



Policy – Code of conduct

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Version control

This document is subject to regular review due to legislative and policy changes. The latest versions of all our publications can be found on our website. Before contacting us about the content of this document, we recommend that you refer to the most recent version on the website and any relevant guidance.

Version	Date approved	Approved by	Notes / changes
v1.0	25/05/04	Full Council	New Code of Conduct
v2.0	25/04/18	Andrea Malam	Reformatting
V2.1	15/10/21	David Kennedy	Reformatting
V3	01/10/26	Andrea Malam	Review and revised declaration of interest process

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Introduction

The public is entitled to expect the highest standards of conduct from all qualifying employees of relevant authorities. This Code, deemed incorporated by The Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001 outlines existing laws, regulations and conditions of service and provides further guidance to assist - relevant authorities and qualifying employees in their day-to-day work.

Status of the Code

The Code is deemed to be incorporated by The Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001 and sets out the standards that apply. The aim of the Code is to lay down guidelines for local government employees which will help maintain and improve standards and protect employees from misunderstanding or criticism.

Who the Code is aimed at

The Code applies to all Denbighshire County Council employees.

Inevitably some of the issues covered by the Code will affect senior managerial and professional employees more than it will others. The Code is intended to cover all employees under a contract of employment within local government, including office holders such as registrars. Activities carried out by employees acting as members of companies or voluntary organisations should be subject to the minimum standards within this Code.

Standards

Local government employees are expected to give the highest possible standard of service to the public acting with integrity, honesty and objectivity, and where it is part of their duties, to provide appropriate advice to councillors and fellow employees with impartiality. Employees will be expected, through agreed procedures and without fear or recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of the service. Employees must report in writing to the Monitoring Officer, Gary Williams, Corporate Director – Governance and Business, any activity that could be considered illegal, improper, unethical or otherwise inconsistent with the Code. The Monitoring Officer will ensure that details are recorded in the 'Code of Conduct Register.'

All employees of Denbighshire County Council are required to complete mandatory code of conduct training as a condition of their employment to ensure they are aware of and compliant with the expectations set out in this policy. Breaches of the Officer's Code of Conduct may lead to disciplinary action.

Accountability

Employees are accountable to and owe a duty to Denbighshire County Council and must discharge their duties reasonably, lawfully and in accordance with this Code.

Treatment of Information

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Openness in the dissemination of information and decision making should be the norm. However, certain information may be confidential or sensitive and therefore not appropriate for a wide audience. Where confidentiality is necessary to protect the privacy or other rights of individuals or bodies, information should not be released to anyone other than a member, employee or other person who is entitled to receive it, or needs to have access to it for the proper discharge of their functions. Nothing in this Code can be taken as overriding existing statutory or common law obligations to keep certain information confidential, or to divulge certain information.

Political Neutrality

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, the nature of the work they do, or the salary they are paid), they must comply with any statutory restrictions on their political activities.

Relationships

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

Mutual respect between qualifying employees and members is essential to good local government, and working relationships should be kept on a professional basis. Close personal familiarity between employees and individual councillors can damage the relationship and should therefore be avoided.

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

All relationships of a business or private nature with external contractors, or potential contractors, should be made known to the appropriate Director, who will ensure that details are recorded in the Code of Conduct Register. Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, should declare that relationship in writing to their Director.

On covered procurements officers must act on advice given by Procurement Business Partner or Procurement Officer in regard to conflicts assessment.

Details will be recorded in the Code of Conduct Register.

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Please click here to complete the register if required

<https://www.denbighshire.gov.uk/en/jobs-and-employees/forms/declaration-of-interests-officers.aspx>

Appointment and Other Employment Matters

Qualifying employees involved in the recruitment and appointments of staff 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 of an employee, or prospective employee, to whom they are related to an applicant or have a close personal relationship outside work with.

Similarly, employees must not be involved in decisions relating to discipline, promotion or pay and conditions for any other employee who is a relative or they share a close personal relationship with.

Outside Commitments

Some employees have conditions of service which require them to obtain written consent to take any outside employment. All employees should be clear about their contractual obligations and should not take outside employment which conflicts with the authority's interests.

Employees should follow their authority's rules on the ownership of intellectual property or copyright created during their employment.

Personal Interests

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.

Employees must inform the Monitoring Officer, in writing of any financial and non-financial interests that they consider could bring about conflict with the authority's interests.

Employees must declare 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.

Employees must inform the Monitoring Officer, in writing of membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct.

The Monitoring Officer will arrange for all such Personal Interest information to be recorded in the Code of Conduct Register.

Equality Issues

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All Denbighshire County Council employees should ensure that policies relating to equality issues as agreed by the authority are complied with in addition to the requirements of the law.

Separation of Roles during Tendering

Employees involved in the tendering 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 and openness.

Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.

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.

Employees contemplating a management buyout should, as soon as they have formed a definite intent, inform the Monitoring Officer in writing and withdraw from the contract awarding process. Details will be recorded in the Code of Conduct Register.

Employees should 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.

Any tenders or contracts above the GPA Threshold procured under the Procurement Act 2023, anyone involved in any way with the tender or management of the contract must complete a Conflict of Interest Declaration and provide those to the Project Lead who then must complete a Conflict Assessment which has to be signed off by the Head Of Service. The Conflict Assessment is a live document that the contract manager is responsible for reviewing and updating the assessment throughout the whole life of the contract.

Corruption

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.

Use of Financial Resources

Employees 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. They should strive to ensure value for money to the local community and to avoid legal challenge to the authority.

Hospitality

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Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the local authority in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the authority should be seen to be represented. They should be properly authorised in writing by the Monitoring Officer; details will be recorded in the Code of Conduct Register.

When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the authority. Copies of any correspondence should be provided to the Monitoring Officer and details recorded in the Code of Conduct Register.

Employees should not accept significant personal gifts from contractors and outside suppliers, although the authority may wish to allow employees to keep insignificant items of token value such as pens, diaries etc.

When receiving authorised hospitality employees should be particularly sensitive as to its timing in relation to decisions which the authority may be taking affecting those providing the hospitality.

Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal where the authority gives consent in advance and where the authority is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment, etc. are required, employees must ensure that authorities meet the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

Sponsorship: Giving and Receiving

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. Particular care must be taken when dealing with contractors or potential contractors.

Where the authority wishes to sponsor an event or service, neither an employee nor any partner, spouse or civil partner or relative must benefit from such sponsorship in a direct way without there being full disclosure to the Monitoring Officer of any such interest. Such disclosures will be recorded in the Code of Conduct Register. 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.

Whistleblowing

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 Denbighshire

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County Council's confidential reporting procedure, outlined in the Whistleblowing Policy.

Where a monitoring officer is undertaking an investigation in accordance with regulations made under section 73(1) of the Local Government Act 2000, a qualifying employee must comply with any requirement made by that monitoring officer in connection with such an investigation.

<https://www.denbighshire.gov.uk/en/jobs-and-employees/my-employment/conflicts/conflicts-of-interest.aspx>

Code of Conduct Register

The Chief Executive (or their nominee) will maintain a 'Code of Conduct' Register. Entries in the register will only be used in the legitimate interests of Denbighshire County Council.

To enable the Code of Conduct Register to be maintained, the Monitoring Officer will ensure that copies of all appropriate correspondence are provided to the Chief Executive.