

Employee Code of Conduct Policy

SUMMARY

- 1.1 Changes were required to the Employee Code of Conduct as a result of the Information Governance Action Plan. These changes must be in place by January 2017.
- 1.2 Following a drug and alcohol campaign at Stores Road under the current “cause for concern” approach, Drug and Alcohol Policy minor changes will be required for the Employee Code of Conduct. The current Drug and Alcohol Policy is currently under review.
- 1.3 The revised policy contains the agreed wording, at paragraph 2.9, to meet the needs of the Information Governance Action Plan.
- 1.4 The changes made to sections 2.4 and 2.5 simplify the information around drug and alcohol misuse. They will also meet the requirements of a Drug and Alcohol Policy that is either based on “cause for concern” or targeted random testing.
- 1.5 Based on feedback received from the working party involved in improving the Drug and Alcohol Policy the revised Code of Conduct states that no employee should drink alcohol while at work, during unpaid breaks or before a shift. Previously this only applied if you were in a ‘front facing’ or ‘safety critical role’.
- 1.6 Other minor changes to clarify points have been incorporated at the same time. These do not alter any requirements but do improve how easy the document is to read.
- 1.7 The matter was reported to Personnel Committee on 12 October 2016 and, subject to a minor typographical error being corrected, was agreed (Minute 43/16). As the Employee Code of Conduct forms part of the Council Constitution, approval of which is reserved to Council, the matter now comes before members for ratification.

RECOMMENDATION

- 2.1 To approve the revised Employee Code of Conduct at Appendix 2 for adoption into Part 7 of the Council Constitution.

REASONS FOR RECOMMENDATION

- 3.1 To ensure that the Employee Code of Conduct is fit for purpose, from a governance point of view, by January 2017. This is the date we are next due to be assessed for data governance compliance.

SUPPORTING INFORMATION

- 4.1 A report was approved, in February 2016, at COG agreeing an Information Governance Action Plan. Failure to meet the plan could result in the Council not meeting the PSN and HSCIC/Caldicott compliance requirement.
- 4.2 An outcome of the Information Governance plan requires the Employee Code of Conduct to be reviewed and updated to ensure employees are clear of their responsibilities for data governance.
- 4.3 Following a review of the draft policy at the OMT meeting on the 28th of September 21016, the wording under 2.9 has been revised by Richard Boneham Head of Governance and Assurance.
- 4.4 Following a 4 weeks awareness and cause for concern testing drug and alcohol campaign at Stores Road, a working party has been set up to look at what changes are needed to protect the Council and its employees. This work is ongoing but is a complex and difficult area of work.
- 4.5 The policy has been updated to reflect expectations of conduct in relation to the "Implications of the Localism Act and Social Enterprises" framework.
- 4.6 To recognise the increase in social media usage employees are now directed to the Social Media Marking Scheme policy.

OTHER OPTIONS CONSIDERED

- 5.1 To not update the Employee Code of Conduct in line with the recommendations from the Information Governance Action Plan, would constitute failure to meet the plan and result in the Council not meeting the PSN and HSCIC/Caldicott compliance requirements.

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s)	David Cox, Head of HR
For more information contact: Background papers: List of appendices:	Claire Benjamin HR Advisor 01332 643666 claire.benjamin@derby.gov.uk Appendix 1 - Implications Appendix 2 - Employee Code of Conduct Policy

IMPLICATIONS

Financial and Value for Money

- 1.1 There is no direct financial implication to the Employee Code of Conduct amendments. However, the potential failure of the Council not to meet the PSN and HSCIC/Caldicott compliance requirement could have significant implications in legal costs.

Legal

- 2.1 Failure to meet the PSN and HSCIC/Caldicott compliance or information governance rules and regulations could result in both civil or criminal action against individual employees and the council.

Personnel

- 3.1 All employees are required to adhere to the policy, by setting out clear and concise expectations allows the Council to manage any breaches of the code.

IT

- 4.1 Implications for breaches of the code by incorrect use of council IT equipment.

Equalities Impact

- 5.1 The policy applies to all employees; however the equality impact assessment is currently being reviewed in relation to this policy.

Health and Safety

- 6.1 A number of Health and Safety implications are considered within this policy. Breaches of the policy could put employees at the risk of harm and the Council at risk of Health and Safety claims, by setting clear and concise expectations protects both the council and employees from both harm and costly claims.

Environmental Sustainability

- 7.1 The aim of the policy to ensure that both employees and the authority are protected by applying high standards of expectations of conduct. Any breach of the policy could have a wider impact on the environment both internally and external.

Property and Asset Management

- 8.1 None directly however breaches of the code may have links to both property and Council assets.

Risk Management and Safeguarding

- 9.1 There are significant risks to the Council that are associated with breaches of the policy legally and financially. Any breaches of the code could be subject to both public and media interest, however by setting clear and concise expectations allows the council to manage this risk.

Corporate objectives and priorities for change

- 10.1 The policy is to support the Council in achieving its objectives, implementing policies and delivering services to the local community.