

Code of Conduct for Employees

Introduction

The North of Tyne Combined Authority (NoTCA) expects a high standard of conduct from its employees. This code of conduct gives rules and guidance that applies to all staff. Individual directorates may have other rules or statutory codes of professional behaviour which will be brought to the attention of specified staff.

The code sets out the minimum standards expected and provides a framework which will help to prevent misunderstandings or criticism. All employees of NoTCA must keep to the standards of this code and carry out their duties honestly and fairly. Failure to do this, is a serious matter and could result in disciplinary action up to and including dismissal.

NoTCA is guided by the seven principles of public life as outlined by the Committee on Standards in Public Life chaired by Lord Nolan. These principles are;

- selflessness,
- integrity,
- objectivity,
- accountability,
- openness,
- honesty,
- leadership.

The principles of public life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, NDPBs, and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public resources. The principles also have application to all those in other sectors delivering public services.

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for

themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

1 Standards

- a. NoTCA expects employees to give the highest possible standard of service to the people they serve and to carry out their duties honestly and fairly.
- b. Employees must highlight anything they become aware of which may be illegal, improper or a breach of procedure to their manager or supervisor. Employees will not be penalised for doing this as long as they act in good faith. Managers must record, investigate and take appropriate action on all reports.
- c. It is not enough to avoid doing things in the wrong way. Employees should also avoid anything which could give the impression or appearance of doing things in the wrong way.

2 Disclosing information

- a. Legally, there are certain types of information that must be open to, auditors, government departments, service users and the public. If staff are unsure of whether a particular type of information can be released, management will be able to advise.

- b. Information must not be used for personal gain or benefit. Information must not be passed on to others who might use it for their own gain.
- c. Confidential information or documents can only be given to those who have a legitimate right to them. Personal information can only be provided in accordance with the GDPR (see appendix A). Posts below Director level, should not make statements directly to the press or other media without first getting approval from the Director. Directors should speak to the relevant appropriate authority with NoTCA before making statements to the press or other media on major policy issues.

3 Political Neutrality

- a. Staff are required to serve NoTCA as a whole. They must serve elected members and the elected Mayor equally and make sure that you respect their individual rights.
- b. Staff do not have to go to meetings of political groups. However, senior officers may be asked to do this. Employees must act in a way which shows neutrality at all times.
- c. Employees cannot allow their own political opinions to interfere with their work.
- d. It is not permitted to display political posters, including election material, in areas of NoTCA buildings or in work vehicles.

4 Relationships

- a. With other staff members

Employees must respect each other.

If an employee has not acted in an appropriate manner to another employee, they should be reported to a Director.

- b. With the local community and service users

A commitment to customer care is central to the services delivered by NoTCA. Employee must always be polite, efficient, fair and impartial when providing services to all groups and individuals within the community served. Customer care policies must be followed and employees must not seek to undermine NoTCA's provision of services.

- c. With contractors and suppliers

Any close association or personal relationship* with NoTCA's contractors or suppliers must be declared to a Director. CC1 can be used to do this. Contracts must be awarded according to our financial regulations and not show special favour to anyone.

5 Recruitment and other employment matters

- a. Managers involved in appointing people to posts in NoTCA, should make sure they follow the Recruitment and Selection policy and/or guidance on managing re organisations.
- b. To avoid bias managers must not be involved in any appointment where they are related to, or have a close personal relationship outside work with, the person applying or selected for a post.
- c. Employees must not be involved in, or try to influence, any decision to do with discipline, promotion or pay adjustments for any employee who is related to them or with whom they have a close personal relationship outside work.

6 Commitments outside work

- a. Restrictions are placed on staff with regard to commitments outside of work. They must not;
 - put private interests before a duty to NoTCA;
 - private interests conflict with work duties or could appear to conflict;
 - do anything which could harm NoTCA's reputation.
- b. Employees must not carry out any other business or take up any additional appointment while employed by NoTCA without prior permission. (Permission can be sought by completing CC3.) NoTCA will not unreasonably prevent staff carrying out other employment and will actively support and encourage voluntary work. However, this employment or voluntary work must not conflict with the Authorities interests.
- c. The following conditions apply to all employees in connection to commitments outside work. Staff will be told about any other specific conditions relating to individuals depending on their circumstances.
 - Staff must not carry out any work related to a private interest (including taking or making phone calls or sending/accessing emails or using other social media or telephony) during normal working hours without clocking out.

* A personal relationship covers: partner (i.e. spouse, civil partner or anyone cohabiting in a similar capacity); parent or parent-in-law; any child, stepchild or sibling; grandparent, grandchild, aunt, uncle, nephew or niece; and the partners of any of those people.

A 'close association' with someone is if a relationship is such that a reasonable member of the public might think an employee would be prepared to favour or disadvantage that person when deciding or influencing a matter which affects them.

- Use our facilities or equipment or confidential information is forbidden.
- All approvals will be regularly reviewed and may be withdrawn if necessary.

7 Personal interests

- a. Any financial or non-financial interest which could conflict with the Authorities interests, must be declared on form CC4.
- b. Section 117 of the Local Government Act 1972 (see appendix B) instructs staff that they must make a formal declaration about NoTCA contracts where they have a financial interest. If this is not done, it is a criminal offence. The declaration can be made on form CC5.
- c. Staff may not make decisions in the course of their official duties if they have a personal interest in them.
- d. Membership to an organisation which is not open to the public and does not have formal membership and which has secrecy about rules, membership or conduct, must be declared on form CC6. A definition of such an organisation appears at appendix C.

8 Equality

All members of the local community and employees have a right to be treated fairly and equally. Staff must follow NoTCA policies on equalities.

9 Tendering procedures

- a. When dealing with the tendering process or dealing with contractors, staff should make sure that they know the separate roles of client and contractor. Directors with both client and contractor responsibility must be aware of the need for accountability and openness. A summary of key legal conditions appears in appendix D.
- b. Employees must deal fairly and impartially with all customers, suppliers and other contractors and sub contractors.
- c. Confidential information on tenders or costs relating to contractors, must not be given to any unauthorised person or organisation.

10 Corruption

The Bribery Act 2010 makes it a serious criminal offence for staff, in an official capacity, to corruptly receive or give any gift, loan, fee, reward or advantage or to show favour or disfavour to any person. If an allegation is made, proof must be provided that any rewards have not been corruptly gained or given. A summary of the legal provisions appears in appendix E.

11 Financial Regulations

- a. Staff involved in financial activities and transactions must follow financial regulations and their accompanying guidelines.
- b. Public funds must be used in a responsible and legal way making sure the Authority provides value for money to the local community and to avoid legal challenges.

12 Gifts and other benefits

- a. Where staff are offered gifts or other benefits (or their partner and family members are offered gifts) arising from official duties, this could cause a conflict between their private and public duties.
- b. Staff must not accept any gift or other benefit offered to them, or their partner or a family member, by:
 - i. any person they have provided services to in the course of their official duties or their partner or a family member;
 - ii. any person associated with an organisation which has, or wishes to have, dealings with NoTCA.

A declaration of any offer must be declared on form CC7 and explaining what action has been taken. The only exception to this rule is where the gift is of token value up to a maximum of £25.

- c. Offering gifts is common practice in the business world particularly at Christmas time. Staff are reminded they should refuse them politely. If, for example, a gift is simply delivered to the place of work, there may be a problem returning it, in which case, staff should report this to their who will decide what to do.

13 Hospitality

- a. A modest amount of entertainment is a normal part of public life, but this must not risk undermining public confidence or allow it to appear that staff could be improperly influenced in the way they carry out their duties. Hospitality is sometimes offered to representatives of NoTCA and can be accepted at official level if that is reasonable. In these cases, only Directors (or those acting for them) should go.
- b. Employees must be particularly careful if they are offered hospitality by someone who wants to do business with the organisation or to get a decision from the organisation. It is important to avoid any suggestion of improper influence. Acceptance of an offer of hospitality should only be taken if there is a genuine need to go to an event to receive or give information or represent NoTCA. Offers to go to social, cultural entertainment or sporting occasions

should only be accepted if these are part of the life of the community or the organisation should be seen to be represented.

- c. Turning down hospitality should be done politely, explaining the rules on hospitality.
- d. Form CC8 must be used to obtain Director's approval before accepting offers of hospitality. This is not required if the hospitality is of token value (e.g. the offer of a single drink). The Chief Executive and Directors are not required to obtain prior authorisation but must nonetheless declare acceptance of hospitality in the normal manner.

14 Retention and access to declarations

- a. Declarations made on forms CC1 - 8 are subject to the retention periods and access categories. The access categories are explained below.

- b. Public Access

Relationship with external contractor or supplier	CC1
Financial Interest in NoTCA Contracts	CC5
Offers of Gifts	CC7
Offers of Hospitality	CC8

These are situations that can raise particular public concerns and the public interest in being able to see that appropriate declarations are made and the extent to which employees have such relationships (or have been offered gifts or hospitality) overrides the need to protect the personal privacy of employees. Public access is therefore permitted to the above declarations.

- c. Internal Access

Relationship with candidate for appointment within NoTCA	CC2
Approval of outside interests or employment	CC3
Declaration for outside interests or employment	CC4

These relate primarily to personal interests of employees and in order to maintain a balance between public interest and privacy issues these declarations are subject to internal access only by Members, Officers and District Audit.

- d. Monitoring Officer Control

Membership of secret societies or organisations CC6

Membership of these organisations is not unlawful. Disclosure is required so that NoTCA can satisfy itself on matters of propriety which may arise in connection with such organisations. Access is controlled by the Monitoring Officer where he or she is satisfied that there are reasonable grounds for

access in connection with investigations of a complaint or other legitimate concerns.

Appendix A

General Data Protection Regulation (GDPR)

GDPR is a legal framework that sets guidelines for the collection and processing of personal information of individuals within the European Union (EU). The GDPR sets out the principles for data management and the rights of the individual, while also imposing fines that can be revenue-based. The General Data Protection Regulation covers all companies that deal with data of EU citizens.

In order to comply with the GDPR, NoTCA must ensure that it has a legal basis for processing the personal information of others. The following are the legal bases for processing personal information:

1. Consent – the individual has given clear consent for NoTCA to process their personal data for a specific purpose (consent will be sought in writing or provided via email)
2. Contract – the processing is necessary for a contract between NoTCA and the individual or because they have asked for specific steps to be taken before entering into a contract
3. Legal obligation – the processing is necessary to comply with the law (not including contractual obligations)
4. Vital interests – the processing is necessary to protect someone's life
5. Public task – the processing is necessary to perform a task in the public interest or for official functions, and the task or function has a clear basis in law.
6. Legitimate interests – the processing is necessary for legitimate interests or the legitimate interest of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interest.

If a legal basis for processing information cannot be identified, it may not be GDPR compliant to retain or process the information. The information should be deleted appropriately.

If personal information to be given to someone else, it must be in accordance with the conditions of GDPR and the conditions of registration. All employees of NoTCA should ensure they are familiar with the relevant conditions. If there is any doubt about the requirements of GDPR, advice is available from the NoTCA's Data Protection Officer.

Appendix B

LOCAL GOVERNMENT ACT 1972 - SECTION 117

1. Where employees become aware that they have a direct or indirect financial interest in a contract which NoTCA has entered into or intends to enter into, the employee must tell the organisation immediately.
2. Employees must not accept any fee or reward other than normal salary.
3. If employees break either of the conditions shown above, they can be prosecuted and fined. (The maximum fine is level 4 on the standard scale.)

Appendix C

ORGANISATIONS TO WHICH PARAGRAPH 7D OF THE CODE APPLIES

Any lodge, chapter, society, trust or regular gathering or meeting, which:

- is not open to members of the public who are not members of that group;
- includes an obligation on the part of the member to make a commitment of allegiance to the lodge, chapter, society or gathering or meeting; and
- includes a commitment of secrecy about the rules, membership or how the lodge, chapter, society, trust, gathering or meeting carries out its business.

A lodge, chapter, society, trust, gathering or meeting is not considered as a secret society if it forms part of a generally recognised religion.

Appendix D

LOCAL GOVERNMENT COMPETITION REGULATIONS

The following summarises some of the key principles to be observed:

All staff should:

- avoid acting in a way which restricts or prevents competition or is likely to have that effect must be avoided.
- do nothing that would distort or inhibit competition.
- treat outside bidders or contractors equally with NoTCA's Direct Service Organisation. For example, information given to the DSO about the work which is subject to competition must be made available to all bidders.

Only client-side officers may

- choose a publication in which a notice is to be published under section 7(1) of the Local Government Act 1988.
- choose who is to be invited to bid for the work.
- send the tender documents to those chosen to bid for the work.
- work out or estimate any costs.
- receive, open or evaluate tenders for the work.
- decide whether the work is to be carried out by one of the contractors or by the DSO.

Directors who are "twin-hatted", with responsibility for both client and contractor functions should be aware of the strict limitations upon them and should seek legal advice on how they should carry out their duties.

Appendix E

THE BRIBERY ACT 2010

Under the Bribery Act 2010, it is an offence to:-

1. Bribe another person
2. Be bribed
3. Bribe a foreign public official

There is also a 'corporate offence' of failing to prevent bribery. Under this, NoTCA will be guilty of an offence if an "associated person" bribes someone else intending to obtain or retain business, or a business advantage, for NoTCA. "Associated persons" may include employees, agents and subsidiaries.

Relationship with external contractor or supplier

Employee's Full Name

Job TitleGrade

Directorate and Section

I give details below of my relationship with an external contractor or supplier

Name and Address of Contractor/Supplier

.....

.....

Nature of Relationship

.....

.....

Signature Date

Please send the completed form to your Director

Received by Director Date

Comment if applicable

.....

.....

Relationship with candidate for appointment with the Authority

Employee's Full Name

Job TitleGrade

Directorate and Section

I give below details of my relationship with a candidate for appointment to a post with the North of Tyne Combined Authority.

Name and Address of Candidate

.....

.....

Post Applied for

.....

Nature of Relationship

Signature Date

Please send the completed form to your Director

Received by DirectorDate

Approval for outside interests or employment

Employee's Full Name

Job TitleGrade

Directorate and Section

Description of Outside Interest/Employment/Directorships:
.....

Does it involve any Remuneration, Fee or Reward? (If so, give details)

What is the commitment attached to these interests/employment?
.....

Geographical Location of Activities:

Details of Personal Involvement:

Do the activities involve any contact with this or any other Local Authority? (If so, give details):
.....

I wish to seek approval for my involvement in the activity outlined above and have discussed the above detail with my line manager. This form is not required for employees engaged in unpaid voluntary work.

Signature Date

Please send the completed form to your Director

Approved by Director Date

Declaration of Personal Interests

Employee's Full Name

Job TitleGrade

Directorate and Section

I give below details of my personal interests which may conflict with the North of Tyne Combined Authority's interests:

Details of Personal Interests:
.....
.....
.....
.....
.....

The interests are financial/non-financial (Delete as appropriate)

Signed Date

Please send the completed form to your Director

Received by Director Date

Financial Interest in Authority Contract

Employee's Full Name

Job TitleGrade

Directorate and Section

I give below details of my interest in a contract involving the North of Tyne Combined Authority:

Details of Financial Interest:

.....

.....

Details of Contract Involved:

.....

.....

Signed Date

Please send the completed form to the Director

Membership of Secret Societies or Organisations

Employee's Full Name

Job TitleGrade

Directorate and Section

I declare that I am a member of the following society/organisation/s:

Name of society/organisation/s:

.....

.....

Date of Becoming a Member:

Signed Date

Please send the completed form to the Director

Offers of Gifts

Employee's Full Name

Job TitleGrade

Directorate and Section

I give details of an offer of a gift or other benefit:

Details of Gifts Offered:

.....

Date Offer Made:I have accepted the offer (YES or NO?)

Name and Address of Person Making Offer:

.....

.....

Signed Date

Please send the completed form to your Director

Offers of Hospitality

Employee's Full Name

Job TitleGrade

Directorate and Section

I give details of an offer of a gift, other benefit or hospitality:

Details of hospitality Offered:

.....

Date offer made:

Name and Address of person making offer:

.....

Reasons for proposing to accept the offer:

.....

Signed Date

Please send the completed form to your Director.

Director's AuthorisationDate