



<b>Title:</b>	<b>Constitution of the Council (Part 5B: Code of Conduct for Officers)</b>
<b>Owner:</b>	<b>Linda McDonald</b>
<b>Date of version:</b>	<b>17<sup>th</sup> May 2019</b>
<b>Version:</b>	<b>1.3</b>
<b>Review due:</b>	<b>May 2020</b>
<b>Approved by Head of Service:</b>	<b>Andy O'Brien</b>
<b>Date of Equality Impact Assessment:</b>	<b>29<sup>th</sup> October 2013</b>

<b>Date sent to officer responsible for website:</b>	<b>20<sup>th</sup> May 2019</b>
<b>Date sent to officer responsible for Learning and Development:</b>	<b>20<sup>th</sup> May 2019</b>
<b>Date sent to officer responsible for CMIS:</b>	<b>20<sup>th</sup> May 2019</b>

**Adopted by Full Council on 17<sup>th</sup> May 2019**



# CODE OF CONDUCT FOR OFFICERS

CONTENTS	Page No.
<b>East Staffordshire Borough Council Code of Conduct</b>	
- <b>Status of the Code</b>	<b>1</b>
- <b>Who is Covered?</b>	<b>1</b>
<b>SECTION 1: CORE PRINCIPLES</b>	
<b>1. Honesty, Integrity, Impartiality and Objectivity</b>	<b>1</b>
<b>2. Accountability</b>	<b>1</b>
<b>3. Respect for Others</b>	<b>2</b>
Standards of Behaviour in the Workplace	2
Equality Issues	2
Political Neutrality	2
Briefing of Party Political Groups	2
<b>4. Stewardship</b>	<b>3</b>
Use of Financial and Other Resources	3
Receipt of Income – Guidance Notes on Essential Practices	3
<b>5. Personal Interests</b>	<b>4</b>
Relationships	4
Decision Taking Powers	5
Interest of Officers in Contracts	5
Separation of Roles During Tendering	5
<b>6. Registration of Interests</b>	<b>6</b>
Personal Interests	6
Housing Benefit Section	6
Hospitality	6
Sponsorship – Giving and Receiving	8
<b>7. Reporting Procedures</b>	<b>8</b>
<b>8. Openness</b>	<b>8</b>
Disclosure of Information	
<b>9. Appointment of Staff</b>	<b>9</b>
Appointment and other employment matters	9

Constitution: Part 5B

Relatives of Councillors or Officers	10
Fidelity Guarantee	10
Outside Commitments	10
Employment Outside ESBC	11
<b>10. Duty of Trust</b>	<b>12</b>
Corruption	12
<b>SECTION 2: ADDITIONAL REQUIREMENTS</b>	
<b>11. Information Technology</b>	<b>13</b>
Terms of Use for Portable Computing Facilities	13
<b>12. Disciplinary Rules</b>	<b>14</b>
<b>13. Completion of Time Sheets, Expenses Claim Forms etc.</b>	<b>15</b>
<b>14. ESBC Travel Plan</b>	<b>15</b>
Local Rail Travel	15
Appendix - Guidance Notes on Travel & Subsistence	17-19

## **EAST STAFFORDSHIRE BOROUGH COUNCIL**

### **CODE OF CONDUCT**

#### **Status of the Code**

The Code of Conduct sets down guidelines for employees to help maintain and improve workplace standards and to protect employees from misunderstanding or criticism. As such the guidelines are designed with the interests of both employee and the Council in mind.

The content of the Code of Conduct is based on a set of core principles in line with Government proposals. It has been approved by the Local Government Association and adapted to take account of local rules and guidelines in East Staffordshire.

#### **Who is Covered?**

The Code applies to all employees of the Council. Councillors are subject to a separate Code of Conduct.

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 who are under a contract of employment with ESBC. The principles it covers should serve as guidance for agency staff. Activities carried out by employees acting as members of companies or voluntary organisations on behalf of the Council are subject to the standards within this Code.

### **SECTION 1: CORE PRINCIPLES**

#### **1. HONESTY, INTEGRITY, IMPARTIALITY AND OBJECTIVITY**

All 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. Conduct within the workplace is based on mutual trust and honesty between the Council and its employees, regardless of position within the organisational structure. Employees must carry out their duties and responsibilities in an objective manner, adhering to policies and procedures as a matter of course.

#### **2. ACCOUNTABILITY**

Once employed by the Council, individuals will have agreed to a set of terms and conditions of employment, which includes adherence to Council policies and procedures and, a job description setting out their duties and responsibilities in general terms. In return the Council offer a supportive working environment in which employees can develop and progress their careers within the organisation.

### **3. RESPECT FOR OTHERS**

#### **3.1 Standards of Behaviour in the Workplace**

Employees must behave in a polite and courteous manner when interacting with members of the public, Councillors, other staff and managers. They should be helpful, friendly and appropriately dressed for the job\*. Services should be delivered promptly, efficiently and should be reliable, to give a positive impression of the Council and its employees.

The Customer Service Charter details the standards of service that must be delivered to customers in terms of how we will answer the telephone, how quickly we respond to letters and emails and, our commitment to dealing quickly and efficiently with enquiries.

The Council has a number of policies in place giving detailed guidance on all aspects of employment. These include our policies on Misuse of Drugs and Alcohol at Work and the No Smoking Policy. Employees are required to adhere to these policies at all time which can be found on the IT network under the 'Global' section.

\* in some services staff must comply with the wearing of official uniforms and protective clothing. In some services staff must comply with the wearing of, and operating practice of, body worn video devices.

#### **3.2 Equality issues**

The Council requires the highest standard of behaviour from all its employees and specific attention is drawn to the Council's policies on Equality and Dignity at Work..

All employees must ensure that Council policies relating to equality in the workplace are complied with in addition to the requirements of the law; [the IHRA Working Definition of Anti-Semitism; and the APPG Definition of Islamophobia.](#) –All members of the local community, customers and other employees have a right to be treated with fairness, respect and equality.

#### **3.3 Political Neutrality**

Employees serve the Council as a whole. It follows that they must serve all Councillors and not just those of a particular group or groups, and they must ensure that the individual rights of all Councillors are respected.

#### **3.4 Briefing of Party Political Groups**

Requests to attend party political group meetings may be made by any Group Leader to the Chief Executive who will either attend himself or make arrangements with the appropriate Head of Service for their attendance. A Head of Service may choose not

to attend, to nominate another member of staff to attend in their stead, or bring another Officer with them.

At the group meetings the Officer concerned shall not remain during any discussion or whilst a decision is made. Whilst persons other than Councillors may be present at the Group meeting, whilst Officers are there, they are not able to address questions to the Officer.

Employees, whether or not politically restricted, must follow every lawful expressed policy of the Council and must not allow their own personal or political opinions to interfere with their work.

Any Political Assistants appointed on fixed term contracts in accordance with the Local Government and Housing Act 1989 are exempt from the standards set in paragraph 3.3.

#### **4. STEWARDSHIP**

##### **4.1 Use of Financial Resources & Other Resources**

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 Council. Employees must ensure they comply with the Council's Financial Regulations and rules on the administration of contracts.

The Joint Consultative Committees agreed the following Rule of Conduct:

All goods, materials and similar items provided by the Council for use or obtained in connection with an employee's official duties are the property of the Council and must not be kept or disposed of without the prior approval of the appropriate Head of Service.

This Rule applies to all employees of the Council.

Any employee infringing this Rule is liable to disciplinary action which could lead to dismissal.

##### **4.2 Receipt of Income - Guidance Notes on Essential Practices**

Employees responsible for receipt of income must follow the Council's Guidance Notes in particular the following Dos and Don'ts.

## **DO**

- **Always issue an Official Receipt** at the time income is received (even for cheques unless a specific instruction is given by the Chief Finance Officer to the contrary).
- Always put a reference on the reverse of a cheque to link it to the debt and collection point.
- **Ensure money is stored securely** and within limits advised by the Chief Finance Officer. (An insurance requirement).
- **Take personal responsibility for amounts accepted** until you have received a written acknowledgement of the handover to another.
- Ensure that safe keys are adequately controlled.
- Always pay in to the Council's Bank monies collected, promptly.
- Ensure that money paid in is reconciled to Official Receipts Issued.

## **DO NOT**

- Make payments out of monies received.
- Mix personal cash with Council cash. (If there is a need to give change request a change float).
- Cash personal cheques. (Even for senior managers and Councillors).
- Accept third party cheques. (Except by the prior agreement of the Financial Management Unit).
- Borrow Council money. (Any amount, at any time).

## **FINALLY DO**

- **Report any suspicion of irregularity** to your supervisor or Chief Financial Officer direct. (Requirement of Council's Financial Regulations).
- **Seek Advice** with regard to the guidelines from your supervisor or Internal Audit.

## **5. PERSONAL INTERESTS**

### **5.1 Relationships**

#### **5.1.1 Councillors**

Employees are responsible to the Council 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 Council's work. Mutual respect between employees and councillors is essential to good local government and reference should be made to the Protocol for Councillor and Officer Relations in this regard (available on the IT network under 'Global'). Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors. It should therefore be avoided.



### **5.1.2 The Local Community and Service Users**

Employees should always remember their responsibilities to the community they serve. They should be courteous, efficient and ensure impartial service delivery to all groups and individuals within that community, as well as other service users and stakeholders outside the local community, as defined by the policies of the Council.

### **5.1.3 Contractors**

All relationships of a business or private nature with external contractors, or potential contractors, should be made known to the Monitoring Officer. Orders and contracts must be awarded on merit, by fair competition against other tenders in accordance with the Procurement Strategy, Contract procedure Rules and Financial Regulations, 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 and contracts should be let in accordance with the requirements of the current Equality Act.

## **5.2 Decision Taking Powers**

Officers of the Council shall only act in accordance with the powers delegated to them under Part 3 of the Council's Constitution. All delegated decisions must comply with Council policy and be within approved budgets. No employee must commit the Council to any arrangement or contract except in accordance with their delegated powers.

## **5.3 Interest of Officers in Contracts**

The Monitoring Officer shall record in a book to be kept for the purpose particulars of any notice given by an Officer of the Council under Section 117 of the Local Government Act, 1972, of a pecuniary interest in a contract, and the book shall be open during office hours to the inspection of any Councillors.

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 to the Monitoring Officer.

## **5.4 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 Council. 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 should 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 Chief Finance Officer (S151) and withdraw from the contract awarding processes.

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.

## **6. REGISTRATION OF INTERESTS**

### **6.1 Personal Interests**

Employees must declare any financial and non-financial interests that they consider could bring about conflict with the Council's interests to the Chief Finance Officer (S151) and the Monitoring Officer.

Principal Officers (i.e. on salary points 35 to 53) and above should declare 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. Such employees are reminded of the Council's policy annually by letter so that such voluntary declarations can be kept in the Register maintained by Democratic Services.

### **6.2 Housing Benefit Section**

Employees who work within the Housing Benefit Section of the Council, or who have access to information held there, must declare any potential personal interest in housing benefit to the Chief Finance Officer (S151). Any potential interest will be noted and investigated to ensure equality of treatment.

### **6.3 Hospitality**

#### **6.3.1 Offers of Hospitality**

Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the Council 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 Council should be seen to be represented. They should be

properly authorised by the Monitoring Officer and recorded in the Hospitality 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 Council.

Employees should not accept significant personal gifts from contractors and outside suppliers, although the Council will 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 Council 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 and where any purchasing decisions are not compromised. Where visits to inspect equipment, etc. are required, employees should ensure that the Council meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

### **6.3.2 Hospitality to Visitors**

Hospitality is defined as taking out one or more people to a hotel or restaurant for a meal which is either to return hospitality already received from a party outside of the Council or its employees or where the purpose is to build up a working relationship to the benefit of the Borough or its inhabitants.

Officers who have authority to organise hospitality are:

Chief Executive  
Heads of Service

Such Officers are required to comply with the following rules when hospitality to visitors is planned.

The entertaining of visitors at the Council's expense may only take place with the prior written approval of the Monitoring Officer, who must also approve the actual expenditure in accordance with the Audit guidelines before an invoice will be paid or an expense claim reimbursed. This includes restaurant invoices directed to the Council for payment. All hospitality must be coded to a "hospitality" expenditure code.

The Chief Finance Officer will return invoices charged to the Hospitality Fund, which have not been certified by the Monitoring Officer, to the appropriate Head of Service.

Where costs of hospitality are to be paid direct by the Council arrangements must be made to ensure a VAT invoice is submitted so the Council can reclaim the VAT.

#### **6.4 Sponsorship - Giving and Receiving**

Where an outside organisation wishes to sponsor a Council event, 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 Council 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 the Monitoring Officer (who will also notify the Chief Finance Officer) of any such interest. Similarly, where the Council through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

### **7. REPORTING PROCEDURES**

Employees will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service or impropriety or breach of procedure.

The Whistleblowing Policy provides guidance and support for employees and agency staff should such a situation arise.

### **8. OPENNESS**

#### **8.1 Disclosure of Information**

It is accepted that open government is best. The law requires that certain types of information must be available to Councillors, auditors, government departments, service users and the public. All information is confidential unless public access is granted under the Freedom of Information legislation or the employee has the permission of their Head of Service to release such information.

Those employees with access to Part B Committee Agenda items should not disclose such information, and anyone who does so renders themselves liable to action under the Disciplinary Procedure.

Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they 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 Council

should not be divulged by the employee without the prior approval of that councillor, except where such disclosure is required or sanctioned by the law.

Breach of the rules in relation to disclosure of information will result in disciplinary action.

When dealing with requests for information from the press, advice should be sought from the Chief Officer as to whether the appropriate Leader or Deputy Leader should be notified. The Chief Executive, Heads of Service or Officers authorised by them may deal with any requests for information and factual questions asked by the press, television or radio, and may accept invitations to broadcast or appear on radio or television in order to give facts or explain the Council's policies. The Programmes and Transformation Manager will provide support and guidance and should be consulted as soon as practicable following receipt of such a request.

Where the press, television or radio request an opinion of the Council's policy or attitude, these should be directed to the Programmes and Transformation Manager. Only the appropriate Leader or Deputy Leader of the Council may comment on these requests. Requests for such information will be dealt with in accordance with the FOI Process.

## **9. APPOINTMENT OF STAFF**

### **9.1 Appointment and other employment matters**

Employees involved in appointments should 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.

The attention of Officers with specific responsibilities for the employment of staff is drawn to the Council's Equal Opportunities Policy and guidance which must be strictly adhered to.

### **9.2 Relatives of Councillors or Officers**

- (a) A candidate for any appointment with the Council who knows of any family relationship with any Councillor or Officer graded Grade 4 or above must, when making an application for employment, disclose that relationship.
- (b) Any candidate who fails to disclose such a relationship will be disqualified from that appointment, and if already appointed will be liable to instant dismissal without compensation.

- (c) Every Councillor and Officer of the Council (graded Grade 4 or above) must disclose any family relationship known to exist with a person who is a candidate for an appointment with the Council in accordance with the agreed Code of Practice and procedure notes on the Employment of Related Persons. Such declarations should be made to the Chief Executive.
- (d) Persons invited for interview for employment by the Council will be advised of the Council's Code of Practice and procedure notes on the Employment of Related Persons.
- (e) Related persons are husband and wife including common law husband or wife, son or daughter, grandson or granddaughter, brother or sister, nephew or niece, grandparents. Direct family relationships and indirect family relationships such as common-law, same sex relationships, "in-laws" and step-relationships are included.

Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner, etc.

### **9.3 Fidelity Guarantee**

In order to adhere to legislation and to protect the integrity of the Council's employment practices, those who are appointed to roles with financial responsibilities may require that successful candidates are be subject to security and/or financial clearance checks. Such checks would be carried out by external organisations such as the Disclosure and Barring Service, local police and financial information agencies. In each case the role would be advertised as requiring an external check. The successful candidate would be notified of the need for an external check, the type of check being undertaken and the results. If the check came back as unsatisfactory, then it is unlikely that the individual would continue to be considered for that role.

### **9.4 Outside Commitments**

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

### **9.5 Employment Outside ESBC**

#### **9.5.1 All Employees**

It is the Council's policy that before an employee commences any other voluntary or paid employment outside their normal contracted duties with the Council that full details are notified to the Chief Executive. This includes work both within & outside the Borough boundary.

It is not the intention of the policy to prevent employees engaging in other work but to ensure that no conflict of interest arises between the job the employee is paid to do at the Council and the other work they plan to do.

Employees are reminded that their contracts include the following terms:

An employee's off-duty hours are his personal concern but he should not subordinate his duty to his private interests or put himself in a position where his duty and his private interests conflict. The Council should not attempt to preclude employee's from undertaking additional employment, but any such employment must not, in the view of the Council, conflict with or react detrimentally to the Council's interests, or in any way weaken public confidence in the conduct of the Council's business.

### **9.5.2 Employees Grade 6 and above**

Employees above Grade 6 shall devote their whole-time service to the work of the Council and shall not engage in any other business or take up any other additional appointment without the express consent of the Council.

Employees who seek employment as Clerk to any Parish Council in the Borough are reminded that the Council would see such employment as a conflict of interest and would therefore have to decide whether to accept such a clerkship as an alternative to remaining in the Council's employment which will be terminated if such a decision is reached.

The following examples are for guidance on what would constitute a conflict of interest, but it should be noted that it is not possible to provide an exhaustive or exclusive list for every case and each situation will be looked at on its merits.

Setting up a business that rivals or competes with a service provided by the Council, particularly if the employee is engaged on such work for the Council.

#### **Examples**

- Providing a planning service to residents in the Borough when the Officer is employed in a planning capacity for the Council.
- Undertaking legal work for residents in the Borough when the employee undertakes legal work for the Council.

It should be stressed that where an employee fails to notify the Chief Executive and deliberately engages in activities that are clearly in conflict with their role at the Council, disciplinary action will be taken that will normally lead to dismissal from Council employment.

## **10. DUTY OF TRUST**

Members of the public place trust in the employees of the Council to provide a service or to respond to queries. Employees must carry out their duties and responsibilities in a way that secures the public's confidence in their actions.

### **10.1 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.



## **SECTION 2: ADDITIONAL REQUIREMENTS**

### **11. Information Technology**

Computers, and the information contained within the various systems used by the Council, provide a valuable asset for Councillors and employees. In order to ensure standards of use of equipment, security and disclosure of information, the Council has developed an Information Governance Framework. The policies within the framework give detailed guidance on best practice for employees and Councillors regarding the use of IT hardware, software and the handling/disclosure of electronic information. Employees are required to read and understand the ICT policies and rules within the information governance framework as applicable to the post. It is necessary that all employees familiarise themselves with the contents of the Policy. Breach of the policy will lead to investigation, the result of which could lead to disciplinary action. The Council monitors individuals' use of its systems e.g. telephone systems and e-mail on a regular basis. The reason for such monitoring is to assist the Council with future planning and management of such services and to identify and prevent any abuses of the Council's systems and facilities.

The Information Governance Framework and policies within this aims to preserve:

<b>Confidentiality</b>	Access to data is confined to those specifically authorised to view it.
<b>Integrity</b>	Data is timely and accurate and deleted or amended only by those specifically authorised to do so.
<b>Availability</b>	Data is available to those authorised when it is needed.

The policy also aims to raise the awareness of all employees of the need to maintain and, where necessary, improve standards to become a 'security and confidentially aware organisation'. Employees are required to comply with the terms of the current Data Protection Act.

#### **11.1 Terms of Use for Portable Computing Facilities**

For some roles and ad hoc situations, laptop computers may be provided to allow access to the IT infrastructure while working off-site. The IT Helpdesk can advise on the full list of terms for the use of equipment.

Particular attention is drawn to:

1. You will be designated the equipment 'owner'.
2. Equipment is to be used by no-one other than the 'owner'.
3. Equipment is not to be left unattended in any circumstances.

4. Equipment is to be used only for the organisation's business.
5. No software is to be downloaded from the Internet.

All standard computer policies and practices are to be observed while using portable computer equipment.

## **12. Disciplinary Rules**

The following rules are to be used in conjunction with the Council's Capability and Disciplinary procedure which has been jointly agreed with the recognised trades unions.

- (a) **GROSS MISCONDUCT** is defined as behaviour of such a nature that continued employment would not be reasonable in all the circumstances. Dismissal is instant and no notice need be given. The following acts and offences of a like nature are regarded as gross misconduct and have, in the past, led to Council employees being dismissed. In no way are these examples exhaustive.
- (i) Theft, or attempted theft, from the Council, its employees.
  - (ii) Malicious damage to, or any other unlawful act which involves the property of the Council.
  - (iii) Offences of a dishonest or fraudulent nature, e.g. falsification of expense claim forms, bonus sheets, drivers record books etc.
  - (iv) Wilful disregard of instructions concerning the collection, transfer, security and paying in of monies.
  - (v) Wilful action or serious negligence which endangers life or limb including deliberate damage to equipment or significant breach of Health and Safety rules so as to endanger life.
  - (vi) Fighting, acts of violence and physical intimidation.
  - (vii) Unauthorised disclosure of confidential information.
  - (viii) Criminal offences and/or conduct of such nature (whether on or off duty) that the employee would be unsuitable to carry out their duties.
  - (ix) Deliberate acts or omissions that contravene the requirement of the Council's policy and procedure on equal opportunities e.g. direct discrimination, sexual or racial harassment.
  - (x) Tampering with the flexible hours time recording equipment without authority, making false recordings or making recordings in respect of another employee.

- (xi) Keeping or disposing of Council goods or materials provided by the Council in connection with the employee's official duties.
- (xii) Acting in advance of Council, Committee or Sub-Committee decisions in an attempt to bind the Council or commit the Council to a particular course of action.

**13. Completion of Time Sheets, Expenses Claim Forms etc.**

Official documents used for claiming pay, overtime, business mileage and subsistence claims must be completed honestly and accurately. Appropriate authorisation for payment must always be obtained.

Should there be any doubt as to what claims can be legitimately made then advice should be obtained from Human Resources.

Should a claim be made which is dishonest or fraudulent then the Council's disciplinary rules covering gross misconduct will be applied.

Guidance for Officers on Travel & Subsistence is contained in the appendix to this Code of Practice. See also the Financial Regulations, Appendix 4H Constitution.

**14. ESBC Travel Plan**

One of the Council Aims is 'to minimise the contribution of the Council and its workforce to congestion, air pollution emissions and resource depletion.'

Employees and Councillors are asked to consider ways in which they can contribute to this Aim. The Travel Plan is the result of a staff survey, which has led to the development of a number of initiatives with set annual targets.

1. Share a Lift – to and from work plus when going on company visits. Use Public Transport – ESBC offers a scheme to assist with spreading the cost of annual public transport passes.
2. Provide Visitor Information – to help those visiting the Council to use public transport.
3. Buy a bicycle or motorcycle – the Council provides access to a Cycle to Work scheme to assist in bicycle purchase; bicycle storage lockers and shower facilities are available at the Maltsters, Millers Lane and the Leisure Centres..

**14.1 Local Rail Travel**

Terms and conditions for all staff and Councillors incorporate the need to travel by train between Burton and Birmingham, Derby or Tamworth. These routes are

designated as rail journeys, therefore must be considered and justified if travel by rail is not used. If you want to use your car for these routes, permission will need to be obtained from your line manager.

**GUIDANCE NOTES**

**TRAVEL & SUBSISTENCE**

**TRAVEL**

**GENERAL**

- a) All Officers have a responsibility to avoid unnecessary expenses to the Council.
- b) All Officers should try and travel by the cheapest form of transport (obviously after taking into account time taken for a journey, inconvenience etc.).
- c) The agreed NJC rates for mileage and subsistence will be applied.
- d) Take note of the initiatives under the ESBC Travel Plan and make best use of these wherever possible.

**TRAVEL BY CAR/TAXI**

- a) Where possible cars should be shared when Officers are making the same journey. The cost of the journey should be considered and the car used for the journey should be chosen by considering the cost to the Council:

Car necessity scheme user first  
Casual user second

- b) Mileage should be claimed for additional mileage only e.g. mileage from home to work should be deducted. When staff are called back to work they may claim travel from home.

The use of Taxis is prohibited unless:

- (i) there is no adequate public transport or
- (ii) Councillors are being accompanied by Officers.

**MILEAGE CLAIMS**

Claims for business mileage must be made in accordance with the following rules.

**NOTES ON COMPLETION OF CLAIMS FOR CAR NECESSITY SCHEME USER AND CASUAL USER TRAVELLING ALLOWANCES**

1. All Officers must ensure that their vehicles are fully covered by insurance for official business purposes. The East Staffordshire Borough Council will not accept liability resulting from non compliance with this rule.
2. Officers are required to notify the Chief Finance Officer immediately, in the event of a change of vehicle on the indemnity form, which must be completed and submitted to Human Resources before any journey is undertaken.
3. Claims will be for mileage parking fees and related allowable subsistence only. The final payment due will be calculated in Human Resources.
4. All claims must be completed in full, each journey approved by the responsible Officer and each claim certified by the Head of Service or designated Principal Officer. Failure to provide adequate detail may delay payment.
5. The car engine cc rating stated on the claim must be the actual one as per the Registration Document to comply with the scheme. A rounded figure is not acceptable.
6. More than one form may be used if required and in such cases totals of mileage carried forward to show one grand total.
7. Payment will be made one month in arrears with salary, subject to Note 8.
8. Claims must be received by Human Resources at the latest by the 15th day of the month.

**TRAVEL BY TRAIN**

- a) All rail tickets must be obtained through your department. Officers must specify the reason for their journey, time of travelling etc.
- b) Standard class travel applies. Seat reservations can be made in advance. This applies to all Officers.
- c) Journeys between Burton and Birmingham, Derby or Tamworth must be by rail, unless otherwise approved by your manager.

**SUBSISTENCE**

- a) Subsistence allowances based on local rates, for breakfast, lunch, tea and evening meal are applicable when Officers incur additional expenses by being prevented from taking their meals in the usual place. Evidence of expenditure must be provided.

- b) Evening meal allowance will only be payable if work continues after 8.30 pm.
- c) Expenses incurred for food and drink consumed during a day attendance at a training event are not eligible for reimbursement. Please refer to the Councils Learning and Development Policy for rules relating to expenses that may be claimed.

### **CONFERENCE RESIDENTIAL COURSES**

Where it is necessary to stay overnight:

- a) Hotel accommodation should be booked using the normal process for your department. Hotel bills should be paid for and then reclaimed by the Officer (unless other arrangements have been agreed beforehand).
- b) Costs of alcoholic drinks, private telephone calls, newspapers will not be reimbursed by the Council. Unless covered by the Hospitality rules above.
- c) In cases where a hotel bill includes two people and one is not eligible for expenses (e.g. spouse) the Council shall bear the costs of a single room which would have been incurred had the Officer attended such course alone.
- d) Where costs of a hotel are to be paid direct by the Council arrangements must be made to ensure a VAT invoice is submitted so the Council can reclaim the VAT.
- e) Out-of-pocket expenses can be claimed on residential courses, rates as locally determined. Evidence of expenditure must be produced.