

# Upper Witham, Witham First District and Witham Third District Internal Drainage Boards (IDBs).

## Officers' Code of Conduct

### 1. Background

- 1.1 The Code of Conduct for Officers is a joint code, approved by each of the 3 Internal Drainage Boards (IDBs), given that in many cases the 3 Boards' employees work for more than one Board. For consistency, the Boards have put in place one clear set of rules to govern required standards of Officer behaviour.
- 1.2 This Officers' Code of Conduct was approved by Upper Witham IDB on 24.06.13, by Witham Third DIDB on 25.06.13 and by Witham First DIDB on 25.06.13 (this version 2, dated 05.07.13, incorporates revisions from those Board meetings).
- 1.3 The Code of Conduct will be reviewed periodically, as new Guidance is issued to IDBs. It is based significantly but not exhaustively on the Association of Drainage Authorities' (ADA) guidance.
- 1.4 All employees working for the 3 IDBs will be guided by the standards of behaviour set out in this Code but should note that it is not exhaustive. Officers should also read the ADA Lincolnshire Branch 'White Book' (terms and conditions manual) and have regard to guidance therein. The examples of misconduct in both this Code of Conduct and the White Book are not exhaustive.
- 1.5 All Officers have a duty to comply with the standards of behaviour and performance required by the 3 IDBs and to behave in a reasonable manner at all times.
- 1.6 A breach of the Officers' Code of Conduct may result in a disciplinary investigation and disciplinary action. A single instance of gross misconduct may result in dismissal without notice. Examples of misconduct, which the 3 Boards will normally regard as gross misconduct, are included.

### 2. Introduction

- 2.1 The 3 Boards recognise that staff are an important asset and play an important role as ambassadors for IDBs, often explaining to third parties the importance of land drainage and water levels management and showcasing the work of the Boards at events like the Lincolnshire Show and at Town and Parish Council events and meetings.

- 2.2 This Code of Conduct is to provide guidance for staff as to the general standards of behaviour required, the governing principle being that is incumbent on all staff to behave in a reasonable manner at all times, to promote a positive image of the IDBs and not to do anything which may bring the Boards into disrepute.
- 2.3 The Officers' Code of Conduct applies to the 3 Boards' employees. It does not apply to self-employed individuals or contractors working on the Board's premises.

### 3. **Attendance & Timekeeping**

- 3.1 Officers are required to fulfil their contracted hours, arriving at work promptly and completing work at their contracted finishing times.
- 3.2 Officers are required to notify their line manager, by telephone, of any absence from the workplace at the first opportunity. This should not be by email or text message, but by speaking to their manager to ensure he/she is aware of the absence and the reason for it.
- 3.3 Officers should obtain authorisation for variations to their agreed normal start and finish times. Managers will seek to be flexible and authorise such, providing the needs of the service can be fulfilled and taking into account the frequency and nature of such requests.
- 3.4 The 3 Boards reserve the right to withhold payment to employees in respect of working time lost because of poor timekeeping.
- 3.5 Persistent poor time keeping may be treated as misconduct.
- 3.6 Officers, in addition to good time keeping and ensuring that absences are authorised, should not waste time whilst at work.

### 4. **Standards and Personal Conduct**

- 4.1 Officers are required to maintain satisfactory standards of performance at work.
- 4.2 Officers are required to comply with all reasonable management requests and instructions.
- 4.3 Officers are required to co-operate fully with Members and other Officers of the 3 IDBs and to maintain acceptable standards of professionalism and courtesy at all times.
- 4.4 Officers will recognise that they present the public face of the 3 IDBs and, recognising the Boards have a duty to work in partnership with other Flood Risk Management authorities, they will co-operate to promote a positive public image of the 3 Boards and good relationships with the Environment Agency, other IDBs, Lincolnshire County Council (the Lead Local Flood Authority), District Councils, Town and Parish Councils, rate payers in the drainage district and members of the public.

- 4.5 Officers will not deliberately take any action or behave in a way which would damage the reputation or standing of the 3 IDBs. For the avoidance of doubt, Officers/employees of all 3 IDBs must not undermine the standing of any or all three of the IDBs.
- 4.6 Officers will comply with the 3 Boards' policies and procedures. For example, this includes Health and Safety policies and Financial Regulations of the 3 Boards.

5. **Press and Media**

- 5.1 All enquiries from the media will be referred to the Chief Executive. He/she may then delegate authority to deal with the issue after an assessment of that issue with the officer concerned.
- 5.2 Officers will bear in mind that the Chief Executive needs to assess the situation and agree handling of the issue, which does not mean officers cannot speak to the media or prepare press briefings, but this should be with prior agreement.

6. **Gifts and Hospitality**

- 6.1 As public sector organisations, the 3 IDBs are required to have in place a policy on the acceptance of gifts and hospitality. The guidance for Members of the IDBs is included in the approved Members' Code of Conduct.
- 6.2 Officers employed by the 3 IDBs should follow the following guidance in the event that they are offered gifts and/or hospitality (whether or not they accept it, an offer is sufficient):
- 6.2.1 Officers should treat any offer with caution, whether that be an offer of a gift, favour or hospitality which is made to them personally. The officer must consider whether the person making the offer may be doing so in the context of seeking to do business with the IDB or is making such an offer in the hope or belief that this will influence the officer or Board to look favourably on some future decision which affects him/her or his/her business, or indeed the business of someone with whom he/she is connected
- 6.2.2 There are no absolute rules about the acceptance or refusal of hospitality or tokens of goodwill. For example, working lunches may be an appropriate way of conducting the 3 Boards' business (an example might be the Lincolnshire NFU's annual luncheon), providing they are authorised by the Chief Executive and are proportionate (i.e. not extravagant).
- 6.2.3 In the same way, it may be reasonable for staff to represent the 3 Boards at a social function, awards ceremony or sporting event organised by outside persons or bodies. Again, officers will use their discretion as to proportionality of any such offer and the reasonable public perception of them accepting such. Again, officers will seek the approval of the Chief Executive prior to accepting such offers.

- 6.2.4 Each officer is individually responsible for their assessment of the appropriateness of accepting or declining an offer of gifts or hospitality and for avoiding the risk of damage to public confidence in the 3 IDBs. The offer and acceptance of gifts and hospitality, and the detail of all offers, will always be reported to the Chief Executive and entered by the relevant officer in the Gifts and Hospitality Register maintained at Witham House.
- 6.2.5 When hospitality is declined, officers should inform those making the offer courteously and firmly of the standards operated by the 3 Boards and it should be explained why the offer is not being accepted.
- 6.2.6 Officers should not accept significant personal gifts from contractors and outside suppliers.
- 6.2.7 The 3 Boards will allow employees to keep insignificant items of token value. Examples include pens, calendars and diaries. Such insignificant items do not need to be recorded in the Gifts and Hospitality Register. A general guide is a notional value of under £25.
- 6.2.8 Officers may accept offers of hospitality through attendance at work related conferences and events where it is clear that the hospitality is corporate, rather than personal, and where the officer concerned is clear that attendance will not (and could not be construed to) compromise any purchasing decisions.
- 6.2.9 Where officers undertake visits to inspect equipment, suppliers or services the 3 Boards will meet the officers' reasonable expenses, e.g. travel expenses, to avoid jeopardising the integrity of subsequent purchasing decisions.

6.3 When gifts and hospitality are offered and/or accepted, officers will follow the guidance above and for their own protection and that of the 3 Boards they will enter the offer details in the Gifts and Hospitality Register maintained at Witham House. This will detail the date, officer's name, offer from whom, offer description, value (if known) and whether the offer was accepted/declined.

## 7. **Confidentiality**

7.1 Officers have a duty of confidentiality in respect of information gained in the course of their employment about sensitive information held by any or all of the 3 IDBs, except where disclosure is required by law or in the proper course of the officer's duties. Examples of such sensitive or personal information include the 3 Boards' commercial contracts, personal information and data relating to Members, colleague officers or ratepayers. This duty to maintain confidentiality is whilst the officer is employed but it extends also to a duty of confidentiality after employment has terminated.

7.2 Officers will observe guidance from the Information Commissioner's Office in respect of the holding and retention of personal data (i.e. that it must be relevant, proportionate, necessary, timely, not excessive and retained for the purpose intended).

## 8. **Conflicts of Interest**

8.1 Where officers are full-time employees of the Board, they should not engage in any other paid employment without the express permission of the Chief Executive.

8.2 Officers must not engage in employment activities which conflict with the interests of any of the 3 Boards or which might reasonably bring the Boards into disrepute.

8.3 Officers must have regard to the core business of the 3 Boards and must declare an interest when they have a direct or indirect personal or prejudicial interest.

## 9. **Flexibility**

9.1 Officers may be required to work additional hours at short notice, in accordance with the business needs of the 3 IDBs.

9.2 Officers may be required, from time to time, to undertake duties outside the normal remit of their job role.

9.3 Officers may be required, on occasions, to work at locations other than their normal place of work (e.g. in a flood event, some officers may be asked to provide cover in the incident control room).

## 10. **Work clothing and Personal Protective Equipment**

10.1 The 3 IDBs will provide work clothing and Personal Protective Equipment (PPE) for all duties which staff are asked to perform (e.g. overalls, fleeces, boots, waders, hard hats, gloves, waterproofs, eye goggles, reflective clothing), as appropriate.

10.2 Staff are required to wear appropriate clothing for the role in which they are employed and any PPE as instructed by the 3 Boards.

## 11. **Health & Safety**

11.1 Employees have a general duty to look after their own safety and that of their colleagues in the workplace. The 3 IDBs have a duty to provide all staff with a safe working environment, governed by an appropriate Health and Safety Policy and Procedures, where safety is at the heart of how the 3 Boards' business is conducted and all employees are provided with a safe system of work.

11.2 Officers of the 3 Boards are required:

- 11.2.1 to observe the 3 Boards' Health and Safety procedures.
- 11.2.2 to ensure that appropriate health and safety equipment and clothing is used in accordance with the 3 Boards' health and safety procedures.
- 11.2.3 to report all accidents, however small, in an accident book maintained by the 3 Boards' at the 3 Depots and at Witham House.
- 11.2.4 to report near misses and hazards, using the 3 Boards' 'Near Miss and Hazard Alert' forms maintained at the 3 Depots.
- 11.2.5 to ensure that, when working on customer or client sites, they follow any additional, site-specific rules at all times during their working hours.

12. **Smoking**

12.1 Smoking is not permitted in any of the 3 Boards' buildings (office or depots) or in any of the 3 Boards' vehicles.

13. **Alcohol and non-medical substances**

13.1 The consumption of alcohol or use of non-medical substances by officers is not permitted on the 3 Boards' premises or during normal working hours, if off-site.

13.2 Staff should not report for duty apparently under the influence.

13.3 The Chief Executive may grant dispensations, eg. staff christmas lunches, providing staff are not returning to work after the consumption of alcohol.

14 **Property and Equipment**

14.1 The 3 Boards' telephone, fax and postal systems should be used for the Boards' business, not for personal use.

14.2 Officers should only remove the 3 Boards' property and equipment from sites/premises for use on authorised business of the Boards, or with the express permission of the Chief Executive.

14.3 Officers must take due care of the 3 Boards' assets and property and should take care not to damage it through misuse, carelessness or negligence. For example, if officers take home laptops they should seek to prevent theft by ensuring that if they are left in vehicles, the vehicle should be locked and the laptop should preferably be out of sight in the boot.

- 14.4 Officers may use the 3 Boards' internet and email systems for personal use, outside normal working hours (e.g. at lunchtimes) but the use must be proportionate. Excessive personal use of the internet or email systems is not permitted.
- 14.5 On termination of employment, officers must return all property belonging to the 3 Boards such as keys, laptops, mobile telephones, vehicles, documents, banking on-line access keypads etc. This list is not exhaustive.
- 14.6 All Officers have a personal duty to protect the 3 Boards' property and to exercise due diligence in this respect, e.g. ensuring income to the Boards is banked in timely fashion, ensuring that equipment left on site in the cutting season is secured (and away from public view where practicable) and returned to the depot promptly when works are complete.

15. **Personal Details**

- 15.1 Officers must inform their line manager of significant changes in personal details.
- 15.2 Significant changes include change of name, address, telephone number, next of kin or motoring convictions (where the individual uses the 3 Boards' vehicles or where he/she is in receipt of travel expenses for business mileage). The Boards' insurances require that staff disclose motoring convictions, claims and DVLA notifiable conditions to their employer.
- 15.3 This will enable the 3 Boards to maintain accurate personal details, in compliance with the Data Protection Act, and ensure the Boards can contact the employee or their next of kin in the event of an emergency

16. **Misconduct**

- 16.1 A breach of this Officers' Code of Conduct may amount to misconduct.
- 16.2 Officers should also have regard to the standards of behaviour required of them in the ADA Lincolnshire Branch 'White Book'.
- 16.3 Some types of behaviour will be treated as gross misconduct by the 3 Boards. Such behaviour may result in dismissal without notice. The following list provides examples of such behaviour, but is illustrative rather than exhaustive:
  - 16.3.1 actual assault, acts of violence or aggression.
  - 16.3.2 breach of duty of confidentiality, including the unauthorised disclosure of the 3 Boards' business to the media or third party.
  - 16.3.3 bringing one or more of the 3 Boards into dispute.
  - 16.3.4 falsifying records of one or more of the 3 Boards.
  - 16.3.5 gambling, bribery and corruption.
  - 16.3.6 possession, use of or being under the influence of alcohol on the 3 Boards' premises or during normal working hours if off-site.

- 16.3.7 possession, use of or being under the influence of non-medical substances on the 3 Boards' premises or during normal working hours if off-site.
- 16.3.8 refusal to carry out reasonable management instructions.
- 16.3.9 a serious breach of the 3 Boards' health and safety policies and procedures.
- 16.3.10 serious or gross negligence.
- 16.3.11 serious insubordination.
- 16.3.12 sleeping during working hours.
- 16.3.13 theft, dishonesty or fraud.
- 16.3.14 unacceptable use of obscene or abusive language.
- 16.3.15 unauthorised accessing or use of computer data or hardware.
- 16.3.16 unauthorised copying of computer software.
- 16.3.17 unlawful discrimination, including acts of indecency or harassment (including breaches of Equal Opportunities legislation).
- 16.3.18 wilful damage to property of the 3 Boards, employees, ratepayers and clients.

17. Review

This Officers' Code of Conduct is intended as a guide for officers, to set the tone for appropriate workplace behaviour. It is not exhaustive and it will be subject to review periodically and when new guidance to IDBs is published nationally.

JEF/KD  
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