the influence of alcohol or illegal drugs should understand that they are likely to be liable to action under the Trust's disciplinary proceedings and this may lead to dismissal. However, the Trust has a policy to assist employees with an addiction problem and help and support is available through the HR section.

Any employee charged with, or convicted of a criminal offence or who work with children whose name is placed on the list held by the Scottish Executive of those Disqualified to Work with Children (DWCL), whether this is on a provisional basis or not, must also advise the General Manager immediately.

Employees, like all other South Lanarkshire residents, have a duty to make any payments due to South Lanarkshire Council in good time, and should be aware that the Council will make regular checks to ensure that employees are not in arrears with payments such as Council Tax, rent etc. Advice for South Lanarkshire Leisure and Culture employees experiencing difficulties in making payment can approach South Lanarkshire Council's various resources such as Benefits and Revenues within Housing and Technical Resources, specialist money advisers within Q&As (Money Matters Service), and the Personnel Adviser of SLC (Employee Services) in Corporate Personnel Services.

Any South Lanarkshire Leisure and Culture employee who claims benefits e.g. Housing or Council Tax benefits and discounts from this or any other Council to which they are not entitled are likely to be liable to action under the Trust's disciplinary proceedings and this may lead to dismissal.

The Trust's values are based on promoting equality of opportunity and tackling discriminatory practices and prejudice. Therefore, regardless of personal beliefs and opinions, the Trust expects all of its employees to behave positively towards one another as well as to service users. Bullying, harassing, intimidatory or discriminatory behaviour or language, in any form is unacceptable. The Trust's policy on "Dignity at Work" sets out the standards expected and the process by which employees can raise complaints.

Under the Code of good Governance employees are expected to take responsibility for the decisions that they may take as part of their employment. They should work within the law and be aware that the decisions they take may be scrutinised. If an employee feels that they require further training/guidance for the role they carry out, they should raise this with their line manager either directly or through the performance/staff development and review process.

#### **4. Dress Code**

Many Trust employees provide valuable “front line” services, and are in regular contact with the service users and the public. They therefore represent the “public image” of the Trust.

The Trust requires employees to adopt certain dress requirements and generally dress appropriately for the type of work they do. While recognising the diversity of cultural traditions, and what might be considered a “reasonable adjustment” in respect of any disabled employee, the Trust will advise its employees of any specific requirements with regard to appearance and dress. These standards will reflect the services provided by the Trust and the work undertaken by the employees concerned. In addition:

Unless agreed with their line manager for specific situations, Name badges, where provided, will be worn at all times. Employees should also show their Trust ID pass as appropriate.

Corporate wear, where provided, will be worn as required, and maintained in a reasonable condition

Personal protective equipment and clothing provided for an employee’s safety will be worn as appropriate for the type of work being undertaken.

#### **5. Relationships**

##### **5.1 South Lanarkshire Council Elected Members**

Employees are responsible to the Trust and their role is to support and give advice to Board members or Elected Members (as appropriate) and to carry out their work under the direction and control of the Trust and its Board.

Any undue familiarity between Elected Members and employees should therefore be avoided as it is inappropriate and may be perceived wrongly or be embarrassing to others.

##### **5.2 The Public and Service Users**

Employees may have contact with members of the public as users of services, or citizens and therefore should always behave in a courteous and helpful manner.

All members of the public should be treated fairly, equitably and consistently, in accordance with the principles of the Trust’s Equal Opportunities Policy.

##### **5.3 Conduct towards Colleagues**

Trust services are best delivered by employees who work together in the best interests of service users. Employees should therefore respect each other, their beliefs and opinions, and behave in an appropriate manner at work.

The Trust’s policy on “Dignity at Work” identifies discrimination, harassment and victimisation as constituting serious misconduct, which will not be tolerated.

This policy is available on the corporate drive or by contacting the HR section.

## **5.4 Voluntary Bodies or Organisations**

The Trust recognises the vital contribution which the voluntary sector makes to the quality of life in South Lanarkshire, and has developed a policy on volunteering to encourage its employees.

However employees should also be aware of the possibility of a conflict of interest should they participate as a volunteer with an organisation which they might also come into contact with during the course of their work, and take appropriate steps to avoid this happening. Should such a situation arise, an employee should advise their line manager.

## **6. Confidentiality**

See also paragraph 10 on **Disclosure of information**

### **6.1 General Duty**

The Trust routinely handles information not only to enable services to be delivered to the public but also as part of its management system. Some of this information must be dealt with confidentially and only released to authorised individuals. For example information which may relate to service users, other employees, tenders or contracts that are to be awarded.

Releasing confidential information is a very serious matter, and employees should check with their line manager if appropriate, before giving information to a third party.

Employees should also be careful not to divulge confidential information relating to the Trust or its employees to others outside their work.

The Trust is bound by various pieces of legislation, such as the Data Protection Act. Specific requirements and guidance are associated with legislation and employees should seek advice from their line manager. Further information is provided in paragraph 10 on disclosure of information.

### **6.2 Private Information Relating to Employees**

Information concerning an employee's private affairs will not be supplied to any person out with the service of the Trust unless his/her consent has been obtained first. However, this does not apply where there is a statutory duty on the Trust to provide the information, or if the Trust is required to do so by a Court order or warrant.

## **7. Political Neutrality**

Employees should carry out their duties and serve the Trust and all Elected Members regardless of their political outlook in a politically neutral way.

Any employee who is asked by a South Lanarkshire Council Elected Member to provide assistance with a matter which is clearly party political, or which does not have a clear link with the work of the Trust, should politely refuse and explain that the matter has to be referred to the line manager.

## **8. Conflict of Interest**

### **8.1 Private Interests**

Trust employees must not allow any private interest to influence their decisions at work, and must not use their position to further their own interests, or the interests of others who do not have a right to benefit under Trust policies.

Any interest in the work of the Trust, on the part of the employee, close family members or members of an employee's household, must always be declared. If an employee is in any doubt about the relevance of their private interests, he/she should clarify the position with his/her line manager.

The delivery of Trust services should also not be compromised by any conflict of interest which might arise between employees and employees should therefore take steps to prevent any potential conflict of interest between their personal and professional relationships at work.

Employees should also be aware of the potential for actual or perceived conflict of interest in situations where a close personal relationship exists or develops between employees working in the same team or section, and particularly where one of the employees has a supervisory/line management responsibility for the other. In such a situation, advice should be sought as appropriate from a senior manager.

### **8.2 Contracts**

Employees must be fair and impartial in their dealings with contractors, sub contractors and suppliers. If an employee is involved in the tendering process, he/she must follow the Trust's Standing Orders relating to Contracts.

Employees must notify the HR manager, in writing, if it comes to their knowledge that a contract in which they have a personal pecuniary interest, whether direct or indirect, has been or is about to be, entered into by the Trust. Employees must not disclose confidential information on either internal or external contractors to any individual or organisation unless authorised to do so.

Where appropriate, the Trust will require an employee working in a particularly sensitive area to enter into a restrictive covenant i.e. a contract which binds the employee upon leaving the employment of the Trust not to act in a way which might damage the interests of the Trust.

### **8.3 Membership of Private Clubs/Organisations**

Employees must declare any membership of a private club/organisation whether open to the public or with a restricted membership, which a member of the public may reasonably think could influence the decisions or actions the employee makes on behalf of the Trust and might result in a conflict of interest with regard to any aspect of their employment with the Trust.

### **8.4 Paid Work Outside the Trust**

The Trust will allow employees to undertake paid work outside the Trust, unless there is a clear conflict of interest or it is likely to have an adverse effect on the work of the Trust. Any employee wishing to undertake paid work of any kind outside the Trust, must obtain prior written approval from his/her line manager or the HR section.

Employees should not seek to gain business in the course of carrying out their Trust duties, e.g. by arranging to undertake private work, and are not allowed to use the equipment or resources of the Trust in any outside work whether paid or unpaid.

Approval to undertake other paid work will be reviewed should there be any change in the employee's working arrangements e.g. an increase in contracted hours or change of duties or post. It is the employee's responsibility to advise their line manager of any existing agreement should they move post within the Trust.

This procedure is in the interests of employees and is intended to protect them and to ensure compliance with health and safety requirements and the Working Time Regulations.

### **8.5 The Giving of Lectures, Broadcasts etc.**

The Trust will normally allow employees to accept invitations to give lectures appropriate to their professional/occupational standing, however, an employee should first obtain approval from his/her line manager or the HR section.

Any fees received for lectures, broadcasts etc. given within normal working hours, excluding out of pocket expenses will be paid to the Trust, otherwise time taken to present the lecture, broadcast etc. must be set against the employee's annual leave entitlement. Fees may be retained for any lectures, broadcasts etc. given out with normal working hours.



## **9. Use of Trust Equipment or Resources**

### **9.1 Use for other purposes**

Employees wishing to use Trust equipment, for example to work at home, as part of their personal development or for study purposes must obtain permission from their line manager. Reasonable care must be taken with all such equipment.

Whilst employees are allowed some personal use of IT equipment at their workplace e.g. access to internet and use of e-mail, this should not adversely affect their work. Employees should be aware that telephone, e-mail and internet usage can be monitored.

Employees are not allowed to use the equipment or resources of the Trust in any outside work (see paragraph 8.4)

### **9.2 Security of information**

If IT or communications equipment is being used at any time it is essential that any information that can be accessed using the equipment is kept secure. Advice and guidance is available in the following documents which can be accessed on the Intranet:

- IT acceptable use of policies
- The Information Security Policy User Responsibility statement
- The risk management bulletin on laptop security

## **10. Disclosure of Information**

As previously stated in paragraph 6 on “Confidentiality”, various pieces of legislation the Data Protection Act govern how information is to be managed and the circumstances under which it can be disclosed.

Employees should therefore be careful not to divulge confidential information relating either to the Trust, a service user, another employee or someone else with whom the Trust has had contact e.g. tenderers/contractors unless authorised to do so. This includes making contact with the media.

There are specific procedures to be followed and these are summarised below.

### **10.1 Data Protection Act 1998**

The right of access to personal information held by the Trust whether on employees or service users, is covered by the Data Protection Act.

The Act places strict requirements on the Trust with regard to the security of any personal data held, whether this is paper based and held in a structured filing system, or in electronic format.

This means that an employee asked by an individual to provide access to personal information held by the Trust about themselves, must seek advice from their line manager and follow an agreed procedure. Generally any requests must be made in writing, and proof of identity will be required before the access is provided.

Unless there is a statutory requirement, or a court order or warrant has been obtained, information relating to an employee's private affairs will not be released without their prior consent. Any Trust employee wishing access to their personal file must do so by contacting the HR section who will make appropriate arrangements.

(See also paragraph 6.3 on Private Information Relating to Employees and the Trust policy on data protection).

## **10.2 Contact with the Media**

The Trust recognises that in the course of their day to day work there may be occasions where employees will deal directly with the media, for example:

- School information e.g. schools out programme.
- Advertising or promoting Trust services
- Work related to Corporate Communications and Public Affairs.

However all contact with the media (press/television/radio) regarding 'sensitive' or 'confidential' issues should be made through the General Manager.

Examples of these circumstances may include a request to disclose information relating to a service user or commercially sensitive information. If an employee is in doubt he/she must contact his/her line manager or the General Manager.

This requirement does not apply where an accredited Trade Union official contacts the media in their trade union capacity and not as a Trust employee.

Any employee wishing to disclose information in the public interest should use the confidential reporting procedure described in paragraph 10.3 below.

## **10.3 Confidential Procedure for Reporting Concerns at Work**

The public rightly have an expectation of high standards from the Trust, both in terms of the services provided and ethics. The Public Interest Disclosure Act 1998, provides a process whereby an employee can report concerns about serious wrongdoing or improper behaviour. This could apply to an aspect of individual behaviour or Trust practice.

The Trust's procedure on "confidential reporting" enables employees to raise such concerns internally rather than going directly to an outside person or body. The procedure applies to the following areas:

- a possible criminal offence
- a failure to comply with a legal obligation
- a miscarriage of justice
- a danger to the health and safety of an individual
- damage to the environment
- deliberate concealment of information tending to show that any of the above matters is being deliberately concealed
- gross breach of the Trust's code of good governance

Employees can raise their concern with their Manager or a trade union representative. The Trust will ensure that any employee reporting a concern under the Act will not experience any detriment as a result. This applies, as long as the

report has been made in good faith, even if following investigation, there is found to be no substance to the allegation. Only where a false allegation has been made deliberately or maliciously, will the matter be viewed seriously, and the complainant may be liable to action being taken under the Trust's Disciplinary procedures.

Any employee considering making a disclosure out with the Trust, for example to the press, should be aware that they may not automatically be protected by the Act. Before doing this, in their own interest, they should seek advice from their trade union or a legal adviser.

Full information on the procedure is provided in an employee information booklet detailing the "Procedure on Confidential Reporting" which is available from The HR team. The Trust also adopts South Lanarkshire Council's Fraud Prevention Strategy, details of which are available on SLC's Intranet under Finance & Information Resources.

## **11. Rights as a Citizen**

### **11.1 Expression of Personal Views**

As a citizen, an employee is entitled to express their views about the Trust. However, this does not include making use of any private information gained through their employment with the Trust. However, in their work capacity, employees should not criticise the Trust either through the media, at a public meeting or in any written communication with members of the public.

## **12. Register of Gifts, Hospitality and Services**

The Trust has established a policy on the declaration of gifts, hospitality and services. Generally, no employee should accept gifts, gratuities etc. from any customer or service user other than a token item and frequent personal gifts, hospitality or services should not be accepted from the same source. The main points of the policy are outlined below:

- Employees should not accept personal gifts, hospitality or services from anyone, which would, or might appear to place that individual under any obligation. Frequent personal gifts, hospitality or services should not be accepted from the same source.
- Should an employee be offered a personal gift, hospitality or services which they estimate is more than a token gesture, they should discuss the matter with their line manager. Any decision to accept an offer must be authorised by the employee's line manager who will countersign the pro forma.
- All offers of personal gifts, hospitality or services which have an estimated value of more than £25 should be registered, whether accepted or not, as this provides a record of the offer having been made. Those which have an estimated value of £25 or less do not need to be registered.
- Completed and signed proformas must be returned to Caroline Dibb, Administration Officer who holds the register of personal gifts, hospitality or services. An employee can see the entries recorded against their name at any time.

## **13. Operation of Policies**

### **13.1 Recruitment**

All appointments to the Trust will be made on the basis of merit and in line with the Trust's recruitment policy. Any employee who participates in the recruitment process must immediately disclose any relationship, or other interest, known to exist between themselves and any of the applicants to the Chair of the Selection Panel or a senior manager. A decision will then be made as to whether it is appropriate for the employee to continue in the recruitment process, either as a member of the selection panel or in any other role e.g. in administering a test.

Any canvassing by employees of the Trust, either directly or indirectly, with regard to recruitment, will immediately disqualify a candidate; however, this does not preclude them from acting as a referee where appropriate.

### **13.2 Operation of Personnel Policies**

Managers and supervisors involved in the operation of the Trust's employment policies, for example "Maximising Attendance", Scheme of Special Leave, Discipline or Grievance Procedures, must do so fairly and equitably.

As described above, any personal interest or relationship must be declared to a senior manager who will decide whether the individual should continue to be involved in the process.

## **14. Equal Opportunities**

The Trust is committed to ensuring that equality considerations are central to all that it does. This includes tackling all forms of discrimination, promoting equality of opportunity and removing the barriers that some groups and individuals might experience in accessing employment or Trust services.

The Trust's policy on equal opportunities identifies the following grounds on which people might experience discrimination or less favourable treatment:

- Age
- Disability
- Gender
- Race, colour or ethnic origin
- Caring responsibilities
- Sexual orientation
- Employment status
- Ex-offender status
- Religion or belief
- Trade Union activity.

The Trust has developed a range of employment policies and employee benefits intended to attract, retain, develop and support the workforce it requires to deliver services to the people of South Lanarkshire. As part of this commitment, any instances of discrimination, harassment or victimisation at work will be viewed as a serious matter.

Any employee who feels that they have been the victim of unfair treatment can raise a complaint using the procedure set out in the Policy on “Dignity at Work”. Support and advice will be available from the HR team.

### **Relevant Policies and Codes**

#### **All policies:**

A copy of these can be obtained by contacting the HR team Tel.01698 476209 or on the corporate “I” drive.