

Regulatory and Other Committee

Open Report on behalf of Richard Wills, Director responsible for Democratic Services

Report to:	Audit Committee
Date:	24 November 2014
Subject:	Review of the Council's Standards Regime

Summary:

The Audit Committee has an interest in the standards regime of the Council. This report brings the Committee up to date with work that has been undertaken over the last few months.

Recommendation(s):

The Committee is asked to note the content of the report and consider the questions in paragraph 13.

Background

Constitution and the Standards Regime

1. The Overview & Scrutiny Management Committee commenced a complete review of the Constitution over a year ago. The Committee established a cross party Constitutional Review Working Group to achieve this.
2. The Audit Committee members will be aware that the Council has received a number of reports for approval and amendments to Parts 2, 3, 6 and 7 of the Constitution have already been approved. The Working Group has recently been considering Part 4 and Part 5, which deals with Codes and Protocols.

D1 – Protocol on Officer/Member Relationships

D2 – Councillor Involvement in Commercial Transactions

D3 – Harassment, Intimidation and Unacceptable Behaviour

D4 – Planning Development Control Process

D5 – Confidential Reporting Code

D6 – Petitions Scheme

3. It is intended that proposed amendments to Parts 4 and 5 of the Constitution are considered at Full Council in December 2014.
4. In addition to the above protocols, there are Local Arrangements for dealing with Standards complaints (see Appendix A).
5. Initial discussions have determined that there need to be some revisions to the Members Code of Conduct. Although the current version achieves the requirements of the Localism Act, it has less explanation than the LGA's model code.
6. On 1st July 2012 the Standards Regime was changed under the Localism Act because many felt that the previous legislation was no longer fit for purpose. As a result, a national system was abandoned and Councils were required to introduce their own local standards code, and protocols. This council decided that it would have a streamlined code and no local Standards Committee. The Monitoring Officer's powers are limited to investigating breaches of the Code of Conduct. There is a role, under the aforementioned Local Arrangements, for the Audit Committee. Most complaints received by the Monitoring Officer come from councillors about other councillors. Most of them relate to the way councillors behave towards each other, so very few are in scope of the current Code of Conduct.
7. Paragraph 11 of the Local Arrangements states:

Where the investigator finds that a breach of the Code has occurred, the MO will make arrangements for a Local Hearing. The Hearing will be by at least three non-Executive Members of the Council from at least two political groups drawn from the Audit Committee nominated by the Chairman of Audit Committee. The Chairman of Audit Committee will consult Group Leaders on those nominations. The Local Hearing will consider the Investigators Report, consult the Independent Person and, except in cases covered by paragraph 12 below, make recommendation(s) to the relevant Group Leader who will decide the appropriate action and notify the Member and MO. The MO will notify the complainant.
8. Paragraph 12 refers to the Hearing Panel being able to ask the Council to consider a motion of censure against a councillor.

Registers of Interests

9. Under the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 all councillors are required to complete the register of interests when they take office and to amend this register when required. All councillors have been issued with guidance and offered training with respect to these new regulations and the Democratic Services Manager reminded councillors to review their interests in September 2014. Training and guidance on declaring interests was included in the programme of councillor induction following the county council election in May 2013.

10. The Internal Audit Service published a report on the *Register of Officers' Interests, Gifts and Hospitality - 2014/15* in August. The Executive Summary stated the following:

We found that the Council's revised Officers' Registration of Interests, Gifts and Hospitality procedure within the Code of Conduct provides effective guidance to staff to enable compliance with their duties under Section 117 of the Local Government Act 1972.

Our examination of the register confirmed that declarations relating to gifts and hospitality have been made by employees across most areas of the Council. This would suggest that the revised policy has embedded and staff are aware of the procedures to follow when required. Gifts and hospitality entries were generally in line with policy advice and guidance.

We did identify scope for improvement to the arrangements for ensuring officer interests are declared by employees and any potential conflicts subsequently managed. Our review of the register found few declarations of interests since the policy was revised in 2012. We also noted that interests declared are not subject to regular review to ensure they remain valid. In view of this, we could not provide the same level of assurance that interests are being proactively managed or that controls have been developed to address any potential risks.

11. The Management response was positive and it was stated that:
- *The register will be reviewed on a six-monthly basis and evidence the review. The review will include the checking of the continued validity of interests entered on the register.*
 - *A short annual report on gifts, hospitality and interests will be included within the Annual Governance Statement.*

Complaints

12. The Council operates systems that deal with statutory complaints and general complaints. These are monitored and reported on a quarterly basis to the Value for Money Scrutiny Committee and Executive.

On 23 September 2014 the Value for Money Scrutiny Committee received a Voice of the Customer Annual Feedback Report for 2013/14 which advised of a reduction in formal complaints received. Councillors were also informed of positive results from the various customer feedback mechanisms. Service improvements are being implemented as a direct result of customer feedback and overall customer satisfaction remains high. The document is attached as Appendix B to this report.

Conclusion

13. The Audit Committee's terms of reference include promoting and maintaining high ethical standards by Councillors and non-elected members. This report seeks to give assurance to the Committee that systems are in place to support this work.

The Committee is invited to consider the following:

- i. The Council no longer has a Standards Committee. Are members of the Audit Committee content with their present role with respect to the Standards regime?
- ii. Does the values statement carry sufficient weight in the Members Code of Conduct?
- iii. Is the Committee content with the way in which councillors and added members are expected to register their interests; keep them up to date; and make their declarations available to the public?
- iv. Does the Committee have any views on the way in which officers declare their interests and offers of hospitality?
- v. Does the Committee have any views on the way in which the formal complaints system works?

Appendices

These are listed below and attached at the back of the report	
Appendix A	Local Arrangements for dealing with Standards Complaints
Appendix B	Voice of the Customer Annual Feedback Report for 2013/14
Appendix C	Standards and Values
Appendix D	Members Code of Conduct, as of 12 November 2014
Appendix E	Officers Code of Conduct
Appendix F	Formal Complaints Procedure

Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Nigel West, who can be contacted on 01522 552840 or nigel.west@lincolnshire.gov.uk.

Local Arrangements for dealing with Standards complaints

1. These Local Arrangements apply to complaints against members of the Council alleging failure to comply with the Members Code of Conduct (a 'standards complaint').
2. For clarity, they do not apply to complaints alleging more serious issues such as alleged criminal offences which are dealt with by other means such as referral to the Police.
3. The arrangements reflect commitment of Group Leaders to maintaining high standards of conduct and their wish to demonstrate that commitment by playing a leading role.
4. Following a standards complaint made to the Monitoring Officer (MO) or referred to him, the MO will inform the Member and relevant Group Leader that a complaint has been received.
5. The MO will review the complaint to evaluate whether it is covered by the Code of Conduct.
6. If it is not covered by the Code of Conduct the MO will inform the Member and relevant Group Leader and notify the complainant.
7. Where the complaint is covered by the Code of Conduct the MO will consult the Group Leader and evaluate whether the behaviour complained about presents a serious risk to the reputation of the Council.
8. If there is no serious risk to the reputation of the Council, the MO will work with the Member and relevant Group Leader to seek an informal resolution. The MO will notify the complainant.
9. If there is a serious risk to the reputation of the Council the MO will appoint a suitable person to investigate the complaint.
10. Where the investigator finds that no breach of the Code has occurred, the MO will notify the Member and relevant Group Leader and complainant.
11. Where the investigator finds that a breach of the Code has occurred, the MO will make arrangements for a Local Hearing. The Hearing will be by at least three non-Executive Members of the Council from at least two political groups drawn from the Audit Committee nominated by the Chairman of Audit Committee. The Chairman of Audit Committee will consult Group Leaders on those nominations. The Local Hearing will consider the Investigators Report, consult the Independent Person and, except in cases covered by paragraph 12 below, make recommendation(s) to the relevant Group Leader who will decide the appropriate action and notify the Member and MO. The MO will notify the complainant.
12. Where the Local Hearing, having consulted the Independent Person, decides that the complaint is of such extreme seriousness that it should result in a motion to Council proposing that the Member be censured then the motion will be referred to the next Council Meeting direct.
13. In cases where the Member complained about is not part of a recognised political grouping, the MO will proceed as in paras 4-11 above but without liaison with any Group Leader. In such cases the Local Hearing will decide the appropriate action.
14. In cases where the complaint is against a Member who is a Group Leader the MO will proceed as in paras 4-11 above except that the MO will consult a senior Member from outside the County Council (nominated for that purpose in advance of any complaint by the Group Leader) in all cases where he would otherwise have consulted a Group Leader. In such cases the Local Hearing will consult the senior Member from outside the County Council as well as the Independent

Person and then make recommendations to the relevant Deputy Leader who will decide the appropriate action



**Voice of the Customer
Annual Feedback Report
2013/14**

'Listening to our customers and learning
the lessons'

Prepared by
Helen Johnson, Quality and Performance Analyst
Zoé Butler, Head of Customer Services
Customer Service Centre



Contents

1.	Capturing the voice of the customer is a key enabler	3
2.	We encourage feedback	3
3.	What our customers told us in 2013/14	4
3.1	The overall picture	4
3.2	Demonstrating our core values	4
3.3	Capturing complaints	5
4.	Celebrating good service	6
4.1	Comments and suggestions	6
5.	Learning more about our services	7
6.	Taking action from feedback	8
7.	Actions for 2014/15	9
	Appendix 1	10

1. Capturing the voice of the customer is a key enabler

The vision for our customers in Lincolnshire:

'We want the service provide to our customers to:

- *Be personalised*
- *Deliver a better experience*
- *Deliver a first time solution*
- *Enable citizens to serve themselves*
- *Provide choice of how and when customers access services*

Capturing customer feedback is a key enabler in delivering a better experience and helps to identify areas where improvement is required, and where there are examples of excellence to share wider across the organisation.

Lincolnshire County Council has robust processes in place to ensure that customer feedback is routinely captured, analysed and responded to; and that lessons are learnt and form part of continual service improvements for our customers. Last year, the Customer Service Centre handled over 650,000 contacts with customers, and many more would have been dealt with in other service areas. The number of complaints represents just 0.1% of contacts with customer services, and would be much lower when combined with the many other contacts received and handled.

2. We encourage feedback

Feedback is gathered from a variety of sources including:

- Compliments, Comments and Complaints process
- Touchstone surveys
- Service-led surveys
- Social and print media
- Members and colleagues

We actively encourage feedback by providing a variety of channels to enable it to be given. This includes face to face, over the telephone and via our website or email. We recognise that particularly our complaints process is only fully effective when it informs and results in service improvements, and when we tell customers what we have done and demonstrate that we have listened and acted on their feedback.

The feedback process is managed by the Customer Service Centre, which acts as a hub of customer insight to enable them and other service areas to continually improve their interactions with customers. For example, Touchstone surveys are carried out by Customer Services Advisers on behalf of service areas. This involves outbound calls to customers over a defined period, with specific questions developed with the service to determine their experience of the service.

3. What our customers told us in 2013/14

3.1. The overall picture

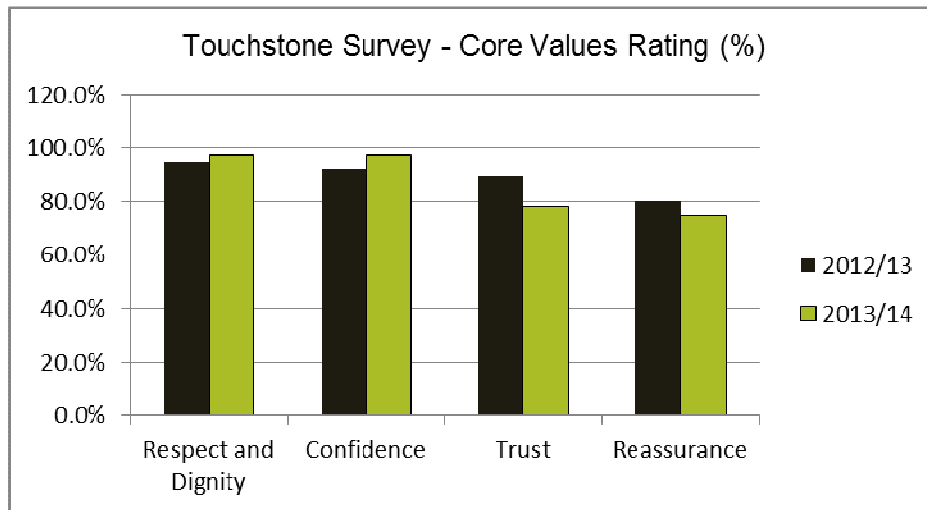
When customers are contacted by our Touchstone team, they are asked to rate their satisfaction with Lincolnshire County Council. These are customers who have received a service from us. Whilst it is a relatively low number of surveys, in comparison with the number of customers receiving services from us, it does provide a dip test of customer views. In 2013/14, there was a significant increase in the number of customers telling us that they were satisfied in the way that we had met their individual needs and expectations Overall, satisfaction decreased from 2012/13 but still remains high.



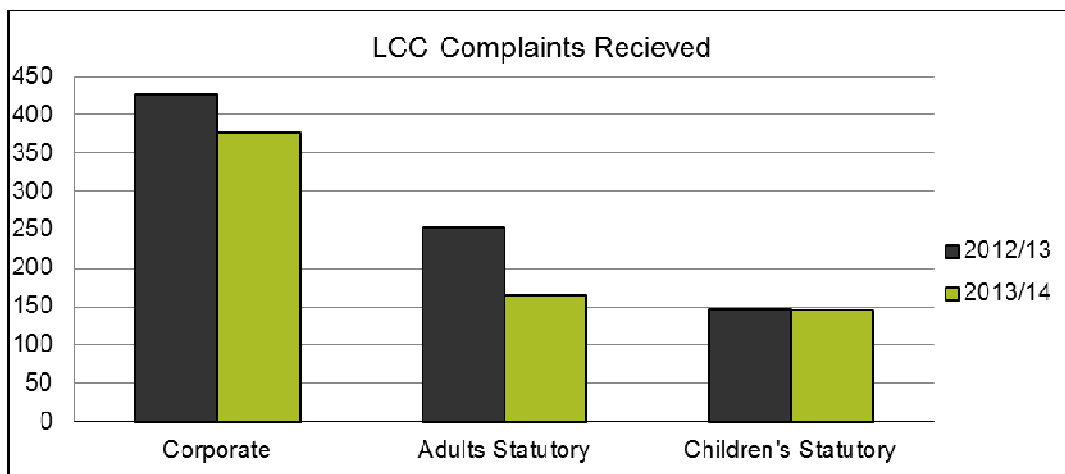
3.2 Demonstrating our core values

Against our core values, our customers told us we weren't doing quite as well as the previous year in two areas, but on the values relating to respect and dignity and confidence in us, there was an increase. Again, these value questions were only asked in a small sample of surveys this year, compared to previous years and data is not directly comparable.

Whilst the reassurance rating appears to have reduced, this is because the question asked does not take into account the increasing number of queries that are handled to their conclusion within the Customer Service Centre. Customers have stated they are unable to answer the question as it has been resolved to their satisfaction. (Customers are asked whether they were reassured that their query would be answered).



3.3 Capturing complaints



There was a significant fall in the number of overall complaints in 2013/14 with 685 received. In 2012/13 this figure was 1173.

Following from the previous year we have remained the same in our handling of complaints, with 97% responded to within the required ten days. Of those that were not responded to, customers were kept up to date with progress.

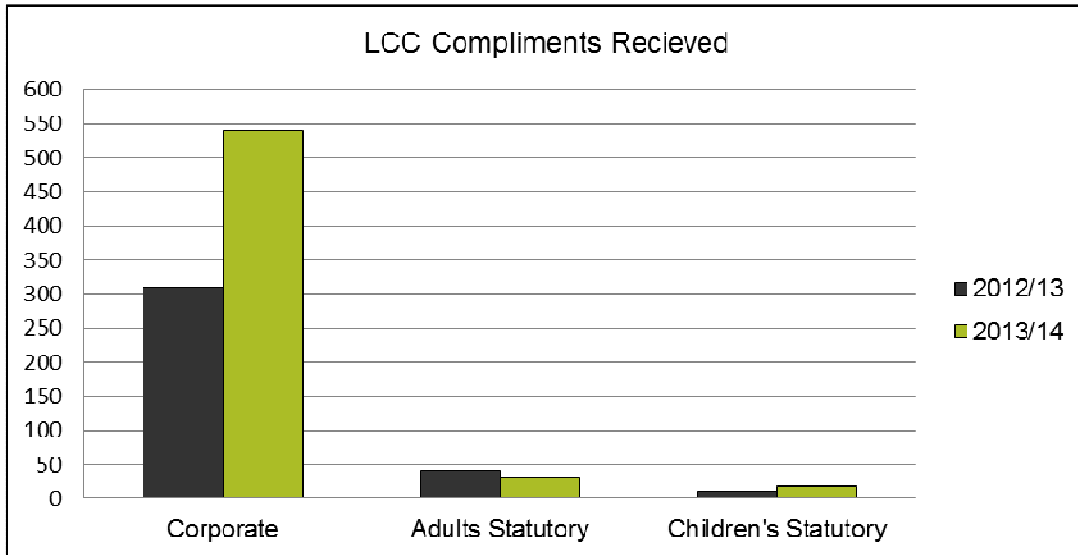
Although Lincolnshire County Council does not directly manage complaints regarding schools, they are monitored. There has been a 24% decrease in school complaints this year compared to last.

Over the year, a significant amount of work has taken place to improve the way that complaints are managed, and a new complaints handling system was introduced for Corporate Complaints in December 2013. This allows us to capture more detail relating to the complaints, particularly relating to the outcomes and lessons learnt. The reporting is also more detailed, with information on the number of complaints received that were upheld.

Further detailed data relating to complaints can be found at Appendix 1.

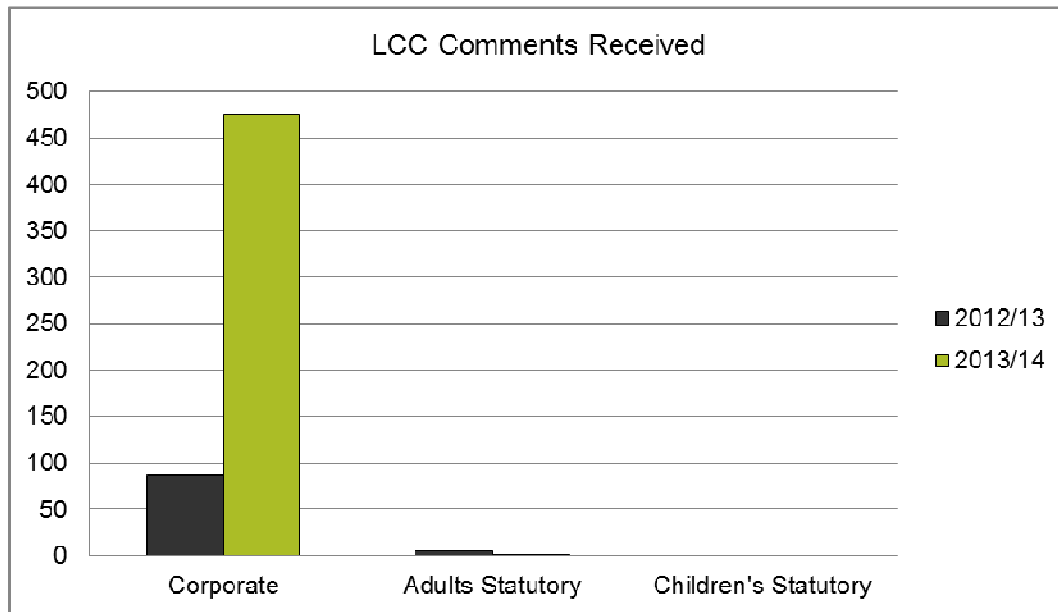
4. Celebrating good service

We received a significant increase of 44% in the number of compliments about Lincolnshire County Council services in 2013/14. Corporate services received 231 more than the previous year, but less were received by Adults Statutory Services.



4.1 Comments and suggestions

Comments made by customers in 2013/14 considerably increased to 476, compared to 93 the previous year. The reason for the high increase is in Quarter 2, 260 comments were made regarding the library needs assessment. Comments are defined as feedback that a customer wants to provide that is not because they are unhappy with a service, but want to make us aware of a particular issue; or where they wish to make a suggestion for improvements.



5. Learning more about our services

Lincolnshire County Council carries out a range of activities each year designed to capture feedback on specific service areas. Over 3000 surveys were conducted in 2013/14 using our Touchstone team. These surveys are designed to test the experience of our customers in accessing and using council services, and questions are designed in conjunction with the relevant service area.

Since January 2014, the Customer Service Centre has been carrying out surveys to find out customers' experience when they contact the council. Customers are offered an opportunity to take part in a short survey before they are connected to an adviser. If they opt into the survey, they receive a call back from a member of the Touchstone Team or selected Customer Services Adviser. This method ensures that we receive a true picture of the service they receive.

The nine questions asked are:

- How helpful was the adviser you spoke to?
- How friendly was the adviser you spoke to?
- How easy did you find it to understand the information you were given?
- Did the adviser clearly explain what would happen next?
- How confident were you that something would happen as a result of your call?
- Did the adviser give you a clear timescale for the resolution of your enquiry?
- How easy did you find it to contact us?
- Based on your overall experience, how acceptable did you find the length of time to answer your call?
- Overall, how did your experience of our service compare to your expectations?

Customers can also provide narrative feedback which is captured by the advisers and which forms part of the review of performance, and translated to an action plan which is monitored by the Customer Services Centre management team.

Scores can be broken down to an individual service area so that we can see whether any particular service is performing particularly well, or requires improvement.

Through these surveys, our insight tells us:

- 81% of customers were satisfied with their overall customer experience.
- 88% of people found that the advisor they spoke to was very helpful.
- 95% of customers found the advisor to be very friendly.
- 87% of customers found the length of time to answer their call was acceptable.

6. Taking action from feedback

The current process for managing feedback has been limited in 2013/14 in recording outcomes for customers, and actions taken by service areas to learn from the comments received. The implementation of the new complaints system has enabled the council to systematically record and track outcomes and improvements in a single place, enabling the sharing of lessons learnt and best practice across service areas. For statutory complaints, a new process has been introduced to capture this information, and this will be superseded by the implementation of the new Lagan Customer Management System in April 2015, through our partnership with Serco. Quarterly reports to the Value for Money Scrutiny Committee for 2014/15 will include narrative against all upheld complaints.

Examples of the value of feedback in driving change within service areas include:

- Adult Care received a complaint regarding the timescales for assessments and feeding back of assessment. Discussions with staff at team meetings were held on the importance of recording events and of need for pro-active communication with customers. To be monitored and regularly reviewed via performance scorecards.
- A number of concerns were raised regarding the reduction in the number of current library reservations to 10. The Libraries team have agreed to monitor over the next 6 to 12 months to judge if any alterations to current processes are required.
- A complaint was received relating to the availability of a social work team when contacting the Customer Service Centre. New protocols have been put in place, and teams reminded of their obligations relating to contact with their customers.
- A customer experienced problems with a supplier for a wedding. LCC have ceased referring customers to that supplier in the future.
- A complaint was received that dates were incorrect on a support plan. Guidance was issued to staff and changes made to the AIS social care system to ensure errors were minimised.

- A customer commented that the initial telephone messages were too long when contacting the CSC. All the messages were reviewed and shortened.

7. Actions for 2014/15

-We will continue to work towards our 100% response target within ten days, and look at better ways of capturing those complaints that require longer than 10 days and setting a realistic response timescale. It is not always possible to complete a full investigation within 10 days, and this may lead to dissatisfaction with the response, resulting a further stage complaint. It is better for the customer to take longer, with their consent, and resolve fully than to adhere to the target and not get the required outcome.

- We will be reviewing all of our feedback processes as part of the Customer Service Transformation Programme with Serco. This will include implementing the Lagan customer management system for all complaints, both corporate and statutory. This new system will enable a single view of the customer to make the tracking and resolution of complaints more streamlined. It will also integrate with Mosaic, the new social care system, so that those service areas can carry out their investigations within their own system, but still maintain the reporting of outcomes and analysis in one system.

-As part of the website developments, we will look at ways in which we can publish feedback and what actions we have taken.

-We will look at how we can incorporate learning from across the organisation from feedback, sharing themes and opportunities for improvements.

- We will be developing a customer insight strategy for Lincolnshire County Council.

Appendix 1

Corporate complaints by Directorate (previous year figures in brackets)

Directorates	Total Received	Target met for 5 day acknowledgement	5 day %	Target met for 10 day response	10 day %
Communities	222 (343)	220 (343)	99% (100%)	219 (342)	97% (99%)
Resources & Community Safety	39 (37)	39 (37)	100% (100%)	39 (32)	100% (86%)
Performance & Governance	10 (9)	9 (9)	90% (100%)	8 (9)	80% (100%)
Children's Services (Non Statutory)	46 (38)	43 (37)	93% (97%)	42 (34)	91% (89%)
Public Health	1 (0)	1 (0)	(n/a)	1 (0)	100% (n/a)
Total	318 (427)	312 (426)	98% (99%)	309 (417)	97% (97%)

* In Quarter 4 2013/14 we were unable to collate the acknowledgement and response targets due to a new system which has been implemented. Due to this the above table only shows Quarter 1 to Quarter 3.

Top 3 noticeable corporate complaints in 2013/14:

- **13 complaints** Brant road/Newark road junction
- **8 Complaints** Library Reservations and Text services
- **5 complaints** service received during wedding ceremony

Adult Social Care complaints

	2012/13	2013/14	
were in relation to PODS (Personalisation and Organisational Development)	116	52	↓
were in relation to ASTI (Assessment and Short Term Intervention)	61	55	↓
were in relation to Learning Disability	40	23	↓
were Other	13	23	↑
were in relation to Mental Health Services	2	0	↓
were in relation to Safeguarding Adults	4	11	↑
were in relation to Older People	12	27	↑
were in relation to Physical Disability	1	1	→
were in relation to the Customer Relation Unit at the CSC	0	0	→
were in relation to Supporting People	4	0	↓
Total	253	192	↓

Noticeable trends this year are:

- **50 complaints** regarding Disagree with Decision
- **24 complaints** regarding Conduct and Attitude of Staff
- **22 complaints** regarding Lack of Service
- **20 complaints** regarding insufficient Service
- **19 complaints** regarding Delay in Receiving Service
- **16 complaints** regarding Disagree with Assessment
- **10 Complaints** regarding Lack of Communication
- **10 Complaints** regarding Standard of Care

Children's Social Care

	2012/13	2013/14	
were in relation to Children	109	144	↑
were in relation to Children Looked After	25	25	→
were in relation to Children with Disabilities	10	17	↑
were Other	3	7	↑
were in relation to Children Access	0	0	→
were in relation to Children Family Support	0	0	→
Total	146	193	↑

Noticeable trends this year are:

- **70 complaints** regarding Conduct and Attitude of Staff
- **31 complaints** regarding Disagree with Decision
- **9 complaints** regarding Breach of confidentiality

LINCOLNSHIRE COUNTY COUNCIL

STANDARDS & VALUES (JULY 2007)

BACKGROUND

Lincolnshire County Council comprises:

- the Councillors and non-elected members who form the Council;
- the Officers of the Council;

POLITICAL ORGANISATION

The way in which Councillors of relevant authorities organise themselves must fall within the statutory framework under the Local Government Act 2000. In Lincolnshire County Council at present the features of the organisation are:

- a Leader and Cabinet form of Executive;
- strong political grouping;
- proactive Leader, Deputy Leader, Chairmen and Vice-Chairmen.

OFFICER ORGANISATION

Ultimately the Head of the Paid Service is responsible to the Council for the way in which the Council's officers are managed and organised. However, the Council strongly influences the organisational structure for Officers because the Council defines Chief Officers' delegated powers and Councillors appoint the Chief Officers. In Lincolnshire County Council at present the features of the organisation are:

- a corporate approach to management;
- Chief Officers with broad functional responsibilities.

CULTURE AND VALUES

It is recognised that the structure of the organisation may be less influential on the ultimate outcomes of the Council than the underpinning culture and values. Consequently, it is essential to define the values within which Councillors, non-elected members and Officers work.

VALUES STATEMENT

For everyone ...

- the basis of all working is Honesty, Openness and Trust and respect for others;
- we uphold the law and act with personal integrity;
- we are working for the benefit of all people in Lincolnshire and exercise good stewardship;
- we treat staff fairly and support them in their roles.

In the relationships between Officers and Councillors ...

- there is mutual respect for the distinctive roles of Officers and Councillors and non-elected members;
- Officers serve the whole Council;
- Officers assist all Councillors and non-elected members of the Council in their various roles and groups;
- Councillors, non-elected members and Officers act in a co-operative manner;
- Officers diligently implement the lawful wishes of the Council.

Councillors and Non-elected Members ...

- respect the rights of fellow Councillors and non-elected members of all political views;
- value Officers' impartiality;
- recognise that actions must accord with approved policies and procedures;
- adhere to the National Code of Conduct.

The Corporate Management Board ...

- offers independent, professional advice to the Council;
- supports team working;
- promotes innovation, high performance and public service;
- the Chief Executive will Chair the Corporate Management Board and all Officers will share corporate responsibility.

Maintaining these values and standards ...

These values need to be lived and not just written down. Positive steps need to be taken to ensure that the culture of the County Council reflects these aspirations.

Therefore, the Corporate Management Board will:

- seek the views of Councillors and non-elected members and Officers to establish how well the County Council lives up to these ideals;
- make assessments of how well the stated values are being implemented;
- prepare action plans to correct any failings;
- undertake development programmes within the Council to promote these values.

LINCOLNSHIRE COUNTY COUNCIL

GOOD PRACTICE GUIDE TO MEETING THE VALUES OF THE AUTHORITY

The County Council operates within codes of conduct and practice that are backed by law and are supervised by the Audit Committee of the County Council. This Good Practice Guide is not intended to replace those rules, but to be illustrative of how its values would be demonstrated.

Values	Illustrative good practice
...the basis of all working is honesty, openness and trust and respect for others.	<ul style="list-style-type: none"> • <i>There is commitment to maximising transparency.</i> • <i>People feel confident to contribute in the knowledge that their contributions will be respected.</i> • <i>People speak openly without fear of retribution.</i>
...we uphold the law and act with personal integrity.	<ul style="list-style-type: none"> • <i>People do not put themselves in situations where their honesty and integrity could be questioned.</i> • <i>Officers are valued for their integrity.</i>
...we are working for the benefit of all people in Lincolnshire and exercise good stewardship.	<ul style="list-style-type: none"> • <i>There is a focus on how outcomes will affect our Members of the Public rather than the organisation.</i> • <i>Services are delivered within approved policies.</i> • <i>Actions of the Council are socially inclusive.</i> • <i>Resources are used prudently.</i> • <i>Actions promote social, economic and environmental well being.</i> • <i>Equal opportunities standards are achieved.</i>
...treats staff fairly and support them in their roles.	<ul style="list-style-type: none"> • <i>The principles of Investors in People are evident.</i> • <i>Officers are confident in taking on their responsibilities.</i> • <i>Officers feel they are able to talk openly with their managers.</i> • <i>Personnel policies are applied fairly.</i>
...there is mutual respect for the distinctive roles of Officers and Councillors and non-elected members.	<ul style="list-style-type: none"> • <i>Officers are conscious of Councillors' unique position as elected representatives of the people.</i> • <i>Officers respect different political viewpoints.</i> • <i>Officers act as advocates for Council policies.</i> • <i>Councillors respect professional viewpoints.</i> • <i>Councillors and Officers value and understand the roles of the Head of the Paid Service, Monitoring Officer and the Executive Director Resources and Community Safety.</i>

...Officers serve the whole Council.	<ul style="list-style-type: none"> • <i>Officers provide impartial, professional advice. Access to information should be maximised.</i>
...Officers assist all Councillors and non-elected members in their various roles	<ul style="list-style-type: none"> • <i>Officers assist Councillors and non-elected members in all aspects of their duties, including informed opposition.</i>
...Councillors, non-elected members and Officers act in a co-operative manner.	<ul style="list-style-type: none"> • <i>Officers work with Councillors in their role as community representatives.</i> • <i>Officers work with Councillors to implement the programme approved through the Council.</i> • <i>Officers work with all Councillors and non-elected members in the roles of policy development and scrutiny.</i>
... Officers will diligently implement the lawful wishes of the Council.	<ul style="list-style-type: none"> • <i>Officers are working to implement all decisions diligently whether or not their advice was taken.</i> • <i>Officers are aware of the decisions of the County Council in areas that are not their direct responsibility.</i>
<p><u>Councillors and non-elected members</u></p> <p>... recognise rights of fellow Councillors and non-elected members.</p>	<ul style="list-style-type: none"> • <i>Councillors and non-elected members show each other mutual respect.</i> • <i>Councillors and non-elected members co-operate to deal with Council business openly and efficiently.</i>
...recognise Officers' Impartiality.	<ul style="list-style-type: none"> • <i>Councillors and non-elected members respect duties and confidentiality owed by Officers to other Councillors and non-elected members.</i>
...recognise that actions must accord with approved policies and procedures.	<ul style="list-style-type: none"> • <i>Councillors and non-elected members do not put pressure on Officers to work outside the Council's policies and procedures.</i>
<p><u>Corporate Management Board</u></p> <p>...offers independent, professional advice to the Council.</p>	<ul style="list-style-type: none"> • <i>CMB Chief Officers give balanced and complete advice including that which may be unwelcome.</i> • <i>All Officers work within their professions' codes of conduct.</i>

<p>...supports team working.</p>	<ul style="list-style-type: none"> • <i>CMB Chief Officers support one another at all times and work co-operatively within the Board.</i> • <i>CMB Chief Officers respect each other's views and welcome contributions to debate.</i> • <i>Cross-directorate teams are resourced and supported actively by CMB.</i> • <i>CMB Chief Officers encourage team working within their own Directorates.</i>
<p>...promotes innovation, high performance and public service.</p>	<ul style="list-style-type: none"> • <i>Change is seen as an opportunity rather than a threat.</i> • <i>Measures are in place to monitor and manage performance.</i> • <i>Risks associated with innovation are carried by the organisation rather than by individuals.</i>

This page is intentionally left blank

MEMBERS CODE OF CONDUCT

PREAMBLE

Lincolnshire County Council Members' Code of Conduct

The County Council have adopted this Code setting out the expected behaviours required of its members or co-opted members, acknowledging that they each have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act provisions, when acting in this capacity all Councillors must be committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

SELFLESSNESS: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP: Holder of public office should promote and support these principles by leadership and example.

The Act further provides for registration and disclosure of interests and in Lincolnshire County Council this will be done as follows:

On taking up office a member or co-opted member must, within 28 days of becoming such, notify the Monitoring Officer of any 'disclosable pecuniary interests', as prescribed by the Secretary of State.

On re-election or re-appointments, a member or co-opted member must, within 28 days, notify the Monitoring Officer of any 'disclosable pecuniary interests not already included in his or her register of interests.

If a member or co-opted member is aware that they have a 'disclosable pecuniary interest' in a matter they must not participate in any discussion or vote on the matter at a meeting.

If a member or co-opted member is aware of a 'disclosable pecuniary interest' in a matter under consideration at a meeting but such an interest is not already on the Council's register of interests or in the process of entry onto the register having been notified to the Monitoring Officer, the member or co-opted member must disclose the 'disclosable pecuniary interest' to the meeting and register it within 28 days of the meeting at which it was first disclosed.

CODE OF CONDUCT

The Code of Conduct applies to all employees of the Council

CONTENTS

PURPOSE 1

LINKS WITH OTHER POLICIES 1

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

 Political Neutrality..... 1

2 ACCOUNTABILITY 2

 Safeguarding 2

 Conditions of Service..... 2

3 RESPECT FOR OTHERS 3

 Dignity at Work 3

 Employees..... 3

 Councillors..... 3

 The Local Community and Service Users 3

 Contractors..... 4

 Financial 4

4 STEWARDSHIP 4

 Patent and Copyright..... 4

 Patent..... 4

 Copyright 4

 Care and Use of Council Resources 4

 Security and Use of Computer Data/Equipment..... 5

5 PERSONAL INTERESTS..... 6

 Alcohol/Drugs 6

 Other Personal Interests..... 6

 Additional Employment..... 6

6 REGISTRATION OF INTERESTS, GIFTS AND HOSPITALITY..... 7

 Registration of Interests..... 7

 Registration of Gifts and Hospitality 8

 Guidance Notes..... 10

7 REPORTING PROCEDURES 11

 Anti Fraud and Anti Corruption 11

8 OPENNESS 12

 Openness and Use of Information 12

 Media Contacts 13

9 APPOINTMENT OF STAFF 13

 Appointment of Staff and other Employment Matters 13

10 DUTY OF TRUST..... 13

PURPOSE

The purpose of the Code of Conduct is to supplement an employee's terms and conditions of employment and to support the Council's Vision, Purpose, Values and Behaviours, which can be found on the 'People Make it Happen' site on the Council's Intranet, George.

LINKS WITH OTHER POLICIES

The Code of Conduct draws together policies and requirements of the Council and aims to assist employees in performing their duties to the best of their ability.

Employees are required to familiarise themselves with the contents of the Code and the documents referred to therein. It cannot cover every eventuality and if in any doubt or any additional guidance is required, employees should consult their Manager/Human Resources/People Management contact.

The Code applies to all employees of the Council. A breach of the Code may lead to disciplinary action – see the disciplinary rules in the Council's [Disciplinary Policy](#).

This Code of Conduct also encompasses guidelines from the National Code of Conduct. It is also based upon the key principles of public life recommended by the Committee on Standards in Public Life (The Nolan Committee) and a complementary set of guidelines are issued to County Councillors.

These principles are as follows:

1 HONESTY, INTEGRITY, IMPARTIALITY AND OBJECTIVITY

An employee must perform their duties with honesty, integrity, impartiality and objectivity.

Employees serve the Council as a whole and have individual responsibility as part of their job roles for implementing policy, delivery of services and operational management of the Council.

Those employees, where it is part of their duties, will work at senior level with political sensitivity to advise and support members, will ensure members have appropriate and timely information on key issues and decisions; and will give members independent and professional advice, not influenced by political views or preferences.

It is also vital that employees understand that it is not just about reality it is also about perception. The public has a right to expect the highest levels of integrity and responsibility from all employees. This must be capable of demonstration and therefore actions, which would lead to a loss of confidence through perceptions, are as critical as any others.

Political Neutrality

Employees serve the Council as a whole and are required to serve all councillors and not just those of the controlling group. Employees in their job may also be required to advise political groups. Employees should not be involved in advising any political group, nor in attending any of their meetings, without the express consent of their Manager/Director and must not compromise their political neutrality. As an employee

of the Council employees are required to serve the Council and cannot, therefore, be accountable to individual Political Groups and must not allow their personal political opinions to interfere with their work.

Part 1 of the Local Government and Housing Act 1989 imposes certain restrictions on employees of local authorities if they hold what is known as a politically restricted post or are employed in a post which could be described as 'politically sensitive'.

These arrangements were changed slightly as a result of the Local Democracy, Economic Development and Construction Act 2009. The political restriction is now limited to the role of the employee rather than previously by salary level.

The terms of restriction constitute contractual provisions.

Employees seeking further details should check with their Manager/Human Resources/People Management contact or see the Council's [Policy and Procedure on Politically Restricted Posts](#) which incorporates advice on Local Authority Employees standing for Election.

2 ACCOUNTABILITY

An employee must be accountable to the authority for their actions.

Compliance with Legislation, Terms and Conditions of Service and other written guidelines

During the course of work employees should at all times be aware of and comply with all relevant legislation; for example the Health and Safety at Work Act 1974, the Equality Act 2010, the Data Protection Act 1998, Freedom of Information Act 2000, The Computer Misuse Act 1990 etc and legislation relating to each service area. However this list is not exhaustive.

Safeguarding

Employees working with children and adults have a responsibility to safeguard and promote the welfare of children and adults during the course of their work.

Conditions of Service

Employees should also have read and understood the conditions of service under which they are employed, including all local policies, which take into account all legislation and the local and national schemes. These policies are contained within the Council's Employment Manual or for further information contact Human Resources/People Management. In particular employees should be aware of:

- The [Grievance and Dignity at Work procedures](#) in order to express individual and personal concerns
- The [Disciplinary Policy](#) which also contains the disciplinary rules
- [Equality and Diversity in Employment – 'It's Only Fair'](#)

All Council employees must ensure that policies relating to equality issues are complied with in addition to the requirements of the law. All members of the community, clients and other employees have the right to be treated with fairness and equity regardless of race, colour, nationality, ethnic or national origins, religion or belief, gender, gender reassignment, sexual orientation, marital status, civil partnership status, disability or age.

Employees should ensure that they are aware of and follow the advice and guidance about using 'social media' as contained in the [Social Media Policy](#). The term 'social media' includes websites, online tools, blogs and other Interactive Communication Technologies (ICT). The Social Media Policy applies to all service areas, employees engaged on council business and employees' personal use of social media where it could be deemed to have a negative impact on the Council's reputation.

The [Social Media Policy](#) is available on the Council's internet, and other related policies, including the IT and E-mail Policies, can be viewed via George. Employees should also comply with the related legislation and guidance that informs Information Governance.

Employees should be suitably dressed for their duties and responsibilities, including the wearing of appropriate safety clothing and equipment, in accordance with all Health and Safety regulations.

In addition, employees should be conscious of, and ensure that they are complying with, any other specific guidelines issued by their Service/Director Area. If an employee is a member of a professional institute or association they are also obliged to comply with any professional code and/or standards of practice pertaining to that organisation e.g. GTC Teachers code of conduct, accountancy professional bodies' codes of conduct, social care codes of conduct.

3 RESPECT FOR OTHERS

An employee must:

- a) treat others with respect,**
- b) not discriminate unlawfully against any person; and**
- c) treat members and co-opted members of the authority Council professionally.**

Dignity at Work

Employees

The working environment of the Council is one where all its employees are treated with dignity and respect. There should be mutual respect between all employees. The Council has procedures in place to deal with harassment, discrimination, victimisation and bullying.

Councillors

For some employees, their role is to give advice to councillors and all are there to carry out the business of the Council. Mutual respect between employees and councillors is essential to good local government. Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors, and should therefore be avoided. Employees who have or enter into a personal relationship with a councillor should declare this to their Line Manager.

The Local Community and Service Users

As a local government employee, 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. In carrying out duties and responsibilities, an employee's honesty and integrity must be

beyond question. Employees must never use their authority or position for personal gain, or to enable colleagues or others to gain personally. An employee's own Service or Director Area may have its own customer care policy in addition to these guidelines. Please also refer to the Council's Corporate Customer Service Policy.

Contractors

All relationships of a business or private nature with external contractors or potential contractors of the Council should be made known to the appropriate manager in the department. Orders and contracts must be awarded on merit in fair competition with other tenders and no part of the local community should be discriminated against or special favours shown.

Financial

If an employee discovers that a contract in which they have a financial or other interest has been or could be entered into by the Council they are required under Section 117 of the Local Government Act 1972 to advise their Manager/Director in writing.

4 STEWARDSHIP

An employee must:

- a) use any public funds entrusted to or handled by themselves in a responsible and lawful manner,**
- b) not make personal use of property or facilities of the Council unless properly authorised to do so.**

Patent and Copyright

Patent

Any matter, item or idea capable of being patented under the Patents Act, which is developed or discovered by an employee, alone or together with colleagues, in the course of their duties, must be disclosed to their manager, and subject to provisions of the Act belongs to the Council.

It is the responsibility of the Council in the first instance to decide whether to apply for patent or other protection in law for any invention, which belongs to the Council by virtue of the Patents Act.

Copyright

All records, documents and other papers relating to the finance and administration of the Council and which are compiled or acquired by an employee in the course of their employment are and will remain the property of the Council, and the copyright in all such cases belongs exclusively to the Council.

In the case of academic work, such as projects undertaken as part of a course to further their professional career, and including books, contributions to books, articles and conference papers, the copyright will belong to the employee.

Care and Use of Council Resources

Council resources, whether tangible assets such as materials, equipment and cash, or business information such as trade secrets, may not be used other than for the proper advancement of the business of the authority.

All equipment belonging to the Council should be treated with due care and respect. Any employee wishing to use an item of equipment, for example a photocopier, word-processor or printer, for business other than that of the Council, must gain permission from their manager in advance.

Security and Use of Computer Data/Equipment

The information stored and processed on the information technology systems operated by the Council is of paramount importance to its day to day activities. It is essential that data and systems are adequately secured against risks such as operator errors, theft of equipment, unauthorised access to or copying of programmes, use of unauthorised software on Council machines (which increases the risk of importing computer viruses) and natural hazards such as fire, flood and power failures.

Relevant legislation, in the form of the Data Protection Act 1998 and the Computer Misuse Act 1990 must be complied with. Copies of these Acts are available from Legal Services. Further advice is available from Information Governance.

Employees must ensure that no unauthorised person gains access to equipment/data, which is within their responsibilities. No data should be released unless finally approved and that conforms with Data Protection legislation. User identifications and passwords must not be disclosed to anyone, and passwords must be changed regularly to a previously unused password. For further guidance on computer security and Information Governance, please see the Council's Corporate Information Security Policy via George.

Council policies apply to e-mail use in the same way as normal mail and use of the telephone. Misuse and time wasting is unacceptable and personal messages should be kept to a minimum. E-mail must not be used to undertake personal business for monetary gain.

Under the law, if an e-mail message is sent during the course of an employee's employment which is defamatory, the employer is liable even if the message is sent between one employee and another. E-mails are not normally deleted from the system and are available for audit purposes. The tone and content of messages should be appropriate and consistent with any other form of Council communication.

For further guidance on email use please refer to the Council's Email Policy contained in the Corporate Information Security Policy via George. Personal use of the Internet, including Social Media, is permitted by employees provided that the Internet and Intranet Policy contained in the Corporate Information Security Policy and [Social Media Policy](#) are adhered to and it does not impact on their job or interfere with the performance of other staff doing their job. There should be no access to sites which have a terrorist, offensive, sexual or game playing/gambling content. Access to the internet is monitored on a regular basis.

Any breaches of the Corporate Information Security Policy may lead to disciplinary action being taken against the employee(s) involved.

Employees should have read and understood the [Corporate Information Security Policy](#) which is available on LCC Connects.

5 PERSONAL INTERESTS

An employee must not in their official or personal capacity:

- a) allow their personal interests to conflict with the Council's requirements;**
or
- b) use their position improperly to confer an advantage or disadvantage on any person.**

Alcohol/Drugs

The Council has a policy on the Prevention of Alcohol and Drug misuse, which is aimed at ensuring that employees report fit for work and remain fit to perform their duties. The consumption of alcohol is not permitted on Council premises unless specifically approved by the Manager. The Council prohibits the use, possession, distribution or sale of drugs at the work-place, or when conducting Council business (see the [Prevention of Alcohol and Drug Misuse Policy](#) in the Health and Safety Manual).

Where it is established that there is an alcohol or drug dependency problem, this will be considered as a treatable illness and managers will provide assistance wherever possible. The Employee Support and Counselling Service is also available to provide counselling and advice. Where an employee refuses help or drops out of a treatment programme this will not be automatic grounds for dismissal; however any unacceptable behaviour or level of performance thereafter will be subject to appropriate action.

Other Personal Interests

Employees are also required to declare an interest if it comes to their attention that they have a connection or potential connection with any business or organisation (including voluntary bodies) which deals with the Council.

An employee's life away from work is their personal concern. An employee should not however, subordinate their work to their private interests or put themselves in a position where their job, or the Council's interests and their own personal interests conflict. This includes behaviour, which because of the nature of employment would undermine the Council's confidence or trust in the employee.

An example of such behaviour relates to Council employees facing criminal charges. The Council requires all employees to notify their Manager/Director without delay of any criminal investigation, charge or caution imposed upon them, with the exception of minor driving offences if their job does not include the use of a car. These rules apply for charges incurred on or off duty.

Additional Employment

The Council will not prevent an employee from undertaking additional employment providing it does not conflict with the interests of, or in any way weaken public confidence in the Council and does not in any way affect performance of their duties and responsibilities whilst they are at work, or where their current position could confer advantage to their private interest/personal gain. If there is a conflict the manager can ask for an employee to discontinue with the conflicting private business interests.

Employees have a duty to take reasonable care of their own health and safety. Employees must inform their Manager if they have/take up additional employment, particularly where this means that their total number of hours worked, exceed an average of 48 hours per week, or which could have a detrimental effect on their health and safety (see the Health and Safety Manual - [Working Time Regulations](#)).

Employees whose salary is above Pay Grade 8 are specifically required to obtain consent from their Manager if they wish to take up any additional employment.

A related issue concerns payment received by employees for work which arises principally as a result of work-related skills and is carried out for private purposes during working hours (by prior agreement) or annual or special leave from the Council, or when using Council information, equipment or facilities.

Examples might be when an employee writes a book using Council-owned information and equipment, an employee who marks examination papers during annual leave periods or an employee who produces computer software which is capable of being marketed outside the Council for profit. The question then arises of who should retain payments for such work (i.e. the Council, the employee or a split between the Council and the employee).

Should an instance of this nature arise employees should consult Human Resources/ People Management, who will make a decision regarding the acceptability of the project and, if applicable, how resultant payments will be handled, prior to commencement of any such work.

6 REGISTRATION OF INTERESTS, GIFTS AND HOSPITALITY

Registration of Interests

- a) Employees must register any interest they or their spouse or partner have which may conflict with the Council's interests, by providing written notification to their line manager, using the [Officer Interests Registration Form](#), of any employment by, substantial shareholding in, or membership of any external company or body, including voluntary organisations, which has or may enter into a contractual relationship with the Council or which is involved in campaigning or lobbying in respect of any Council activity. The line manager will then pass that information to the Democratic Services Manager who will enter it in a register of interests held for that purpose.
- b) If an employee lets contracts or are involved in any way in engaging or supervising contractors the employee must make a declaration to their manager immediately if either they or a relative or friend has any personal interest in respect of the contractor or potential contractor. That interest may arise through employment, by a substantial shareholding in or membership of the contracting company or body.
- c) The manager must then take steps to ensure any potential problems arising from the conflict of interests are addressed. This may be by identifying another employee to carry out the tendering process or deal with the contractor or potential contractor, or may involve putting in place any necessary safeguards to protect the Council's position and also to protect the employee's position.

- d) A 'significant interest' in a company is one where an employee, their relatives and members of the same household in total have more than a 20% shareholding in a company. However, it may be that a shareholding below 20% is 'significant' for example, where the individual has veto rights or exercises control/influence over the company in other ways. If in doubt, employees should seek further clarification from their line manager.
- e) A 'Relative' of the employee means a spouse, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, cousin, or the spouse or partner of any of the preceding persons, and partner means a member of a couple who live together.
- f) A 'friend' can be regarded as someone well known to another and regarded with liking, affection and loyalty by that person. A closer relationship is implied here rather than mere acquaintance.

Registration of Gifts and Hospitality

Employees are expected to refuse personal gifts and hospitality offered to them or members of their family by any person or body that has or seeks dealings of any kind with the Council, subject to the following:

- gifts and hospitality of 'token value' may be acceptable, e.g. a pen, diary or a modest lunch, provided it is not a regular practice, and
- where the acceptance of refreshments or a meal would in any event be appropriate in the conduct of normal business

Particular care should be taken if an employee is purchasing goods or services on behalf of the Council. Where any gift or hospitality is offered, it should be recorded using the [Officer Interests Registration Form](#) in the Corporate Register in Democratic Services, whether or not it is to be accepted. Where it is to be accepted, approval should be obtained, preferably in advance, from the employee's manager.

In the case of an employee becoming a beneficiary in a service user's will, employees must refuse to accept the legacy/bequest regardless of its size or value if it is as a consequence of their employment. Employees must also report the legacy/bequest to their manager/executive director. Acceptance of such legacies/bequests will result in disciplinary action.

Acceptance of such legacies/bequests will result in disciplinary action.

Offers from companies of promotional sales should be declined. Employees should bring such matters to the attention of their manager in order that a decision can be made as to whether it is appropriate to inform the Director of Resources, who can write to the company concerned, indicating that improved discounts are the only form of promotion acceptable to the County Council.

It is unacceptable for employees to use their own, relatives or friends personal loyalty cards while making purchases on behalf of the Council or service users.

Any prizes won while on Council business or while using Council funds should be reported immediately to their manager/executive director who will make a decision on the acceptability of such a prize.

Where an external organisation wishes to sponsor or is seeking to sponsor a Council activity, whether by invitation, tender negotiation or voluntarily, the conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

From time to time the Council sponsors or gives grants for sporting and cultural events such as exhibitions, plays or performances, or games. The general rule is that no employee, nor any partner, spouse or relative shall receive any benefit from such sponsorship or grant in a direct way without there being full disclosure to their manager/executive director of any such interest. Similarly, where the Council, 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.

Gifts

When deciding whether or not to accept an offer of a gift, the context is very important. An offer from a company seeking to do business with the Council made to an employee involved in letting a contract is unlikely ever to be acceptable, regardless of the value of the gift.

By contrast, a small gift given at Christmas by a service user as a gesture of appreciation to an employee will generally be acceptable and could cause offence if returned.

Employees must never accept monetary gifts of any kind, whether in the form of cash, or cheques, vouchers or coupons.

Employees must always record the reason for accepting any gift worth over £25. It may be that the manager agrees the gift is accepted on the basis it is shared by a staff group or, where appropriate, it is used as a raffle prize or for a fund-raising event to benefit service users. A series of gifts which altogether total more than £25 in value should be registered.

Hospitality

Examples of hospitality which can be accepted are:

- refreshments or a meal given during or at the conclusion of business
- invitation to a Society or Institute dinner

Examples of hospitality which are not acceptable are:

- a holiday or business trip paid for by business contacts
- use of a company flat/hotel suite

Offers of free hotel accommodation/tickets for concerts or sporting events should be treated with extreme caution. These will invariably be valued substantially in excess of £25 and you must record why such hospitality has been accepted. If in doubt, any offer of hospitality should be declined. In addition, any prizes offered at a hospitality event and won by an employee must be entered in the Register as a separate item.

Any breaches of the requirements relating to interests, gifts and hospitality will result in disciplinary action being taken against the employee(s) involved.

If an employee is concerned about a particular gift or offer of hospitality, they should obtain advice on the operation of this guidance from the Democratic Services Manager or People Management Managers.

Guidance Notes

Registering/Declaring an Interest

The principles on which these requirements are based are that employees must ensure their personal interests do not conflict with their public duty or the interests of the Council, and the Council and the public must be able to be confident that decisions of whatever nature are made for good and proper reasons and are not influenced inappropriately by the interests of individual employees, their relatives or friends.

The requirement to enter an interest onto a register relates only to the employee's own interests, or those of their spouse or partner. The requirement to declare an interest during the course of employment is much wider and relates both to the employee's interests and those of their friends or relatives. An employee can only make a declaration of interest they themselves know about, and the requirement does not imply any obligation to make enquiries of an employee's friends and relatives as to the interests they hold.

The same principles apply to work carried out through partnerships, and care is needed to ensure that potential conflicts of interest are identified, declared and addressed appropriately.

If in doubt, employees should register and/or declare an interest. A helpful question to ask is; would a member of the public, knowing the facts; think that an employee's or their relatives' or friends' interests would influence the employee in their decision making?

The obligation to register an interest includes external employment which may conflict with the Council's interests. Whenever an employee is considering taking up employment outside the Council, the employee should always notify their manager as a matter of good practice.

Gifts and Hospitality

Many Council employees have dealings with people outside the Council, particularly members of the public, suppliers, contractors and other private organisations. Employees should treat with extreme caution any offer of a gift, favour or hospitality that is made to them personally. The person or organisation making the offer may be doing or seeking to do business with the Council, or may be applying to the Council for planning permission or some other kind of decision.

It is essential that employees adhere to the overriding principle that they do not compromise their position as public service workers by accepting gifts/hospitality and allowing themselves to reach the position where they might be, or might be thought by others, to have been influenced in making an important decision as a consequence.

A helpful question to ask is whether a member of the public, knowing the facts, would think that an employee of the Council might be improperly influenced by the gift or hospitality.

It is also important that the Council is seen to conduct its activities with integrity, and does not leave itself or its employees open to allegations of corruption and to bad publicity.

All offers of gifts or hospitality must be recorded, whether or not they are accepted.

This ensures that the system is transparent and acts as protection for the employee concerned. However, there is no need to record receipt of promotional material of token value such as desk diaries or pens. Where the reasons for acceptance of a gift or hospitality cannot be expressed in a simple form of words and included in the Register, the reasons should be recorded separately and a cross-reference to the relevant document included in the Register.

7 REPORTING PROCEDURES

An employee must not treat another employee of the Council less favourably than other employees by reason that that other employee has done, intends to do, or is suspected of doing anything under or by reference to any procedure the authority has for reporting misconduct.

It is a breach of an employee's terms and conditions of employment if they victimise another employee who has used the Council's reporting procedures to report the misconduct of others.

The Confidential Reporting Code is intended to encourage and enable anybody who works for or on behalf of the Council to raise serious concerns within the Council rather than overlooking a problem, and to make it clear that reporting can happen without fear of reprisal.

Employees are contractually expected to report non-compliance of other employees within the Code. Under the Public Interest Disclosure Act 1998, employees are legislatively protected in the event that they raise any concerns. For further guidance please refer to the Council's Confidential Reporting Code (Whistle Blowing Policy) on George.

Employees will be expected, through agreed procedures and without fear of recrimination, to report any deficiency in the provision of service. Employees must report to the appropriate manager any impropriety or breach of procedure.

Anti Fraud and Anti Corruption

The Council is committed to ensuring the maintenance of high standards in every aspect of its activities. As part of this commitment the Council will ensure that opportunities for fraud and corruption are identified and actively managed to reduce possible risks. Where there is a suspicion of fraud or corruption the Council will deal with it in a firm and controlled manner. This has been accepted by the full Council within their Policy.

8 OPENNESS

An employee must:

- a) not disclose information given to them in confidence by anyone, or information acquired which they believe is of a confidential nature, without the consent of a person authorised to give it, or unless they are required by law to do so; and
- b) not prevent another person from gaining access to information to which that person is entitled by law.

Openness and Use of Information

During the course of employment employees will come across confidential information. All employees must understand and comply with Information Governance requirements. This refers to the correct handling and management of information to comply with relevant legislation, confidentiality and security standards.

With the adoption of Agile Working throughout the Council an employee may be working in areas other than their normal office or in premises shared with staff working in other services provided by the Council. If an employee views, overhears or otherwise comes into contact with such information the privacy and confidentiality of this must be maintained at all times, unless an employee is expressly authorised to divulge it, or is required to do so by law, for example to members, auditors, government departments, service users and the public.

Employees should use their discretion to determine the appropriateness of where they hold conversations of a confidential nature (particularly when using a touchdown point or in a public place, for instance when using a mobile phone). They should ensure that they are aware of the Information Governance guidance document, 'Be Vigilant with Information.'

The duty of confidentiality is imposed on all staff no matter what their function or capacity within the Council. A breach of confidentiality may be considered a disciplinary matter.

Information Governance is the framework of law and best practice that regulates the manner in which information, (including information relating to and identifying individuals) is managed, i.e. obtained, handled, used and disclosed. It is a complex and rapidly developing area and one of the upmost importance since information is central to any organisation and underpins everything we do.

Information concerning an employee's private affairs must not under any circumstances be supplied to any person outside the service of the Council without the consent of the employee, nor to anyone within the Council unless that person has authority or responsibility for such information. [Access to personal information](#) is detailed in a separate policy.

Employees must never use their authority or position for personal gain, or to enable colleagues or others to gain personally. Any particular information received by an employee from a councillor which, is personal to the councillor and does not belong to the Council must not be divulged by the employee without prior consent of the councillor, except where disclosure is required or sanctioned by law.

If any employee has any reservations about any request to supply information they should immediately refer the matter to their Manager/Director.

I.D. Cards

To prevent security breaches the Council has an Identification Card scheme for all employees. Employees should ensure that they have their ID card with them at all times and if challenged by an appropriate person i.e. another county council employee, Councillor, or somebody working for the authority on a long term contract, they are to show the ID card to confirm their identity. The ID cards carry a passport style photograph which will be published on George 'People Finder' or its system replacement.

Media Contacts

Employees must not make statements to the media, or any other public statement which concerns the business of the Council unless they have been authorised by their Manager/Director to act generally as a spokesperson or have been expressly authorised to act as a spokesperson in relation to a particular situation, or are acting as an authorised Trade Union spokesperson. See the Protocol for Dealing with the Media on Employment Issues in the Employment Manual.

9 APPOINTMENT OF STAFF

- a) **An employee must not be involved in the appointment or any other decision relating to the discipline, promotion, pay or conditions of another employee, or prospective employee, who is a relative or friend.**
- b) **In this paragraph**
 - 1) **“relative” means a spouse, civil partner, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons; and**
 - 2) **“partner” in sub paragraph (1) above means a member of a couple who live together.**

Appointment of Staff and other Employment Matters

Employees involved in appointments should ensure that those appointments are made only on the basis of merit. In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant, or have a personal relationship with them outside of work.

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

10 DUTY OF TRUST

An employee must, at all times act in accordance with the trust that the public is entitled to place in them.

Attention is drawn to Part V of the LCC Constitution, which applies to all employees.

Employees are reasonably expected to be ready and able at the agreed times of working to carry out their job.

Politeness and courtesy should be expressed to the public and to internal and external clients at all times.

Customer care and courtesy must be maintained with appropriate professional boundaries and particular attention should be paid when in contact with vulnerable service user groups.

In carrying out their duties and responsibilities employees' honesty and integrity should be beyond question.

Updated April 2013

Compliments, comments and complaints

We want to know what you think



www.lincolnshire.gov.uk

We want to know what you think

At Lincolnshire County Council, we aim to give you an excellent level of customer service. As a public authority we want to make sure that our customers are happy with all of our services all of the time. To help make this happen, we want to hear from you.

Please let us know what you think of the service you have received, whether it is good or bad. If you have got a comment or a suggestion on how we can improve we want to know about it.

- Did we provide a good service?
- Are we friendly and helpful?
- Did we find what you needed quickly?
- Was the service given to you efficient?
- Have you been treated fairly and with respect?

We will reply to all of your responses and take action if it is needed.



How do I tell you what I think?

You can make a compliment, comment or complaint by contacting the council's Customer Service Centre (CSC) using the details below.

How to contact us

Fill in our online feedback form at: www.lincolnshire.gov.uk/feedbackform

Email: feedback@lincolnshire.gov.uk

Telephone: **01522 782060**

Write to: **Lincolnshire County Council, Customer Feedback, PO Box 841, LINCOLN, LN1 1ZE**

Fax: **01522 516137**

Compliments

If you feel that you have received exceptional service from one of our employees, please let us know. We can use this information to provide feedback to that individual, and encourage other teams and to continually improve the services the council provides.

Once we have received your compliment we will contact you within five working days, to let you know that the feedback has been forwarded to the person or people concerned.



Comments

We welcome your comments, whatever they may be and if you have any ideas that you think could improve our services, please let us know.

We will let you know that we have received your comment within five working days.

Your comment could lead to a change or improvement in services and we will write to you about any changes which happen as a result of your comment.

Complaints

Sometimes you may not be happy with the services that we have provided for you. Please let us know if this happens so we can offer our support or help to solve the problem.

What is a complaint?

There are two types of complaint:

Corporate complaints which:

- Are general complaints that cover all services provided by us except for Social Care (see below)
- Can be made by any member of the public

Statutory complaints that relate to Adult Social Care and Children's Services:

- Are treated separately by law
- Can relate to children in care or customers of Adult Social Care
- Can be made by the children or adults themselves
- A complaint can be made on their behalf by a carer, relative or employee
- Have different procedures to follow depending on whether they are related to children (see page 7) or adults (see page 8).

How do I complain?

If you are unhappy with our service, you can contact our departments directly and they will aim to solve any issues you may have. If you remain dissatisfied, you can make a formal complaint.

We always aim to solve any problems quickly, so if you are unhappy please contact our Customer Service Centre as soon as possible. You can contact the centre using the details on page 3 of this leaflet.

The employee that receives your complaint at the centre will make sure they fully understand your query. They may also need to contact you to verify your details or for further information.

The employee may be able to resolve the issue over the telephone for you. However, if this is not possible, your complaint will be dealt with by someone who can solve it.

If you contact us by telephone you will be asked:

- For your name, address and telephone number, so that we can contact you to let you know what we are doing to help put things right
- What you would like us to do to put things right

What we will do if you complain

Stage one – making a corporate complaint

- All corporate complaints are recorded on our system
- You will receive an acknowledgement within five working days
- We will aim to provide you with a final response within a further 10 working days from a Head of Service or nominated manager within the relevant service.

We will aim to resolve your complaint as quickly as possible.

What happens next?

Stage two – review

If you are not satisfied with your response you can ask for your complaint to go to the next stage. Your complaint will be dealt with at Director or Assistant Director level. You should receive a further reply within 20 working days. However, if this is not possible, you will be updated on the progress being made.

What if I am still not happy?

Resolving all complaints

If, after following the complaints procedure, you are still not satisfied with the way your complaint was handled, you can contact the Local Government Ombudsman. Information on how to do this will be sent to you when we respond to a stage 2 complaint. An Ombudsman will commission an independent investigator to consider if we have dealt with your complaint properly. You can contact the Local Government Ombudsman at:

Local Government Ombudsman

PO Box 4771, Coventry CV4 0EH

Tel: 0300 061 0614 (Monday-Friday 8:30am-5:00pm)

Text: 'call-back' to 07624 803 014

Email: advice@lgo.org.uk

Website: lgo.org.uk

Making a statutory complaint - Children's Services

Stage one – local resolution

If you make a formal complaint, an appropriate manager will deal with your concern. You should receive acknowledgement within two working days and a final response within 10 working days of making your complaint. Because some complaints are complex or because an advocate is required to assist the young person, a further 10 days can be allowed before a response is made. If this is the case you will be kept informed. We will try to resolve your complaint by listening to you and asking what action you would like to be taken.

Stage two – independent investigation

If you are not satisfied with the response at stage one, you can ask for an independent investigation. An investigating officer and an independent person will be appointed to investigate your complaint and report back to you and the complaints manager, usually within 25 working days. However, if it is not possible to meet this deadline, you will be kept informed and a full response will be produced within three months. If your complaint is about a service where there is an independent regulator, for example issues about the Data Protection Act you can refer it to them.

Stage three – review panel

If you are still unhappy with the response, an independent panel will review how the complaint has been handled. The panel must meet within 30 days of your request. If your complaint is about a service regulated by Ofsted (Office for Standards in Education) you can complain directly to it. Ofsted also deals with Children's Services and Skills. It inspects and regulates care for children and young people as well as inspecting a wide range of schools, children's homes and fostering and adoption services.

Ofsted can be contacted by:

By post

Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

By telephone

The following helplines are open from 8.00am to 6.45pm, Monday to Friday:

- general helpline **0300 123 1231**
- about education or adult skills **0300 123 4234**
- prefix for Typetalk **18001**
- for textphone/Minicom users **0161 618 8524**

For further information on complaints visit the following link:

<http://www.ofsted.gov.uk/contact-us/how-complain>

Making a statutory complaint - Adult Social Care

There are two ways that your complaint will be dealt with, either an informal response or a formal investigation. If you remain dissatisfied after you receive the council's response, you may refer your complaint to the Local Government Ombudsman. There are no statutory regulations about how quickly the council should respond to complaints but the council will aim to respond to all Adult Social Care complaints within 10 working days.

The statutory complaints process has a complaints manager who you can contact for advice and guidance if you wish to make a complaint - the contact details are shown below:

Fill in our online feedback form at: **www.lincolnshire.gov.uk/feedbackform**

Email: **feedback@lincolnshire.gov.uk**

Telephone: **01522 782060**

Write to: **Customer Relations and Complaints Manager**

Lincolnshire County Council, Customer Feedback, PO Box 841, Lincoln LN1 1ZE

Fax: **01522 516137**

If you have a complaint about a care home, nursing home or any other social care service you should contact the home or service first for them to deal with it through their complaints procedure. If you are not satisfied with the response it can then be referred to the council.

The Care Quality Commission (CQC) is the independent regulator of healthcare and Adult Social Care services in England. The CQC cannot look into complaints about health and social care services. The only exception to this is are complaints from people whose rights are restricted under the Mental Health Act, or their representatives, about the way staff have used their powers under the Act.

Although the CQC do not look into complaints they welcome people sharing their experience of care with them so that they can check if providers are meeting the essential standards of quality and safety.

CQC National Customer Service Centre
Citygate

Gallowgate

Newcastle upon Tyne

NE1 4PA

Email: enquiries@cqc.org.uk

Website: www.cqc.org.uk



We are here to help

Our Customer Feedback Team are available to offer confidential advice if you are thinking about making a complaint.

Call **01522 782060** if you would like:

- An explanation of the complaints procedures
- To request this leaflet in another language or format, such as Braille or large print
- Information on independent organisations that can help you with your specific query such as advocates who can make a representation on your behalf.

You can also email: feedback@lincolnshire.gov.uk

or visit: www.lincolnshire.gov.uk/feedbackform

Confidentiality

The information that you give to us will remain completely confidential.

If you would like to request a copy of the council's **Compliments, comments and complaints** leaflet in an alternative language please call: **01522 782060**

Polish

Ta informacja jest także dostępna w innym języku i formacie. W razie jakichkolwiek pytań zadzwoń pod powyższy numer.

Russian

Эта информация может быть предоставлена на другом языке или в другом формате. По всем вопросам пожалуйста звоните по вышеуказанному номеру.

Portuguese

Esta informação pode ser fornecida em outro idioma ou formato. Para quaisquer inquéritos, contacte o número acima.

Latvian

Ja nepieciešams, šo informāciju varat saņemt citā valodā vai citā formātā. Uzziņām, lūdzu zvaniet pa augstāk norādīto tālruni.

Lithuanian

Ši informacija gali būti pateikta kitoje kalboje ar formate. Visiem pasiteiravimam prašome susisiekti su viršuj nurodytu numeriu.

Slovak

Táto informácia môže byť poskytnutá v inom jazyku alebo formáte. So všetkými otázkami sa prosím obráťte na vyššie uvedené číslo.



Reference number: LCC030

Published: March 2010

Revised: February 2013