

Public Document Pack

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Chief Officer (Governance)
Prif Swyddog (Llywodraethu)



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To: Cllr Robert Davies (Chair)

Councillors: Gillian Brockley, Steve Copple, Jean Davies, Mared Eastwood, Ian Hodge, Alasdair Ibbotson, Paul Johnson, Gina Maddison, Roz Mansell, Ted Palmer, Michelle Perfect, Vicky Perfect, Linda Thew, Arnold Woolley and Antony Wren

22 September 2023

Dear Sir/Madam

NOTICE OF REMOTE MEETING
CONSTITUTION AND DEMOCRATIC SERVICES COMMITTEE
THURSDAY, 28TH SEPTEMBER, 2023 at 2.00 PM

Yours faithfully

Steven Goodrum
Democratic Services Manager

The meeting will be live streamed onto the Council's website. The live streaming will stop when any confidential items are considered. A recording of the meeting will also be available, shortly after the meeting at <https://flintshire.public-i.tv/core/portal/home>

If you have any queries regarding this, please contact a member of the Democratic Services Team on 01352 702345.

A G E N D A

1 APOLOGIES

Purpose: To receive any apologies.

2 DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

Purpose: To receive any Declarations and advise Members accordingly.

3 MINUTES (Pages 3 - 10)

Purpose: To confirm as a correct record the minutes of the meeting held on 13 June 2023.

4 BRIEFINGS FOR MEMBERS (Pages 11 - 22)

Purpose: To agree how we will use the “spare dates” for Full Council in the Schedule of Meetings to brief and train Councillors.

5 ROLLING REVIEW OF THE EMPLOYEES CODE OF CONDUCT (Pages 23 - 54)

Purpose: As part of the rolling review of the Constitution, we need to consider whether the Employees Code of Conduct needs any amendments to keep it up to date.

Please note that there may be a 10 minute adjournment of this meeting if it lasts longer than two hours

CONSTITUTION AND DEMOCRATIC SERVICES COMMITTEE
13 JUNE 2023

Minutes of the Constitution and Democratic Services Committee of Flintshire County Council held as a remote attendance meeting on Wednesday 13 June 2023.

PRESENT: Councillor Rob Davies (Chairman)

Councillors: Gillian Brockley, Steve Copple, Mared Eastwood, Ian Hodge, Alasdair Ibbotson, Paul Johnson, Gina Maddison, Roz Mansell, Michelle Perfect, Vicky Perfect, Arnold Woolley and Antony Wren

APOLOGY: Councillor Jean Davies

ALSO PRESENT AS AN OBSERVER: Cabinet Member for Social Services and Well Being

SUBSTITUTE: Councillor Bernie Attridge (for Councillor Linda Thew)
Councillor Mel Buckley (for Councillor Ted Palmer)

IN ATTENDANCE: Chief Officer (Governance), Democratic Services Manager and Democratic Services Officer

1. **APPOINTMENT OF CHAIR**

The committee formally noted that following the Annual Meeting, Councillor Rob Davies be appointed as Chair of the Committee.

2. **APPOINTMENT OF VICE-CHAIR**

The Chair sought nominations for the appointment of Vice-Chair

Councillor Bernie Attridge proposed Councillor Steve Copple. This was seconded by Councillor Antony Wren.

As there were no other nominations this was carried unanimously.

RESOLVED:

That Councillor Steve Copple be appointed as Vice Chair of the committee

3. **DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)**

In response to a question raised by Councillor Bernie Attridge, the Chief Officer (Governance) clarified that Agenda item 6 related to Councillor roles and that generally Councillors would not need to declare an interest. This would only be required if a Councillor had a previous criminal conviction as they would be in a different position to the rest of the committee and would need to declare a different level of interest than a personal interest.

RESOLVED:

No Declarations were received.

4. MINUTES

The minutes of the meeting held on 15 March 2023 were approved as moved and seconded by Councillors Steve Copple and Ian Hodge

RESOLVED:

That the minutes be approved as a correct record.

5. DISCLOSING AND BARRING SERVICE CHECKS FOR COUNCILLORS

In presenting the report the Chief Officer (Governance) outlined the context and low level of risk of the issues being discussed. A great deal of vetting was carried out informally prior to candidates being elected, which included the formal step of the signing the Declaration prior to being able to stand for election. This would dissuade some people from standing. It was important to protect the vulnerable, the reputation of the Council and the role of Councillor.

The Chief Officer outlined the level of disclosure that Councillors would expect and the legal complexities which were included in the report. It was a balance between the right to know, the privacy of an individual and rehabilitation which was enshrined within legislation and limited the Council's ability to obtain disclosure. Information on the three levels of checks was located at point 1.01 in the report with the enhanced level required for Cabinet, Adoption and Foster Panels because of the sensitive information which would be shared. The Chief Officer (Governance) then referred to point 1.07 of the report saying that standard checks should be obtained for those Councillors sitting the Education Youth & Culture and Social & Health Care Overview & Scrutiny Committees as they discharged functions of the Council. For the other Councillors who did not hold any of these roles then the basic checks would be sufficient.

It was explained that the results of the checks would be sent to the Chief Officer (Governance) as Monitoring Officer and he would ensure that they remained confidential. If however it was identified that a member had a conviction which would make them unsuitable for their role, then discussions would be held with the Cabinet Member or Group Leader. The Chief Officer had no mandate to decide who sat on Cabinet or the Scrutiny Committees, this would depend on the co-operation of the Leader and Group Leaders. If it was identified that a Councillor, who had been convicted and sentenced to more than three months in prison, should not have been eligible to stand in the first place, then notification of this would be given to the Chief Executive, as the Returning Officer, and to their Group Leader. This would mean that they were disqualified by reason of having a conviction, that their role became vacant and a by-election would need to be held. A report would be sent to the Ombudsman's office and a process would be followed with independent and impartial consideration

of that person's privacy. This information would remain confidential, with access restricted following the guidance which had been set by legislation.

Councillor Bernie Attridge fully supported this very important report. He asked if the Chief Officer had taken advice from other Monitoring Officers to ascertain what other authorities were doing with regard to the enhanced DBS checks and if the WLGA could take this to the next level. He also suggested lobbying Welsh Government (WG) to enable changes in the guidance so that DBS checks were carried out for every local member every 4 years.

The Chief Officer (Governance) agreed with the point on the formality of checks saying that these were not carried out for every Councillor before they stood but that there were other levels of protection in place. Referring to the lobbying point he said the basis for conducting the enhanced checks for most people was that they had "regular and unsupervised contact with vulnerable people." The Council's social worker and care worker roles required regular enhanced and barred checks to be made because of their regular unsupervised access to vulnerable people. He asked committee Members how often they had unsupervised contact on their own with vulnerable people. It was more likely to be with an adult than a child who would have a parent or guardian present. Having that unsupervised access to a vulnerable person would provide essential evidence for lobbying purposes and would enable this to be escalated through the Monitoring Officers Group and collectively with other authorities through to the WLGA, WG and Westminster to change the law.

Referring the point on how we compared to other authorities, the Chief Officer confirmed that he had viewed the Wrexham County Borough Council policy and said that what was being considered was more onerous than theirs as Wrexham did not consider that Scrutiny Members discharged council functions. Flintshire Members had requested the highest level of checks possible for their roles. The Disclosing and Barring Service could refuse to provide the level of checks requested within our policy but it was right that we ask rather than limit the scope of requests. He was prepared to bring this back to Committee as a policy document for approval.

Councillor Steve Cople referred to the recommendations and asked if there was a policy which included the processes for dealing with these checks and felt the 4-year period for re-checks was too long considering the time Councillors were elected. The Chief Officer (Governance) responded saying that the Council had a mix of policies and decisions but agreed to formalise them into a document which could be reviewed in the future. Referring to frequency of checks he said it was for the committee to decide and that it could be changed to 3 years in line with social services checks.

Councillor Bernie Attridge moved the recommendations within the report which was seconded by Councillor Mared Eastwood

Councillor Alasdair Ibbotson proposed an amendment to the recommendations which was to remove basic checks for all Councillors and outlined his reasons for this. He felt that basic checks should be carried out for Cabinet and Overview & Scrutiny Committee members but not for the remaining Councillors who did not sit on these committees. This proposition was not supported so did not stand.

The Chief Officer (Governance) agreed with the comments made by Councillor Ibbotson that there was no sanction that the Council could impose so what was the point of doing the checks. The checks would provide evidence on whether to appoint someone to Cabinet or to an Overview & Scrutiny committee in the future.

Councillor Ian Hodge commented that since becoming a Councillor many of the residents he had visited could be deemed as vulnerable and he felt that having that DBS Check as part of his role would provide reassurance to them. He felt the checks should be mandatory for all Councillors as it would not only provide that level of certification for himself but also the person he was visiting.

Councillor Antony Wren asked if the DBS Checks for Scrutiny Committees should apply to other Members who were eligible to substitute on those committees. The Chief Officer (Governance) agreed saying that a discussion with the Disclosure & Barings Service should include that any Councillor could be nominated to these Scrutiny Committees at short notice as a substitute. They might not agree and say the checks should be for the nominated or standing members and not the substitutes. It would be worth a try though. The Chair asked if this could be investigated.

Councillor Bernie Attridge understood where Councillor Ibbotson was coming from but felt an extra resolution should be included so that no-one had the opportunity to refuse these checks. He felt most Councillors had daily contact with vulnerable people and that he would pay for the checks for himself and that as a Group Leader he would question if any members of his group refused to have the basic checks. Until this was mandatory, he felt that what was being proposed was the next best thing. He moved the recommendations with the additional recommendation.

The Chief Officer (Governance) suggested the following wording for the third recommendation :-

“ That lobbying through professional networks and the WGLA for changes to the legislation to enable an enhanced level of checks in respect of all Councillors given the vulnerable nature of the people they serve.”

Councillor Roz Manzell commented that she had applied for the check two weeks before becoming a Councillor. It cost £25 and was invaluable and worth the money as it provided that security to herself and the people with whom she had contact.

The recommendations with the inclusion of the additional recommendations were moved by Councillor Bernie Attridge and seconded by Councillor Ian Hodge

RESOLVED:

That the Council should undertake DBS checks on Councillors as follows:

- (a) Enhanced checks (without barred lists) of Members acting as
 - (a) Cabinet Members
 - (b) Members of the adoption and fostering panels

- (b) Standards checks for
 - (a) Members of the Education and Youth Overview and Scrutiny Committee; and
 - (b) Members of the Social and Health Overview and Scrutiny Committee.
- (c) That lobbying through professional networks and the WGLA for changes to the legislation to enable an enhanced level of checks in respect of all Councillors given the vulnerable nature of the people they serve

6. MEMBER WORKSHOPS BRIEFINGS AND SEMINARS UPDATE

In presenting the report the Democratic Services Manager referred to the successful Member Induction Programme which was delivered following the last Election. It was proposed to deliver a more targeted, thematic programme which would benefit Members. The WLGA were reviewing their framework which was hoped to be re-introduced within the next 12 months. Appendix 1 of the report outlined the topics which were discussed in the induction sessions and it was planned to re-visit some of the sessions to refresh and update where any changes had been made. He referred Members to point 1.05 of the report which highlighted some of the generic topics which could be included in the programme and outlined the five key areas, skills based, organisational knowledge, ethics, service or topic based and regulatory or technical sessions. The Democratic Services Manager sought Members views on what topics they thought would be beneficial and included on the training programme.

Councillor Roz Mansell asked how much the training sessions cost. It was confirmed the sessions would be delivered by specific officers with free sessions provided Data Cymru on data management and carbon literacy training. The sessions would be free with any small cost to the Council. Most of the sessions would be delivered in house.

Councillor Gina Maddison referred to the lone working policy and asked if this would be included in the Safeguarding training or did the Council have a lone work policy which could be shared with Councillors. The Democratic Services Manager confirmed the WLGA were focussing on sessions for this within their Framework. The Council did have a Lone Working Policy for different areas of work and he agreed to take this back as an Action. Health & Safety and Safeguarding for Members was part of the schedule and development process for the coming 12 months and beyond.

Councillor Bernie Attridge sought clarification that it was this Committee which identified items for the Members Training Programme and asked if any training sessions agreed would be presented to full council for adoption. He asked how other Members put forward suggestions for their training needs if they were not on this Committee and commented that the Standards Committee had requested more guidance around social media. He felt it was important that the guidance was given as soon as possible as social media was a useful tool to use with the correct guidance.

The Democratic Services Manager reported that the guidance from Welsh Government (WG) under the Local Government Elections Act stated that the Constitution and Democratic Services Committee was responsible for the training programme for Members. The Act also stipulated that Members had Individual

Development Plans with regular reviews of their training schedule and needs to ensure Members were equipped with the right skills.

The Chief Officer (Governance) agreed with the comments made around the Training Programme. Previously discussions had been held at the start of committee meetings to enable Members to suggest ideas for training on specific themes which would be beneficial to them. This could be a standard item for the next cycle of meetings to ascertain what training was required for that committee over the next 12 months. It would also be possible to incorporate training from other sources on social media, respect and how Councillors expressed their views without contravening the Code. Chief Officers were also providing training which Members would find useful. The package would be pulled together from a range of sources to enable the formation of a comprehensive and diverse programme.

Councillor Paul Johnson referred to his time as a member of the Standards Committee. When an item was being presented to committee a training session was arranged 30 minutes prior to the start of the meeting which he found extremely helpful. Having that 30-minute session on a report which included background information, legal implications and next steps was very useful.

The Chief Officer agreed saying that the Standards and Governance & Audit Committees included a training session at the meeting prior to that report being presented. This provided an opportunity for questions to be raised for clarity and could be linked to officer work programmes. Longer sessions could be provided for more complex topics to allow more time for questions and discussion to take place. There could also be bitesize sessions which could be held at the start of a meeting to assist Members. More County Council dates had been reserved in the Members' diary than were needed and these slots would be used for training or workshop sessions if not required for Council meetings. The Democratic Services Manager would be attending the Chief Officer Team meetings to ensure that training and workshops were incorporated into the forward work programme

Councillor Roz Mansell asked if the sessions would be on zoom. The Democratic Services Manager confirmed that each session would be tailored to support what was being delivered. There would be a combination as some external companies may choose to deliver them remotely if they were based in London or Cardiff. Sessions had been arranged in person in the day and on zoom at night which offered a choice to Members

The Chief Officer (Governance) referred to the convention which was being developed where one session would be provided in person in the day with the other provided remotely in the evening. Members had appreciated this approach.

The recommendations with the report were moved by Councillor Bernie Attridge and seconded by Councillor Roz Mansell

RESOLVED:

- (a) That a 'training needs analysis' was undertaken of all Members by the Democratic Service Manager to better inform future development programmes.
- (b) That if Members had any suggestions for future development, they were invited to contact the Democratic Services Manager to discuss them.

- (c) That a draft training and development plan was brought back to the Committee meeting in September.

7. FORWARD WORK PROGRAMME

The Democratic Services Manager introduced the report and provided an overview of the items which had been included for the committee. Members of the committee were encouraged to suggest further items for inclusion on the Forward Work Programme which would be developed over time.

The recommendations within the report were moved by Councillor Bernie Attridge and seconded by Councillor Ian Hodge

RESOLVED:

- (a) That the Forward Work Programme, as amended, be noted; and
- (b) That the Democratic Services Manager, in consultation with the Committee Chairman, be authorised to vary the Forward Work Programme between meetings, as the need arises.

8. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There were no members of the press or public present.

(The meeting started at 2.00 pm and ended at 3.13 pm)

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Chairman

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CONSTITUTION AND DEMOCRATIC SERVICES COMMITTEE

Date of Meeting	Thursday, 28 September 2023
Report Subject	Briefings for Members
Report Author	Gareth Owens Chief Officer (Governance)
Type of Report	Operational

EXECUTIVE SUMMARY

Following the induction programme last year and the subsequent 'settling in' period, focus has now moved to developing and implementing a training and development schedule for Members.

The development programme has started to deliver sessions, and this will pick up pace during the latter months of 2023.

It is important that Members input into what sessions are offered to ensure they are relevant and deliver skills that help Members undertake their role as a County Councillor.

RECOMMENDATIONS

1	For the Committee to review the proposed Councillor Development Plan and suggest any additional topics for consideration.
2	For the Committee to offer suggestions for specific topics for consideration at the 4 'spare' County Council meetings.

REPORT DETAILS

1.00	EXPLAINING THE BRIEFING FOR MEMBERS
1.01	Local authorities are required to provide reasonable training and development opportunities for its members.

	<p>Following the May 2022 election, a comprehensive induction programme was delivered to all Members provide new and returning Members with an overview of how the Council operates, including the rules and regulations, the role of elected Members and the role of Officers.</p> <p>The programme was designed to be 'high-level' in order that Members could undertake their role as a Councillor as quickly as possible. It is appropriate to offer refresher sessions for some of these.</p>												
1.02	<p>As well as revisiting some of the topics covered during the induction, a 'curriculum' of items will be considered as part of Member development proposals.</p> <p>Guidance published by Welsh Government includes some suggestions (below), and these may provide a useful starting point for consideration.</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 50%;"> <ul style="list-style-type: none"> • Induction - An introduction to the work of a local authority and its relationship with key bodies and the role of those bodies. Councils should plan a comprehensive induction programme for new councillors for delivery shortly after ordinary elections and also for new members elected at a by election. </td> <td style="vertical-align: top; width: 50%;"> <p>We have already delivered this.</p> <p>It will need to be reviewed ahead of the next elections.</p> <p>No plan to revisit as part of the current programme.</p> </td> </tr> <tr> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • Role and functions of the executive, the council and its officers. </td> <td style="vertical-align: top;"> <p>This was delivered as part of the induction last year.</p> <p>A refresher session could be offered.</p> </td> </tr> <tr> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • An overview of the council's constitution, including the operation of meetings, how to raise questions with the leader and executive, access to information and research support. </td> <td style="vertical-align: top;"> <p>Included in the proposed schedule of sessions at Appendix 1.</p> </td> </tr> <tr> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • Training for the chairs of committees including effective chairing skills. </td> <td style="vertical-align: top;"> <p>Included in the proposed schedule of sessions at Appendix 1.</p> </td> </tr> <tr> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • Training on specific roles members may undertake such as governors or representatives on health boards, fire and rescue authorities or national parks. </td> <td style="vertical-align: top;"> <p>Included in the proposed schedule of sessions at Appendix 1.</p> </td> </tr> <tr> <td style="vertical-align: top;"> <ul style="list-style-type: none"> • Training on the role of the councillor as a local member, the delegation of functions to ward </td> <td style="vertical-align: top;"> <p>The WLGA are currently exploring delivery of this topic.</p> </td> </tr> </table>	<ul style="list-style-type: none"> • Induction - An introduction to the work of a local authority and its relationship with key bodies and the role of those bodies. Councils should plan a comprehensive induction programme for new councillors for delivery shortly after ordinary elections and also for new members elected at a by election. 	<p>We have already delivered this.</p> <p>It will need to be reviewed ahead of the next elections.</p> <p>No plan to revisit as part of the current programme.</p>	<ul style="list-style-type: none"> • Role and functions of the executive, the council and its officers. 	<p>This was delivered as part of the induction last year.</p> <p>A refresher session could be offered.</p>	<ul style="list-style-type: none"> • An overview of the council's constitution, including the operation of meetings, how to raise questions with the leader and executive, access to information and research support. 	<p>Included in the proposed schedule of sessions at Appendix 1.</p>	<ul style="list-style-type: none"> • Training for the chairs of committees including effective chairing skills. 	<p>Included in the proposed schedule of sessions at Appendix 1.</p>	<ul style="list-style-type: none"> • Training on specific roles members may undertake such as governors or representatives on health boards, fire and rescue authorities or national parks. 	<p>Included in the proposed schedule of sessions at Appendix 1.</p>	<ul style="list-style-type: none"> • Training on the role of the councillor as a local member, the delegation of functions to ward 	<p>The WLGA are currently exploring delivery of this topic.</p>
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<p>members and councillor calls for action.</p>	
<ul style="list-style-type: none"> • Training on public engagement, the council's strategy to encourage participation in local decision making and the role members can play in engaging communities. 	<p>Use one of the reserved dates in Para 1.03</p>
<ul style="list-style-type: none"> • Specific training for councillors carrying out certain regulatory or quasi-judicial roles (training for councillors sitting on planning or licensing committees, for example). 	<p>Included in the proposed schedule of sessions at Appendix 1.</p>
<ul style="list-style-type: none"> • Specific training for councillors carrying out roles relating to the operations of the council. Governance and Audit, Democratic Services and Standards Committee members might be seen as in particular need. 	<p>Included in the proposed schedule of sessions at Appendix 1.</p>
<ul style="list-style-type: none"> • Training on the operation of overview and scrutiny and its relationship with the council executive. 	<p>The WLGA are currently exploring delivery of this topic.</p>
<ul style="list-style-type: none"> • Training on rights and responsibilities under the Equality Act 2010 and more broadly the Social Model of Disability. 	<p>Included in the proposed schedule of sessions at Appendix 1.</p>
<ul style="list-style-type: none"> • Training on ICT, including how to participate in multi-location meetings and how the use of ICT can support the councillor's work. 	<p>Included in the proposed schedule of sessions at Appendix 1.</p>
<ul style="list-style-type: none"> • Training on the effective use of social media and the opportunities for better engagement between councillors and the communities they serve. 	<p>Included in the proposed schedule of sessions at Appendix 1.</p>
<ul style="list-style-type: none"> • Training on wellbeing and safety, including ways of keeping safe when undertaking their role. 	<p>Included in the proposed schedule of sessions at Appendix 1.</p>

	<ul style="list-style-type: none"> • Training on councillors’ corporate parenting responsibilities. Included in the proposed schedule of sessions at Appendix 1. • Training on equality and diversity (EDI), and the council’s responsibilities in respect of the wellbeing of future generations (WFG). Included in the proposed schedule of sessions at Appendix 1. • Training on keeping safe when working alone, including when visiting others. Included in the proposed schedule of sessions at Appendix 1. <p>In addition to sessions identified above, and those listed in Appendix 1, a number of other ‘topics’ will be offered including:</p> <ul style="list-style-type: none"> • Equality & Diversity • IT security (Cyber Ninja) • Social Value • ICT skills (Office applications) • Working with the media 										
1.03	<p>There are 4 dates (listed below) that are currently reserved for Full Council where, if not used for council to meet, it has been agreed that they will be utilised to deliver targeted developmental sessions for Members.</p> <table border="1" data-bbox="320 1144 1305 1686"> <thead> <tr> <th data-bbox="320 1144 730 1223">Date</th> <th data-bbox="730 1144 1305 1223">Possible session</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 1223 730 1332">Thursday 23rd November 2023 at 10am</td> <td data-bbox="730 1223 1305 1332">TBC</td> </tr> <tr> <td data-bbox="320 1332 730 1451">Friday 1st March 2024 at 10am</td> <td data-bbox="730 1332 1305 1451">Open to ideas / Determine nearer the time</td> </tr> <tr> <td data-bbox="320 1451 730 1570">Tuesday 16th April 2024 at 2pm</td> <td data-bbox="730 1451 1305 1570">Open to ideas / Determine nearer the time</td> </tr> <tr> <td data-bbox="320 1570 730 1686">Tuesday 7th May 2024 at 2pm</td> <td data-bbox="730 1570 1305 1686">Open to ideas / Determine nearer the time</td> </tr> </tbody> </table> <p>We will consider which of the topics that are identified through this report and appendix as being appropriate for delivery on one of these dates but would welcome any specific suggestions from the Committee.</p>	Date	Possible session	Thursday 23 rd November 2023 at 10am	TBC	Friday 1 st March 2024 at 10am	Open to ideas / Determine nearer the time	Tuesday 16 th April 2024 at 2pm	Open to ideas / Determine nearer the time	Tuesday 7 th May 2024 at 2pm	Open to ideas / Determine nearer the time
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1.04	<p>It is essential that councils do not have a static view of what constitutes reasonable training and development needs; it should be one which is regularly and frequently kept under review to ensure it reflects legislative changes and the needs of members identified through their annual reviews.</p>										

2.00	RESOURCE IMPLICATIONS
2.01	<p>Training sessions will, where possible be provided by the Council's own officers to minimise costs.</p> <p>Where relevant, this will be supplemented by external bodies as required, such as the WLGA.</p> <p>Some specialist topics may require external providers to deliver sessions which will incur costs for the Authority.</p>

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	<p>The training and development schedule is a 'living document' that can be added to as required.</p> <p>This report has therefore been prepared to consult the Members of this Committee on any training items that it feels may be needed.</p> <p>The Chief Officer Team have been consulted.</p>

4.00	RISK MANAGEMENT
4.01	<p>The Member Development Programme will be designed to mitigate risk by providing councillors with the knowledge and skills to carry out their roles effectively.</p> <p>Any potential risks will be included in the scoping for the training sessions.</p>

5.00	APPENDICES
5.01	Appendix 1 – Draft Councillor Development Plan 2023

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>None</p> <p>Contact Officer: Steven Goodrum, Democratic Service Manager Telephone: 01352 702320 E-mail: Steven.Goodrum@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	WLGA – Welsh Local Government Association.

Proposed content for inclusion on a Schedule of Member Development Sessions

Theme(s)	Topic	Indicative Presenters to include	Outline/Purpose	Target	Status and justification	Dates/times
<ul style="list-style-type: none"> Skills 	Chairing Effective Meetings	External	<ul style="list-style-type: none"> Effective chairing and recognition of the chair's role. 	Chairs and Vice-Chairs of all Committees	Discretionary, but highly recommended.	Delivered September 2023
<ul style="list-style-type: none"> Organisational Knowledge Ethics 	Constitution, Code of Conduct, the Flintshire Standard and Group leader roles.	Internal	<p>Refresher from 2022 Induction</p> <ul style="list-style-type: none"> Explaining 'the rules' so that all Members are reminded of them. 	All Members	Mandatory	Jan/Feb 2024
<ul style="list-style-type: none"> Skills Organisational Knowledge 	How Members work	Explore sessions offered by WLGA	<p>Refresher from 2022 Induction</p> <ul style="list-style-type: none"> Participating in meetings, managing ward work, maintaining a healthy work/life balance, self-care arrangements, protocol on operating outside the ward. Cabinet and committee roles. Social media profile. 	All Members	Discretionary, but highly recommended.	Nov/Dec 2023

Theme(s)	Topic	Indicative Presenters to include	Outline/Purpose	Target	Status and justification	Dates/times
<ul style="list-style-type: none"> Regulatory / Technical Organisational Knowledge 	Planning Committee Members' training	Internal	<p>Refresher from 2022 Induction</p> <ul style="list-style-type: none"> Role of the Members of the Planning Committee in determining planning applications. 	Members of the Planning Committee	Only those who have been trained are eligible to be members of this committee.	Awaiting dates from Service
<ul style="list-style-type: none"> Regulatory / Technical Organisational Knowledge 	Planning for non-committee members	Internal	<p>Refresher from 2022 Induction</p> <ul style="list-style-type: none"> Explain the Planning system for non-committee members, their role in consultation and representation 	Members who are not on the Planning Committee	Discretionary, but highly recommended.	Awaiting dates from Service
<ul style="list-style-type: none"> Regulatory / Technical 	Licensing Committee	External	<ul style="list-style-type: none"> Training for Members of the Licensing committee and how the sub-committees work to deal with individual applications. 	Mandatory for Members who are going to serve on the Licensing Committee.	Only those who have been trained are eligible to be members of this committee	Awaiting dates from Service
<ul style="list-style-type: none"> Organisational Knowledge Regulatory / Technical 	Strategic Finance	Combination	<ul style="list-style-type: none"> Size of budget, how made up, sources of income, members role in setting budget etc, 	All Members	Discretionary, but highly recommended.	October 2023

Theme(s)	Topic	Indicative Presenters to include	Outline/Purpose	Target	Status and justification	Dates/times
			WG/WLGA stance on funding formula.			
<ul style="list-style-type: none"> Regulatory / Technical 	Governance & Audit Committee	Combination	<p>Refresher from 2022 Induction</p> <ul style="list-style-type: none"> Role of the Committee: to support and promote efficient and economic use of resources. effective control of expenditure and review audit performance. Signing off Annual Accounts 	G&A committee members, whether councillors or lay Members	Only those who have been trained are eligible to be members of this committee	TBC
<ul style="list-style-type: none"> Service / Topic Based 	Carbon Literacy for Members	Internal		All Members	Discretionary, but highly recommended.	Autumn 2023
<ul style="list-style-type: none"> Regulatory / Technical 	Information management, security & Data protection	External facilitator	<ul style="list-style-type: none"> Importance of data security, role of Members as data controllers, dangers of re-using previous emails and their trails. 	All Members		Autumn 2023

Theme(s)	Topic	Indicative Presenters to include	Outline/Purpose	Target	Status and justification	Dates/times
<ul style="list-style-type: none"> • Skills • Ethics • Regulatory / Technical 	Equalities, to include Welsh language policy	Combination	<ul style="list-style-type: none"> • How we fulfil requirements within Flintshire 	All Members	Discretionary, but highly recommended.	Jan/Feb 2024
<ul style="list-style-type: none"> • Regulatory / Technical 	Safeguarding	Internal	<ul style="list-style-type: none"> • Provide Members with details of safeguarding roles, responsibilities and duties. 	All Members	Discretionary, but highly recommended.	November 2023
Page 20 <ul style="list-style-type: none"> • Skills Service / Topic Based 	Corporate Parenting	Internal	<ul style="list-style-type: none"> • To provide Members with an overview of what Corporate Parenting is and their role. 	All Members	Discretionary, but highly recommended.	November 2023
<ul style="list-style-type: none"> • Skills 	Lone Working	Internal?	<ul style="list-style-type: none"> • Provide Members with guidance and steps if working alone (e.g. home visits etc.) 	All Members	Discretionary, but highly recommended.	TBC
<ul style="list-style-type: none"> • Skills • Regulatory / Technical 	Social Media	External	<ul style="list-style-type: none"> • Provide Members with guidance on the use of social media – including well-being, bullying and harassment etc. 	All Members	Discretionary, but highly recommended.	TBC

Theme(s)	Topic	Indicative Presenters to include	Outline/Purpose	Target	Status and justification	Dates/times
<ul style="list-style-type: none"> Organisational knowledge 	External Bodies	Combination	<ul style="list-style-type: none"> Training on specific roles members may undertake on external bodies, including a short brief on the purpose of the role and the member's responsibilities in keeping the council appraised of developments on the body they are representing the council on, the level of decision making that is delegated to them and how they may access assistance to support them in the role. 	All Members	Discretionary, but highly recommended.	Spring 2024
<ul style="list-style-type: none"> Organisational knowledge 	Committee workings	Combination	<ul style="list-style-type: none"> For Members to receive specific training targeted at each of the specific committees, such as the role and workings of Scrutiny etc. 	All Members – although relevant to those on specific committees	Discretionary, but highly recommended.	Delivered as part of Committee FWP's

Theme(s)	Topic	Indicative Presenters to include	Outline/Purpose	Target	Status and justification	Dates/times
<ul style="list-style-type: none"> Regulatory / Technical 	Health & Safety	Internal	<ul style="list-style-type: none"> To provide Members with an overview of the Health & Safety team and enable them to understand their role in respect of H&S. 	All Members	Discretionary, but highly recommended.	November 2023

EXAMPLE



CONSTITUTION & DEMOCRATIC SERVICES COMMITTEE

Date of Meeting	Thursday, 28 th September 2023
Report Subject	Rolling Review of the Employees Code of Conduct
Cabinet Member	Cabinet Member for Governance and Corporate Services including Health and Safety and Human Resources
Report Author	Chief Officer (Governance)

EXECUTIVE SUMMARY

The Standards Committee reviews all codes and protocols on a rolling basis to ensure that they are up to date and remain pertinent. The Committee has reviewed the employees code of conduct and suggests changes.

The employees code of conduct consists of statutorily mandated text, which cannot be changed, plus additional provisions and explanation. The Committee has recommended changes including:

- 1) Updating the code now that some employees are permitted to stand for political office;
- 2) Provisions regulating employees making public criticism of the Council;
- 3) Behaviour towards colleagues; and
- 4) Dress code.

RECOMMENDATIONS

1	That the Committee recommends the proposed changes to Full Council for adoption.
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REPORT DETAILS

1.00	EXPLAINING THE PROPOSED CHANGES TO THE CODE OF CONDUCT
1.01	The Standards Committee carries out a rolling review of codes and protocols within the Constitution to ensure that they remain up to date and

	<p>pertinent. It has recently reviewed the employees code of conduct and recommends changes. These changes are shown in Appendix 1 as tracked changes and in Appendix 2 as a “clean version”.</p>
1.02	<p>The employees code of conduct includes text in bold italic that is mandated by statute and statutory instrument. The Council cannot change those parts of the code. The remaining text, in normal font, is additional and may be revised or supplemented.</p>
1.03	<p>The Employees Code of Conduct is incorporated into every employee’s contract of employment. Compliance with the code is maintained through operating procedures, training, and management oversight. Unlike the Councillors’ code, enforcement is also managed through the employment relationship and breach can lead to disciplinary action and ultimately even dismissal.</p>
1.04	<p>Senior managers were consulted to understand whether the code clearly sets out all appropriate expectations for behaviour in relation to employment with the council. They identified the following areas which needed further expansion:</p> <ol style="list-style-type: none"> 1) The code describes expected behaviours to certain groups of people e.g. Councillors and public, but not fellow employees; 2) Employees who wish to stand for election; 3) Statement made publicly by employees that relate to the Council whether in broadcasts, publications or on social media; 4) Use of IT; 5) Dress code.
1.05	<p>The code sets out understandable expectations of behaviour towards councillors and people outside the organisation. It says nothing about expectation between colleagues. It is possible to be over prescriptive on such issues and so a short statement was included to cover minimum expectations of behaviours in work.</p>
	<p>The Local Government and Elections Act 2021 allowed employees to stand for election in the Council where they are employed. If successful, the employee must resign but is not required to give their contractual period of notice. The previous provisions within the code on political activity were updated to reflect this change.</p>
	<p>Public statements by employees can have a powerful effect on the reputation of the Council for both good and ill, whether made in their professional roles or in their private lives. Excessive or unfounded criticism of the Council can also undermine the employer/employee relationship. A short section on public statements relating to the Council has been included. This can include social media, and as the Council already has an approved/adopted social media policy, this has been specifically referenced.</p> <p>This was an area which the Standards Committee scrutinised in great detail, being concerned to protect freedom of speech. It considered different options from other councils before synthesising the proposed changes.</p>

	Neither the use of IT nor dress code has previously been addressed under the code. Short paragraphs were therefore included.
	A number of references to outdated job titles have also been updated.

2.00	RESOURCE IMPLICATIONS
2.01	The resources for ensuring compliance with the Employees' Code are the management structure of the Council. No changes to the resources required arise as a result of the changes proposed to the Code of Conduct.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Senior managers have been consulted. If approved the proposed changes will be shared with the unions prior to being reported to Full Council.

4.00	RISK MANAGEMENT
4.01	Ultimately, failure to follow the Code could result in an employee being dismissed and potentially the Council's actions being challenged in an Employment Tribunal. The proposed changes to the Code of Conduct need to strike a careful balance between the legitimate interests of the Council and the rights of the employee.

5.00	APPENDICES
5.01	Appendix 1 – Employees' Code of Conduct in tracked changes Appendix 2 – Employees' Code of Conduct clean copy

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	Social media policy Contact Officer: Gareth Owens, Chief Officer (Governance) Telephone: 01352 702344 E-mail: gareth.legal@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	Qualifying Local Government employees – all employees in local government are “qualifying employees” apart from firefighters and teachers.

Proposed Amendments to Employees' Code of Conduct

The words in ***bold*** italics comprise the statutory Employees' Code of Conduct which is automatically incorporated into Employees' Contracts of Employment and will prevail in circumstances where there is any contradictory provision elsewhere in the Code.

General Principles

1. The public is entitled to expect the highest standards of conduct from all qualifying employees of relevant authorities. The role of such employees is to serve their employing Authority in providing advice, implementing its policies, and delivering services to the local community. In performing their duties, they must act with integrity, honesty, impartiality and objectivity.

1.1 Local government employees are expected to give the highest possible standard of service to the public and, where it is part of their duties, to provide appropriate advice to Councillors and fellow employees with impartiality. Flintshire employees are expected to show respect and courtesy in their dealings with the public, Councillors and fellow employees providing them with impartial and appropriate advice.

Accountability

2. Qualifying employees of relevant authorities work for their employing Authority and serve the whole of that Authority. Qualifying employees are defined as all employees of a relevant Authority unless exempted by statutory regulation, e.g. Teachers and Officers of Fire Authorities. They are accountable to, and owe a duty to that Authority. They must act in accordance with the principles set out in this Code, recognising the duty of all public sector employees to discharge public functions reasonably and according to the law.

2.1 Employees must report any impropriety or breach of procedure to their immediate manager, except where that relates to the conduct of the manager when it must be reported to the manager's manager. Managers should, in turn, report breaches to their manager. The Chief Officer shall notify the [Head of Legal & Democratic Services Monitoring Officer](#) of the occurrence.

2.2 All employees are required to familiarise themselves with and comply with the Council's Financial Procedure Rules. Any employee who fails to observe Financial Procedure Rules may be subject to disciplinary [action proceedings](#).

2.3 [All employees are required to familiarise themselves with and comply](#)

[with the Council's Contract Procedure Rules. Any employee who fails to observe Contract Procedure Rules may be subject to disciplinary proceedings. In addition, Orders and contracts must be awarded on merit and no special favour should be shown in the procurement process to businesses run by, for example, friends, partners or relatives. No part of the local community should be discriminated against.](#)

- 2.4 Employees involved in the procurement process and dealing with [Contractors](#) should be clear on the separation of client and [Contractor](#) roles within the Authority. Senior employees who have both a client and [Contractor](#) responsibility must be aware of the need for accountability.
- 2.5 Employees in [Contractor](#) or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other [Contractors](#) and sub-[Contractors](#).
- 2.6 Employees who are privy to confidential information on [Tenders](#) or costs for either internal or external [Contractors](#) must not disclose that information to any unauthorised party or organisation.
- 2.7 Employees contemplating a management buyout must, as soon as they have formed a definite intent, inform their manager and withdraw from the contract awarding processes.
- 2.8 Employees must ensure that no special favour is shown to current or [recent](#) former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.
- 2.9 Employees must be aware that it is a serious criminal offence for them corruptly to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.
- 2.10 Local Government Act 1972 117 - Pecuniary Interests - provides that if officers know that a contract in which they have a pecuniary interest is before the local Authority, they must give notice of their interest to the Authority. This does not, of course, apply to a contract with them in their own name because the Authority will then know of their interest. Section 117(2) forbids any officer "under colour of their office or employment to accept "any fee or reward" whatsoever other than proper remuneration.
- 2.11 *The Bribery Act 2010*

The Bribery Act 2010 creates criminal offences for any individual who either offers or receives a financial or other advantage intending the advantage to be rewarded by the improper performance of a function or activity. The Act also creates an offence of directly or indirectly offering, promising or giving a bribe to a foreign public official so as to influence the actions of the foreign public official. Any individual found guilty of any of these offences is liable to imprisonment for up to a maximum period of 10 years.

- 2.12 Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Any offer of sponsorship should only be accepted if the appropriate Chief Officer has so decided. Particular care must be taken when dealing with Contractors or potential Contractors.
- 2.13 Any offers of sponsorship received by employees should be referred to their Chief Officer for decision.
- 2.14 Where the Authority wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to an appropriate manager of any such interest. Similarly, where the Authority through sponsorship, grant aid, financial or other means, gives support in the community, employees must ensure that impartial advice is given and that there is no conflict of interest involved.

Political Neutrality

3. ***-Qualifying employees of relevant authorities, whether or not politically restricted, must follow every lawfully expressed policy of the Authority and must not allow their own personal or political opinions to interfere with their work. Where qualifying employees are politically restricted (by reason of the post they hold or the nature of the work they do), they must comply with any statutory restrictions on their political activities.***
- 3.1 Employees serve the Authority as a whole. It follows they must serve all Councillors and not just those of the controlling group, and must ensure that the individual rights of all Councillors are respected.
- 3.2 Subject to the Authority's conventions, employees may be required to advise political groups. They must do so in ways which do not compromise their political neutrality.
- 3.3 Employees, whether or not politically restricted, must follow every lawful expressed policy of the Authority and must not allow their own personal or political opinions to interfere with their work.

- 3.4 Political assistants appointed on fixed term contracts in accordance with the local Government and Housing Act 1989 are exempt from the standards set in paragraphs 3.1 to 3.3.
- 3.5 The Local Government and Housing Act 1989, Pt 1 contains provisions to stop 'twin-tracking' (where a senior local Authority employee is also an elected ~~Member~~[Councillor](#) of another local Authority) and to restrict the political activity of senior employees. Local Authority employees holding politically restricted posts are disqualified from membership of any local Authority, other than a ~~Town~~[parish](#) or ~~C~~[Community Council](#) (s(1)), from being an MP, ~~MSAM~~ or MEP and are subject to prescribed restrictions on their political activity (s(5),(6)).
- 3.6 The Local Government & Housing Act 1989 requires each Council to maintain a list of its politically restricted posts. These are posts which are:-
- (a) specified in the legislation, such as the Head of Paid Service, Chief Officers and their Deputies.
 - (b) those posts which have delegated powers to make decisions on behalf of the Council.
 - (c) those posts that regularly provide advice at Council, Cabinet or formal Committee or sub Committee meetings.
 - (d) those posts that speak on behalf of the authority on a regular basis to journalists and broadcasters.
- 3.7 The political restrictions are deemed to be incorporated in the contract of employment of every local Authority employee who holds a politically restricted post. If you are uncertain as to whether your post is politically restricted you should seek clarification from your immediate manager and, if uncertainty remains, contact the ~~Democracy and Governance~~[Democratic Services](#) Manager.
- [3.8 The Local Government and Elections \(Wales\) Act 2021 allows employees who do not hold politically restricted posts to stand for election. If successfully elected, such employees must resign before taking up their position as councillor, though they are not required to give their full contractual notice \(their resignation takes effect immediately\). Guidance and advice will be offered to all employees standing for election or to avoid contravening this code of conduct during their campaign.](#)

Relations with members, the public and other employees

4. ***Mutual respect between qualifying employees and members is essential to good local government, and working relationships should be kept on a professional basis.***

5. Qualifying employees of relevant authorities should deal with the public, members and other employees sympathetically, efficiently, and without bias.

5.1 [Councillors](#)

Employees are responsible to the Authority through its senior managers. For some their role is to give advice to Councillors and senior managers, and all are there to carry out the Authority's work. Mutual respect between employees and Councillors is essential to good local government. Close personal familiarity between employees and individual Councillors can damage the relationship and prove embarrassing to other employees and Councillors and should therefore be avoided.

5.2 The Local Community and Service Users

Employees should always remember their responsibilities to the community they serve and **must** ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the Authority.

5.3 [Other Employees](#)

It is essential to the effective running of the Council that employees maintain appropriate professional relationships with other employees. Employees must be supportive, co-operative and respectful towards colleagues in all parts of the Council.

5.4 [Contractors](#)

Orders and contracts must be awarded on merit, by fair competition and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the procurement process. No part of the local community should be discriminated against.

If during the course of your work you are dealing with an external Contractor with whom you have, or have had within the last 12 months, a business or private relationship you must immediately make your manager aware of that relationship.

Equality

6. Qualifying employees of relevant authorities must comply with policies relating to equality issues, as agreed by the Authority, in addition to the requirements of the law.

6.1 All local government employees must ensure that policies relating to equality issues as agreed by the Authority are complied with in addition

to the requirements of the law. All members of the local community, customers and other employees have a right to be treated with fairness and equity.

Stewardship

- 7. Qualifying employees of relevant authorities must ensure that they use public funds entrusted to them in a responsible and lawful manner, and must not utilise property, vehicles or other facilities of the Authority for personal use unless authorised to do so.**
- 7.1 All employees are required to familiarise themselves with the Council's Financial Procedure Rules and Contract Procedure Rules and know where they can inspect a copy of them. Any doubt concerning Financial Procedure Rules and Contract Procedure Rules should be raised with your immediate manager and, if the doubt continues, with the Finance Department
- 7.2 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the Authority.

Personal Interests

- 8. Whilst qualifying employees' private lives are their own concern, they must not allow their private interests to conflict with their public duty. They must not misuse their official position or information acquired in the course of their employment to further their private interests, or the interests of others. In particular, they must comply with:**
- (1) **any rules of their relevant Authority on the registration and declaration by employees of financial and non - financial interests,**
- (2) **any rules of their relevant Authority on the declaration by employees of hospitality or gifts offered to or received by them, from any person or organisation doing or seeking to do business, or otherwise benefiting or seeking to benefit from a relationship with the Authority. Qualifying employees must not accept benefits from a third party unless authorised to do so by their relevant Authority.**
- 8.1 In addition to the criminal offence under Section 117 of the Local Government Act 1972 concerning pecuniary interests (see paragraph 2.10 above) there are the following rules concerning personal interests.

- 8.2 Employees have a personal interest whenever a reasonable person would perceive a conflict between the employee's private affairs and the work the employee does for the authority. A personal interest can arise in a range of different circumstances as set out in the following paragraphs, including (but not limited to) the matters listed below:
- Dealing with friends, family or an organisation with which the employee is associated
 - Gifts or hospitality
 - Outside work including paid and non-paid roles
- 8.3 There would be a personal interest under 8.2 if in the course of the employee's Council work he/she would normally deal with a matter that would affect him/her, their family, a close personal associate, their property, or an organisation they are associated with. For instance, if in the course of the employee's work they would normally deal with a planning application affecting a relative's property or where the employee is involved in processing a payment to an organisation with which the employee is associated.
- 8.4 Wherever the employee has such a personal interest they should immediately draw it to the attention of their Line Manager who would normally decide that the employee should not be involved in dealing with that matter. This does not mean that the employee can not be trusted but is to protect both the Council's reputation and the employee's reputation against allegations of favouritism. In exceptional circumstances where the employee's skills can not be replicated the Manager may allow the employee to undertake the work but put in place other controls such as being copied into all communications.
- 8.5 The arrangements must be recorded in writing and communicated to all other employees who need to know what the arrangements are. Each Chief Officer should have a register to record all such declarations of interest and any consequential working arrangements promptly in it. It is the employee's responsibility to ensure their declaration of interest is recorded.
- 8.6 The Council has [approved forms an online system](#) which may be used for the reporting and recording of interests, and which gives guidance on when to declare an interest and how managers should handle such interests once declared. [DOI System](#)
- 8.7 Intellectual property

Intellectual property is a generic term that includes inventions, creative writings and drawings. If these are created by the employee during the course of employment then, as a general rule, they belong to the employer. However, various Acts of Parliament cover different types of intellectual property.

8.8 Inventions and Patents

Inventions made before 1st June 1978 are the property of the employer if made in the course of that employer's employment. However, the Patents Act 1977 states that after the 1st June 1978 inventions are only the property of the employer if:-

- * they have been made in the course of the employee's normal duties; or
- * they have been made in the course of duties specifically assigned to the employee and where invention might be reasonably expected; or
- * it was made in the course of the employee's duties and at the time the employee had (because of the nature of his or her duties and particular responsibilities arising from them) a special obligation to further the interests of the employer.

8.9 Chief Officers, those Managers reporting directly to them and employees with delegated powers will be asked to voluntarily register their membership of all clubs, societies and organisations.

Section 9 – Gifts & Hospitality

- 9.1 In addition to the criminal offences covered by the Bribery Act 2010 referred to in paragraph 2.11 above there are the following rules concerning gifts and hospitality.
- 9.2 Employees must not retain personal gifts obtained, whether directly or indirectly, as a result of their work for the authority. The only gifts that employees are entitled to retain are insignificant items of token value such as pens and diaries. With any other gifts the employee should draw this to the attention of their Line Manager who may decide that rather than the gift being returned it should be forwarded to the Member Support Office as a donation to the Chair's charity. All offers of gifts should be recorded in the register maintained by the Chief Officers.
- 9.3 Offers of hospitality can only be accepted when authorised by Chief Officers or where covered by paragraph 9.4 below.
- 9.4 Unless specifically authorised by the Chief Officer hospitality can only be accepted when an employee is attending conferences or courses, launch events, award ceremonies and other events/functions organised by Council, partners or other public bodies at which the Council needs to be represented where it is clear the hospitality is being offered indiscriminately and the value of any such hospitality does not exceed [£1025](#).
- 9.5 When gifts or hospitality are declined those making the offer should be courteous but firmly informed of the procedures and standards operating within the authority that require it to be declined.

- 9.6 It is the employee's responsibility to ensure that offers of gifts and hospitality are recorded in the appropriate departmental register.

Section 10 – Employees' Outside Work

- 10.1 All employees have conditions of service which require them to obtain written consent before they take on any outside employment. This includes:
- running a business that is related to an employee's work for the council e.g. a lawyer running a private law firm ; or
 - having any other work or employment outside of the Council that is related to the work carried out for the Council e.g. a licensing officer running licensed premises
- 10.2 Employees must not undertake outside work if their official work for the authority overlaps in any way with such outside work. It is irrelevant whether or not the outside work is paid for or not.
- 10.3 No outside work of any sort can be undertaken on Council premises or use Council facilities such as telephones or IT. Incoming correspondence or telephone calls relating to outside work are also not allowed.
- 10.4 Whilst an employee's right to a private life is respected that does not justify conduct which could reasonably be regarded as bringing the authority into disrepute or significantly and fundamentally affect the employee's ability to work for the Council.
- 10.5 There would be a breach of paragraph 10.4, for example:
- if an employee acts in such a way that when other employees or service users became aware of it they reasonably refuse to work or communicate with the employee; or
 - the employee works extremely long hours across both jobs to the detriment of their work for the Council; or
 - the employee is distracted in the performance of Council duties by the outside job.

Section 11 – Disclosure of Information

- 11.1 Flintshire supports the principles of open government and encourages employees to assist the public in obtaining public documentation in accordance with the rights contained in the Local Government Act 1972, the Freedom of Information Act 2000 and Environmental Information Regulations 2004.
- 11.2 The Council's Constitution, available on the Infonet, contains Access to Information Procedure Rules explaining the legislation relating to these

information rights. If an employee is uncertain as to whether information being sought should be disclosed the employee must seek advice from his/her Manager and, if uncertainty remains, the Manager can seek guidance from the Information Governance Manager.

- 11.3 Only employees with specific delegated authority may disclose to members of the public any information arising, documentation considered or events occurring at a time when a Council, Cabinet, Committee or sub-Committee meeting has decided to exclude the press and public from that part of its meeting.
- 11.4 Employees must not disclose personal data where this is not permitted under the General Data Protection Regulation. If in doubt seek advice from your Manager and explain to the person requesting the information the importance of complying with the data protection legislation. If the Manager is uncertain, advice is available from the appropriate member of the Council's Information Governance Team.
- 11.5 These rules apply not only to the press and public but also to requests from partner agencies or external bodies. Requests for information from councillors must be handled in accordance with the Council's Information Sharing Rules that are in the Constitution.
- 11.6 Where enforcing authorities such as the Police, Wales Audit Office or Health & Safety Executive are seeking information they may be doing so pursuant to statutory powers which they would quote. It is important to ensure that the request is being made by the regulatory body not an impostor. Legitimate bodies accept the need to produce written authority. If in doubt advice is available from the Council's Legal Department. Where such bodies are not using their statutory powers to obtain information then personal information should not be disclosed without ensuring it would not breach the General Data Protection Regulation.
- 11.7 Employees must not use any information obtained in the course of their employment for personal gain or benefit, nor pass it on to others who might use it in such a way. Any particular information received by an employee from a Councillor which is personal to that Councillor and does not belong to the Authority must not be divulged by the employee without the prior approval of that Councillor, except where such disclosure is required or sanctioned by the law.

Whistleblowing

12. ***In the event that a qualifying employee becomes aware of activities which that employee believes to be illegal, improper, unethical or otherwise inconsistent with this Code, the employee should report the matter, acting in accordance with the employee's rights under the Public Interest Disclosure Act 1998,***

and with the relevant Authority's confidential reporting procedure, or any other procedure designed for this purpose.

Appointment of Employees

13. -Qualifying employees of relevant authorities involved in the recruitment and appointment of employees must ensure that appointments are made on the basis of merit. In order to avoid any possible accusation of bias, such employees must not be involved in any appointment, or any other decisions relating to discipline, promotion or pay and conditions for any other employee, or prospective employee, to whom they are related, or with whom they have a close personal relationship outside work.

13.1 Employees involved in appointments must ensure that these are made on the basis of merit. It would be unlawful for an employee to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, employees must not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with him or her.

13.2 Similarly, employees must not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner or close personal friend.

13.3 All candidates for any appointment under Flintshire County Council shall, when making an application, disclose in writing to the Authority whether to their knowledge they are related to any [Member of the Authority councillor](#) or to a holder of any senior office under the Authority. Deliberate omission to make such a disclosure will disqualify the candidate and, if the omission is discovered after appointment, he/she shall be liable to dismissal. Every senior officer of the Authority shall similarly disclose to the Authority any relationship known to him/her to exist between himself/herself and a candidate for an appointment of which he/she is aware. The Chief Executive's office will keep a record of any such disclosure made.

Investigations by Monitoring Officers

14. -Where a Monitoring Officer is undertaking an investigation in accordance with regulations made under section 73(1) of the Local Government Act 2000 a [n-qualifying](#) employee must comply with any requirement made by that Monitoring Officer in connection with such an investigation.

[Publications, Broadcasts and Social Media](#)
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15.1 Employees must not publish or authorise without the permission of their Chief Officer:

- i. the publication of any book or article by them, either alone or with others,
- ii. the transmission of any broadcast which indicates that the writer is an employee of or connected with Flintshire County Council.

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15.3 The Council has established a Communications team, which is responsible for all-official press releases and statements. Individuals who are asked by the media to make comments should refer such requests direct to that team.

15.4 The prohibitions in paragraphs 15.1 – 15.3 are not intended to restrict the right of employees to:

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or
- ii. make protected disclosures in accordance with the Council's whistleblowing policy/Public Interest Disclosure Act 1998
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15.4 The personal image you project in social media may adversely reflect on the image of the Council. We recommend you:

- i. use mature discretion in all personal communications when using social media.
- ii. do not imply you are speaking for the Council when using social media for personal reasons. Never use the Council e-mail address, logos or other Council identification. Make it clear that what you say is representative of your personal views only. You should not say anything about councillors, colleagues, your managers or your workplace which is defamatory, untrue or offensive. You must not use foul language. You must not say anything that could potentially bring the Council into disrepute or

subject it to legal challenge.

15.5 Consider the use of privacy settings. Remember that everything you post:

- i. can go global within seconds
- ii. will stay public for a long time
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- iv. can be copied, used and amended by others
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15.6 Please remember that everything you say in a personal capacity on social media sites is your responsibility. The consequences of not adhering to this guidance and of bringing the Council into disrepute through your use of social media could result in disciplinary proceedings and could lead to dismissal.

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Proposed Amendments to Employees' Code of Conduct

The words in bold italics comprise the statutory Employees' Code of Conduct which is automatically incorporated into Employees' Contracts of Employment and will prevail in circumstances where there is any contradictory provision elsewhere in the Code.

General Principles

1. ***The public is entitled to expect the highest standards of conduct from all qualifying employees of relevant authorities. The role of such employees is to serve their employing Authority in providing advice, implementing its policies, and delivering services to the local community. In performing their duties, they must act with integrity, honesty, impartiality and objectivity.***
- 1.1 Local government employees are expected to give the highest possible standard of service to the public and, where it is part of their duties, to provide appropriate advice to Councillors and fellow employees with impartiality. Flintshire employees are expected to show respect and courtesy in their dealings with the public, Councillors and fellow employees providing them with impartial and appropriate advice.

Accountability

2. ***Qualifying employees of relevant authorities work for their employing Authority and serve the whole of that Authority. Qualifying employees are defined as all employees of a relevant Authority unless exempted by statutory regulation, e.g. Teachers and Officers of Fire Authorities. They are accountable to, and owe a duty to that Authority. They must act in accordance with the principles set out in this Code, recognising the duty of all public sector employees to discharge public functions reasonably and according to the law.***
- 2.1 Employees must report any impropriety or breach of procedure to their immediate manager, except where that relates to the conduct of the manager when it must be reported to the manager's manager. Managers should, in turn, report breaches to their manager. The Chief Officer shall notify the Monitoring Officer of the occurrence.
- 2.2 All employees are required to familiarise themselves with and comply with the Council's Financial Procedure Rules. Any employee who fails to observe Financial Procedure Rules may be subject to disciplinary proceedings.
- 2.3 All employees are required to familiarise themselves with and comply with the Council's Contract Procedure Rules. Any employee who fails

to observe Contract Procedure Rules may be subject to disciplinary proceedings. In addition, orders and contracts must be awarded on merit and no special favour should be shown in the procurement process to businesses run by, for example, friends, partners or relatives. No part of the local community should be discriminated against.

- 2.4 Employees involved in the procurement process and dealing with contractors should be clear on the separation of client and contractor roles within the Authority. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability.
- 2.5 Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.
- 2.6 Employees who are privy to confidential information on tenders or costs for either internal or external contractors must not disclose that information to any unauthorised party or organisation.
- 2.7 Employees contemplating a management buyout must, as soon as they have formed a definite intent, inform their manager and withdraw from the contract awarding processes.
- 2.8 Employees must ensure that no special favour is shown to current or former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.
- 2.9 Employees must be aware that it is a serious criminal offence for them corruptly to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.
- 2.10 Local Government Act 1972 117 - Pecuniary Interests - provides that if officers know that a contract in which they have a pecuniary interest is before the local Authority, they must give notice of their interest to the Authority. This does not, of course, apply to a contract with them in their own name because the Authority will then know of their interest. Section 117(2) forbids any officer "under colour of their office or employment to accept "any fee or reward" whatsoever other than proper remuneration.

2.11 *The Bribery Act 2010*

The Bribery Act 2010 creates criminal offences for any individual who either offers or receives a financial or other advantage intending the

advantage to be rewarded by the improper performance of a function or activity. The Act also creates an offence of directly or indirectly offering, promising or giving a bribe to a foreign public official so as to influence the actions of the foreign public official. Any individual found guilty of any of these offences is liable to imprisonment for up to a maximum period of 10 years.

- 2.12 Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Any offer of sponsorship should only be accepted if the appropriate Chief Officer has so decided. Particular care must be taken when dealing with contractors or potential contractors.
- 2.13 Any offers of sponsorship received by employees should be referred to their Chief Officer for decision.
- 2.14 Where the Authority wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to an appropriate manager of any such interest. Similarly, where the Authority through sponsorship, grant aid, financial or other means, gives support in the community, employees must ensure that impartial advice is given and that there is no conflict of interest involved.

Political Neutrality

3. ***Qualifying employees of relevant authorities, whether or not politically restricted, must follow every lawfully expressed policy of the Authority and must not allow their own personal or political opinions to interfere with their work. Where qualifying employees are politically restricted (by reason of the post they hold or the nature of the work they do), they must comply with any statutory restrictions on their political activities.***
- 3.1 Employees serve the Authority as a whole. It follows they must serve all Councillors and not just those of the controlling group, and must ensure that the individual rights of all Councillors are respected.
- 3.2 Subject to the Authority's conventions, employees may be required to advise political groups. They must do so in ways which do not compromise their political neutrality.
- 3.3 Employees, whether or not politically restricted, must follow every lawful expressed policy of the Authority and must not allow their own personal or political opinions to interfere with their work.
- 3.4 Political assistants appointed on fixed term contracts in accordance with the local Government and Housing Act 1989 are exempt from the

standards set in paragraphs 3.1 to 3.3.

- 3.5 The Local Government and Housing Act 1989, Pt 1 contains provisions to stop 'twin-tracking' (where a senior local Authority employee is also an elected Councillor of another local Authority) and to restrict the political activity of senior employees. Local Authority employees holding politically restricted posts are disqualified from membership of any local Authority, other than a Town or Community Council (s(1)), from being an MP, MS or MEP and are subject to prescribed restrictions on their political activity (s(5),(6)).
- 3.6 The Local Government & Housing Act 1989 requires each Council to maintain a list of its politically restricted posts. These are posts which are:-
- (a) specified in the legislation, such as the Head of Paid Service, Chief Officers and their Deputies.
 - (b) those posts which have delegated powers to make decisions on behalf of the Council.
 - (c) those posts that regularly provide advice at Council, Cabinet or formal Committee or sub Committee meetings.
 - (d) those posts that speak on behalf of the authority on a regular basis to journalists and broadcasters.
- 3.7 The political restrictions are deemed to be incorporated in the contract of employment of every local Authority employee who holds a politically restricted post. If you are uncertain as to whether your post is politically restricted you should seek clarification from your immediate manager and, if uncertainty remains, contact the Democratic Services Manager.
- 3.8 The Local Government and Elections (Wales) Act 2021 allows employees who do not hold politically restricted posts to stand for election. If successfully elected, such employees must resign before taking up their position as councillor, though they are not required to give their full contractual notice (their resignation takes effect immediately). Guidance and advice will be offered to all employees standing for election to avoid contravening this code of conduct during their campaign.

Relations with members, the public and other employees

4. ***Mutual respect between qualifying employees and members is essential to good local government, and working relationships should be kept on a professional basis.***
5. ***Qualifying employees of relevant authorities should deal with the public, members and other employees sympathetically, efficiently,***

and without bias.

5.1 Councillors

Employees are responsible to the authority through its senior managers. For some their role is to give advice to councillors and senior managers, and all are there to carry out the authority's work. Mutual respect between employees and councillors is essential to good local government. Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors and should therefore be avoided.

5.2 The Local Community and Service Users

Employees should always remember their responsibilities to the community they serve and must ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the Authority.

5.3 Other Employees

It is essential to the effective running of the Council that employees maintain appropriate professional relationships with other employees. Employees must be supportive, co-operative and respectful towards colleagues in all parts of the Council.

5.4 Contractors

Orders and contracts must be awarded on merit, by fair competition and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the procurement process. No part of the local community should be discriminated against.

If during the course of your work you are dealing with an external contractor with whom you have, or have had within the last 12 months, a business or private relationship you must immediately make your manager aware of that relationship.

Equality

6. *Qualifying employees of relevant authorities must comply with policies relating to equality issues, as agreed by the Authority, in addition to the requirements of the law.*

6. 1 All local government employees must ensure that policies relating to equality issues as agreed by the Authority are complied with in addition to the requirements of the law. All members of the local community, customers and other employees have a right to be treated with fairness and equity.

Stewardship

- 7. Qualifying employees of relevant authorities must ensure that they use public funds entrusted to them in a responsible and lawful manner, and must not utilise property, vehicles or other facilities of the Authority for personal use unless authorised to do so.**
- 7.1 All employees are required to familiarise themselves with the Council's Financial Procedure Rules and Contract Procedure Rules and know where they can inspect a copy of them. Any doubt concerning Financial Procedure Rules and Contract Procedure Rules should be raised with your immediate manager and, if the doubt continues, with the Finance Department
- 7.2 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the Authority.

Personal Interests

- 8. Whilst qualifying employees' private lives are their own concern, they must not allow their private interests to conflict with their public duty. They must not misuse their official position or information acquired in the course of their employment to further their private interests, or the interests of others. In particular, they must comply with:**
 - (1) any rules of their relevant Authority on the registration and declaration by employees of financial and non - financial interests,**
 - (2) any rules of their relevant Authority on the declaration by employees of hospitality or gifts offered to or received by them, from any person or organisation doing or seeking to do business, or otherwise benefiting or seeking to benefit from a relationship with the Authority. Qualifying employees must not accept benefits from a third party unless authorised to do so by their relevant Authority.**
- 8.1 In addition to the criminal offence under Section 117 of the Local Government Act 1972 concerning pecuniary interests (see paragraph 2.10 above) there are the following rules concerning personal interests.
- 8.2 Employees have a personal interest whenever a reasonable person would perceive a conflict between the employee's private affairs and the work the employee does for the authority. A personal interest can

arise in a range of different circumstances as set out in the following paragraphs, including (but not limited to) the matters listed below:

- Dealing with friends, family or an organisation with which the employee is associated
- Gifts or hospitality
- Outside work including paid and non-paid roles

8.3 There would be a personal interest under 8.2 if in the course of the employee's Council work he/she would normally deal with a matter that would affect him/her, their family, a close personal associate, their property, or an organisation they are associated with. For instance, if in the course of the employee's work they would normally deal with a planning application affecting a relative's property or where the employee is involved in processing a payment to an organisation with which the employee is associated.

8.4 Wherever the employee has such a personal interest they should immediately draw it to the attention of their Line Manager who would normally decide that the employee should not be involved in dealing with that matter. This does not mean that the employee can not be trusted but is to protect both the Council's reputation and the employee's reputation against allegations of favouritism. In exceptional circumstances where the employee's skills can not be replicated the Manager may allow the employee to undertake the work but put in place other controls such as being copied into all communications.

8.5 The arrangements must be recorded in writing and communicated to all other employees who need to know what the arrangements are. Each Chief Officer should have a register to record all such declarations of interest and any consequential working arrangements promptly in it. It is the employee's responsibility to ensure their declaration of interest is recorded.

8.6 The Council has an online system which may be used for the reporting and recording of interests, and which gives guidance on when to declare an interest and how managers should handle such interests once declared. [DOI System](#)

8.7 Intellectual property

Intellectual property is a generic term that includes inventions, creative writings and drawings. If these are created by the employee during the course of employment then, as a general rule, they belong to the employer. However, various Acts of Parliament cover different types of intellectual property.

8.8 Inventions and Patents

Inventions made before 1st June 1978 are the property of the employer if made in the course of that employer's employment. However, the Patents Act

1977 states that after the 1st June 1978 inventions are only the property of the employer if:-

- * they have been made in the course of the employee's normal duties; or
- * they have been made in the course of duties specifically assigned to the employee and where invention might be reasonably expected; or
- * it was made in the course of the employee's duties and at the time the employee had (because of the nature of his or her duties and particular responsibilities arising from them) a special obligation to further the interests of the employer.

8.9 Chief Officers, those Managers reporting directly to them and employees with delegated powers will be asked to voluntarily register their membership of all clubs, societies and organisations.

Section 9 – Gifts & Hospitality

- 9.1 In addition to the criminal offences covered by the Bribery Act 2010 referred to in paragraph 2.11 above there are the following rules concerning gifts and hospitality.
- 9.2 Employees must not retain personal gifts obtained, whether directly or indirectly, as a result of their work for the authority. The only gifts that employees are entitled to retain are insignificant items of token value such as pens and diaries. With any other gifts the employee should draw this to the attention of their Line Manager who may decide that rather than the gift being returned it should be forwarded to the Member Support Office as a donation to the Chair's charity. All offers of gifts should be recorded in the register maintained by the Chief Officers.
- 9.3 Offers of hospitality can only be accepted when authorised by Chief Officers or where covered by paragraph 9.4 below.
- 9.4 Unless specifically authorised by the Chief Officer hospitality can only be accepted when an employee is attending conferences or courses, launch events, award ceremonies and other events/functions organised by Council, partners or other public bodies at which the Council needs to be represented where it is clear the hospitality is being offered indiscriminately and the value of any such hospitality does not exceed £25.
- 9.5 When gifts or hospitality are declined those making the offer should be courteous but firmly informed of the procedures and standards operating within the authority that require it to be declined.
- 9.6 It is the employee's responsibility to ensure that offers of gifts and hospitality are recorded in the appropriate departmental register.

Section 10 – Employees’ Outside Work

- 10.1 All employees have conditions of service which require them to obtain written consent before they take on any outside employment. This includes:
- running a business that is related to an employee’s work for the council e.g. a lawyer running a private law firm ; or
 - having any other work or employment outside of the Council that is related to the work carried out for the Council e.g. a licensing officer running licensed premises
- 10.2 Employees must not undertake outside work if their official work for the authority overlaps in any way with such outside work. It is irrelevant whether or not the outside work is paid for or not.
- 10.3 No outside work of any sort can be undertaken on Council premises or use Council facilities such as telephones or IT. Incoming correspondence or telephone calls relating to outside work are also not allowed.
- 10.4 Whilst an employee's right to a private life is respected that does not justify conduct which could reasonably be regarded as bringing the authority into disrepute or significantly and fundamentally affect the employee's ability to work for the Council.
- 10.5 There would be a breach of paragraph 10.4, for example:
- if an employee acts in such a way that when other employees or service users became aware of it they reasonably refuse to work or communicate with the employee; or
 - the employee works extremely long hours across both jobs to the detriment of their work for the Council; or
 - the employee is distracted in the performance of Council duties by the outside job.

Section 11 – Disclosure of Information

- 11.1 Flintshire supports the principles of open government and encourages employees to assist the public in obtaining public documentation in accordance with the rights contained in the Local Government Act 1972, the Freedom of Information Act 2000 and Environmental Information Regulations 2004.
- 11.2 The Council's Constitution, available on the Infonet, contains Access to Information Procedure Rules explaining the legislation relating to these information rights. If an employee is uncertain as to whether information being sought should be disclosed the employee must seek advice from his/her Manager and, if uncertainty remains, the Manager can seek guidance from the Information Governance Manager.

- 11.3 Only employees with specific delegated authority may disclose to members of the public any information arising, documentation considered or events occurring at a time when a Council, Cabinet, Committee or sub-Committee meeting has decided to exclude the press and public from that part of its meeting.
- 11.4 Employees must not disclose personal data where this is not permitted under the General Data Protection Regulation. If in doubt seek advice from your Manager and explain to the person requesting the information the importance of complying with the data protection legislation. If the Manager is uncertain, advice is available from the appropriate member of the Council's Information Governance Team.
- 11.5 These rules apply not only to the press and public but also to requests from partner agencies or external bodies. Requests for information from councillors must be handled in accordance with the Council's Information Sharing Rules that are in the Constitution.
- 11.6 Where enforcing authorities such as the Police, Wales Audit Office or Health & Safety Executive are seeking information they may be doing so pursuant to statutory powers which they would quote. It is important to ensure that the request is being made by the regulatory body not an impostor. Legitimate bodies accept the need to produce written authority. If in doubt advice is available from the Council's Legal Department. Where such bodies are not using their statutory powers to obtain information then personal information should not be disclosed without ensuring it would not breach the General Data Protection Regulation.
- 11.7 Employees must not use any information obtained in the course of their employment for personal gain or benefit, nor pass it on to others who might use it in such a way. Any particular information received by an employee from a Councillor which is personal to that Councillor and does not belong to the Authority must not be divulged by the employee without the prior approval of that Councillor, except where such disclosure is required or sanctioned by the law.

Whistleblowing

12. ***In the event that a qualifying employee becomes aware of activities which that employee believes to be illegal, improper, unethical or otherwise inconsistent with this Code, the employee should report the matter, acting in accordance with the employee's rights under the Public Interest Disclosure Act 1998, and with the relevant Authority's confidential reporting procedure, or any other procedure designed for this purpose.***

Appointment of Employees

- 13. Qualifying employees of relevant authorities involved in the recruitment and appointment of employees must ensure that appointments are made on the basis of merit. In order to avoid any possible accusation of bias, such employees must not be involved in any appointment, or any other decisions relating to discipline, promotion or pay and conditions for any other employee, or prospective employee, to whom they are related, or with whom they have a close personal relationship outside work.**
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