

EMPLOYEE CODE OF CONDUCT

INTRODUCTION

The public expects and deserves a high standard of conduct from all local government employees in Scotland. In line with the National Code of Conduct, this Employee Code of Conduct has been developed for all Tayside Contracts' employees to set out the standards of conduct the organisation expects from you and to provide clear and helpful advice on these standards.

The Code also provides information on your rights and responsibilities at work. It does not affect the rights and responsibilities you have by law.

The Code also incorporates the key principles of public life identified in the Nolan Committee Report 1996 on Standards in Public Life.

SCOPE OF POLICY

This Employee Code of Conduct applies to all employees of Tayside Contracts, whether you are a Cleaner, Manager, Roadworker or Clerical Assistant etc., you are all equally trusted to do your jobs efficiently and safely, in accordance with legislation, regulations and our policies, procedures and practices.

This Code of Conduct also applies to all agency workers and any self-employed consultants.

You are an ambassador for Tayside Contracts and each one of us is responsible for following our code.

THE KEY PRINCIPLES OF PUBLIC LIFE

You are expected to exhibit the highest standards of personal integrity when carrying out your duties. The key principles of public life are as follows:

Be **Open** and **Honest**

Be **Objective** and act with **Integrity**

Be **Selfless** and treat others with **Respect**

Be **Leaders** and be **Accountable** for our actions

RELATIONSHIPS

With colleagues

You should treat your colleagues fairly and with dignity and respect. Tayside Contracts does not tolerate any form of bullying and harassment in the workplace and there is a Bullying and Harassment Policy which details how this will be dealt with.

Employees at all levels within the organisation have a responsibility to ensure that their conduct does not constitute bullying or harassment and you should be alert to behaviour which may constitute this type of behaviour.

With the public

You may have contact with members of the public and you should always be courteous and helpful. The public should be dealt with fairly, equitably and consistently with respect.

If you feel you are being abused by a member of the public during the course of your duties, you should politely and calmly advise the person that if they continue with the conduct being displayed that you will not be able to help. You may have to advise the person that you will have to end the conversation, i.e., put the phone down or walk away. You should then report the matter to a manager. You should not, under any circumstances, respond in a similar manner.

With councillors

Tayside Contracts is responsible to the three constituent Councils in Angus, Dundee and Perth and Kinross and carries out work as required by the Councils, their committees and subcommittees. Although you as an employee and councillors both serve the public, you have separate responsibilities. Councillors are responsible to the people who live within their wards but you are responsible to Tayside Contracts as your employer.

As a Tayside Contracts employee, you must respect all councillors and the role they play. Mutual respect between councillors and employees is essential. Close personal familiarity between individual councillors and employees can damage the relationship and prove embarrassing to other councillors and employees.

With contractors

You must be fair and impartial in your dealings with contractors, sub-contractors and suppliers.

If you are involved in the tendering process you must follow Tayside Contracts' procedures and rules about tenders and contracts. In particular you must ensure that, in any dealings, you comply with Tayside Contracts' Financial Regulations and Standing Orders.

If you have access to confidential information on tenders or costs for either internal or external contractors you must not disclose that information to any unauthorised individual or organisation.

EQUALITY AND DIVERSITY

Everyone working for or on behalf of Tayside Contracts has a responsibility to comply with and support our Equality and Diversity Policy.

As a Tayside Contracts employee you are an ambassador for the organisation and should treat everyone with dignity and respect. You should challenge and/or report prejudice, stereotyping and disrespectful behaviour.

Any breach of our Equality and Diversity Policy by employees will be treated as misconduct and invoke our disciplinary procedures.

OPENNESS AND DISCLOSURE OF INFORMATION

Tayside Contracts' decision making process must be transparent and open. Information provided to the public must be clear and accessible.

Tayside Contracts must also ensure that there is an effective complaints procedure in place for the public to use when things go wrong.

However, there are exceptions to the principle of openness. Where confidentiality is involved, information may be withheld if, for example, it would compromise a right of personal or commercial confidentiality. This does not apply where there is a legal duty to provide information.

CONFIDENTIAL INFORMATION

As an employee you may be privy to confidential information which could be covered by the Data Protection Act, General Data Protection Regulation or restrictive covenants. All information to which you may have access in the course of your employment is confidential and must not be disclosed except as required by law or as authorised by Tayside Contracts.

PERSONAL INFORMATION

The information you provide as an employee of Tayside Contracts will be used to maintain payroll records and undertake HR administration in connection with your employment.

You are required to notify the Payroll Section of any changes to your personal information to ensure that the data is up to date and you can be contacted should the need arise.

In accordance with data protection legislation you are entitled to know what personal information Tayside Contracts holds about you and to receive a copy of it, subject to some exemptions, by making a 'subject access request'. We try to be as open as we can in terms of giving people access to their personal information.

Data Subject Access Requests can be made verbally, in person, via the telephone, by letter addressed to Novella Traghan, Organisational Development Manager, Tayside Contracts, 1 Soutar Street, Dundee, DD3 8SS, or by emailing GDPR@tayside-contracts.co.uk. The preferred method for submitting a request is by completion of the Data Subject Access Request Form, which can be found on the intranet and internet.

CONFLICT OF INTEREST

As an employee of Tayside Contracts, you must not allow any private interest to influence your decisions at work. You must not use your position to further your own interests or the interests of others.

You may have a private interest which relates to the work of Tayside Contracts. That interest may be a financial one or one which a member of the public might reasonably think could influence your judgement. In addition, close family members or people living in your household may have financial interests in the work of Tayside Contracts. All such interests must be declared to your Head of Division/Unit.

POLITICAL NEUTRALITY

The public expects you to carry out your duties in a politically neutral way and Tayside Contracts must serve the three Councils and all councillors, regardless of their political outlook. The Managing Director has the ultimate responsibility to help ensure that Tayside Contracts' policies are implemented and you must also implement the policies, irrespective of your personal views.

Whilst at work you should not:

- Display or circulate any political material
- Wear or display political symbols or slogans
- Attempt to coerce another employee into holding a particular political opinion or to take part in political activity
- Act in a way that is detrimental to the business of Tayside Contracts.

PUBLIC STATEMENTS

As a citizen, you are entitled to express your views, provided you do not make use of any private information gained through your work with Tayside Contracts. However, you should not, in your work capacity, slander or criticise Tayside Contracts either through the media, via social media, at a public meeting or in written communications with members of the public.

CONTACT WITH THE MEDIA

You should not contact the media and disclose information or provide an opinion on any Tayside Contracts matter without the express permission of the Managing Director.

If you are approached by the media for comment regarding any aspect of Tayside Contracts you should advise the individual to contact the Managing Director.

USE OF SOCIAL MEDIA

Social media is the term commonly given to websites and online tools that allow users to share content, express opinions or interact with each other, e.g., Facebook, Twitter, E-mails, etc. You must not use social media to publish comments or views that may result in legal action being taken against Tayside Contracts. This includes comments or views that may be considered defamatory in regard to Tayside Contracts or any individual working for Tayside Contracts.

You must not publish or share illegal materials, inappropriate or prohibited images or material that constitutes bullying and harassment or is in breach of discrimination legislation.

You must not identify other Tayside Contracts employees or service users or publish personal data, photographs or information about any individual or publish any information that is not yet in the public arena.

You must not act or publish any material that in any way may bring Tayside Contracts into disrepute.

Please refer to Tayside Contracts' Social Media and Mobile Devices Policy for further information.

DRESS CODE

Tayside Contracts' main aim is to deliver a wide range of high quality and affordable public services across Tayside. It is our policy to maintain a professional image and therefore the appearance of our employees is important. Employees are required to present a professional image at work at all times. Where uniform or personal protective clothing has been issued, employees are required to wear this as instructed.

OTHER EMPLOYMENT, OUTSIDE TAYSIDE CONTRACTS

If you are employed full-time by Tayside Contracts you must not engage in any other employment or business activity without requesting and receiving prior written consent from Tayside Contracts.

Tayside Contracts will normally allow you to undertake other employment provided there is no conflict of interest and it is not likely to have an adverse effect on your health and safety, the work of Tayside Contracts or breach any legislation e.g. drivers hours rules.

However, you must disclose to Tayside Contracts any fees paid to you for publication, broadcast, speech or lecture where you have used official information or your own work experience.

If you want to undertake other employment outside Tayside Contracts you must first obtain the Managing Director's approval in writing. This procedure is in your interests and will protect you.

USE OF RESOURCES

You and your colleagues serve the public, and you must remember this principle when you use Tayside Contracts' plant, equipment, materials and resources, including time. All resources must be utilised in a cost effective manner, in accordance with policies and procedures and minimising waste wherever possible.

If you wish to use the equipment and resources of Tayside Contracts for the benefit of a voluntary or charitable organisation, you must seek authority from the Managing Director to ascertain what assistance can be given to such an organisation.

You are not allowed to use equipment and resources of Tayside Contracts for any outside employment or for personal use.

HOSPITALITY AND GIFTS

Tayside Contracts has a Hospitality and Gifts Policy and as an employee of Tayside Contracts you must act and be seen to act in a manner that is fair, impartial, without favouritism or bias at all times. Gifts and hospitality, offered or received, must be acknowledged openly and without any degree of secrecy attached.

Hospitality and gifts may only be provided by Tayside Contracts employees or their representatives when the offer is consistent with the purposes of Tayside Contracts, the value is reasonable and proportionate and there is no inference of improper influence.

You are encouraged to use your judgement in hospitality and gift matters and must politely decline any offers/invitations where you believe acceptance would be contrary to the Hospitality and Gifts Policy.

CORRUPTION

It is important that you are aware that it is a serious criminal offence for you to corruptly receive or give any gift, loan, fee, reward or advantage for doing, or not doing anything, or for showing favour, or disfavour, to anyone in the course of your work with Tayside Contracts.

RECRUITMENT

If you are involved in recruiting employees, you should follow Tayside Contracts' procedures and policy on recruitment and selection.

If you have any kind of relationship or connection with an applicant for a job you are involved in recruiting for, that relationship/connection must be declared to your line manager. Your line manager will decide if you can participate in the recruitment and selection process.

You must not attempt to influence a manager or colleague, either directly or indirectly, to secure your own or another person's appointment or promotion.

SUBSTANCE MISUSE

Tayside Contracts prohibits the consumption of illegal drugs, legal highs and alcohol in the workplace. Furthermore, employees are not permitted to attend work, drive a vehicle or operate plant and machinery while under the influence of illegal drugs, legal highs and/or while above the Scottish legal alcohol limit.

Whilst Tayside Contracts has a zero tolerance approach to substance misuse in the workplace, our aim is also to encourage individuals with addiction problems, also known as a dependency to seek help.

Please refer to Tayside Contracts' Substance Misuse Policy for further information.

CRIMINAL CHARGES AND CONVICTIONS

You should notify your line manager as soon as practicable if you have been convicted of a criminal offence, are being investigated for, or have been charged with a criminal offence as this may affect your work or working relationship with Tayside Contracts.

A criminal charge or offence will not necessarily be treated as an automatic reason for disciplinary action. Each case will be thoroughly investigated and the impact of the charge or offence on your relationship with Tayside Contracts, your colleagues and Tayside Contracts' clients and customers, will also be considered.

TREATMENT AT WORK

You are entitled to expect fair and reasonable treatment from your colleagues, managers and others. If you feel that you have been unfairly treated or have been bullied or discriminated against, you are entitled to make use of the appropriate policies.

There may be rare occasions when you feel that you have been required by a colleague, a member of the public or other person, or by an organisation, to act in a way which might be illegal, improper or unethical, or which is otherwise in conflict with the principles of this Employee Code of Conduct. If this is the case, you must report the matter to your line manager. If, however, you feel that you cannot discuss the matter with your line manager, then you must report the matter to the Head of Division/Unit or Managing Director. The confidentiality of your concern will be maintained wherever possible.

WHISTLEBLOWING

As an employee you may be the first to realise that something seriously wrong is taking place within Tayside Contracts. If it is in the public interest, we encourage all employees, agency workers and contractors to disclose any aspect of Tayside Contracts' work that is causing them genuine concern without delay and without fear of reprisal or victimisation.

If you wish to raise genuine concerns about activities which you believe are contrary to the public interest, you should do so in the first instance with a senior manager or the Managing Director of Tayside Contracts and the matter will be investigated immediately and, where appropriate, action will be taken.

EMPLOYEE CODE OF CONDUCT VIOLATIONS

This Code is intended to provide a framework for employees but it does not cover all eventualities. Employees should never do anything which could adversely affect the reputation of Tayside Contracts or be perceived as improper conduct.

Failure to comply with this policy may result in individuals being investigated and disciplinary action taken against them in accordance with Tayside Contracts' Disciplinary Policy.

Where appropriate, you should read it in conjunction with other policies and documentation which are referred to in the Code.

RELATED POLICIES

The Code of Conduct links to the following policies which can be accessed on the Intranet, or requested from your line manager or from the HR Admin Team:

- Anti-Bribery and Anti-Corruption Policy
- Bullying and Harassment Policy
- Confidential Disclosure of Information Policy
- Disciplinary Policy
- Employee Charter
- Equality and Diversity Policy
- Grievance Policy
- Hospitality and Gifts Policy
- Internet and Email Use Policy
- PVG Scheme Policy
- Recruitment Selection Policy
- Substance Misuse Policy
- Social Media and Mobile Devices Policy

The above list is not exhaustive.

CONSULTATION

Tayside Contracts' recognised Trade Unions have been fully consulted on this employment policy.

CODE OF CONDUCT REVIEW

The Code of Conduct will be reviewed at three yearly intervals, or as required by legislative changes.

DATA PROTECTION LEGISLATION

Tayside Contracts respects the privacy of our employees, any personal data processed during the application of this policy will be in line with Data Protection Legislation. Further information on how we may process personal data for the purpose of applying this policy can be found in our Privacy Notice.

Should you have any queries or require further clarification regarding any aspects of this policy or related policies please contact HR Services on 01382 812721 or employmentpolicies@tayside-contracts.co.uk

If you would like this document translated into another language or in another format such as audio or large print then please contact Angie Thompson, Equalities and Communications Manager on 01382 834165 or angie.thompson@tayside-contracts.co.uk