

Leicester
City Council

MEETING OF THE STANDARDS COMMITTEE

DATE: TUESDAY, 13 NOVEMBER 2018
TIME: 5:30 pm (or after the Standards Hearing Sub-Committee, whichever is later)
PLACE: Meeting Room G.03 - City Hall, 115 Charles Street, Leicester, LE1 1FZ

Members of the Committee

Councillor Dr Barton (Chair)
Councillor Shelton (Vice-Chair)
Councillor Dr Moore
Councillor Rae Bhatia
One Unallocated Non-Grouped Place

Ms Fiona Barber (Independent Member)
Mr Mike Galvin (Independent Member)
Ms Jayne Kelly (Independent Member)
Ms Alison Lockley (Independent Member)
Mr Simon Smith (Independent Member)

Standing Invitees:

Mr Michael Edwards (Independent Person)
Mr David Lindley (Independent Person)

Members of the Committee are summoned to attend the above meeting to consider the items of business listed overleaf.

for the Monitoring Officer

Officer contact: Matthew Reeves
Democratic Support, Leicester City Council
City Hall, 115 Charles Street, Leicester, LE1 1FZ
(Tel. 0116 454 6352)

Information for members of the public

Attending meetings and access to information

You have the right to attend formal meetings such as full Council, committee meetings & Scrutiny Commissions and see copies of agendas and minutes. On occasion however, meetings may, for reasons set out in law, need to consider some items in private.

Dates of meetings and copies of public agendas and minutes are available on the Council's website at www.cabinet.leicester.gov.uk, from the Council's Customer Service Centre or by contacting us using the details below.

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If you intend to film or make an audio recording of a meeting you are asked to notify the relevant Democratic Support Officer in advance of the meeting to ensure that participants can be notified in advance and consideration given to practicalities such as allocating appropriate space in the public gallery etc.

The aim of the Regulations and of the Council's policy is to encourage public interest and engagement so in recording or reporting on proceedings members of the public are asked:

- ✓ to respect the right of others to view and hear debates without interruption;
- ✓ to ensure that the sound on any device is fully muted and intrusive lighting avoided;
- ✓ where filming, to only focus on those people actively participating in the meeting;
- ✓ where filming, to (via the Chair of the meeting) ensure that those present are aware that they may be filmed and respect any requests to not be filmed.

Further information

If you have any queries about any of the above or the business to be discussed, please contact Matthew Reeves, **Democratic Support on (0116) 454 6356 or email Matthew.Reeves@leicester.gov.uk** or call in at City Hall, 115 Charles Street, Leicester, LE1 1FZ.

For Press Enquiries - please phone the **Communications Unit on 454 4151**

PUBLIC SESSION

AGENDA

FIRE / EMERGENCY EVACUATION

If the emergency alarm sounds, you must evacuate the building immediately by the nearest available fire exit and proceed to the area outside the Ramada Encore Hotel on Charles Street as directed by Democratic Services staff. Further instructions will then be given.

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business to be discussed.

3. TERMS OF REFERENCE

To note the Terms of Reference for the Committee.

4. MEMBERSHIP OF THE COMMITTEE

The Monitoring Officer to report that the current membership of the Committee is as follows:-

Councillors:

Chair: Councillor Barton
Vice Chair: Councillor Shelton
Councillor Moore
Councillor Rae Bhatia

Independent Members:

Ms Fiona Barber
Mr Mike Galvin
Ms Jayne Kelly
Ms Alison Lockley
Mr Simon Smith

Standing Invitees:

Mr Michael Edwards (Independent Person)
Mr David Lindley (Independent Person)

5. DATES OF MEETINGS 2018/19

The Monitoring Officer to report, that following the meeting of Council on 17 May 2018, the dates of Committee meetings for 2018-19 were reserved on the following dates:-

Tuesday 13 November 2018 5.30pm
Tuesday 2 April 2019 5.30pm

All meetings will be held at City Hall.

6. MINUTES OF PREVIOUS MEETING

**Appendix A
(Pages 1 - 6)**

The minutes of the meeting of the Standards Committee, held on 28 November 2017, are attached to these papers and Members are asked to confirm that they are correct.

7. COMPLAINTS POLICY & PROCEDURE FOR MANAGING VEXATIOUS CUSTOMERS

**Appendix B
(Pages 7 - 22)**

The Director of Finance submits a report which presents the Complaints Policy & Procedure for Managing Vexatious Customers. The Committee is asked to note and comment where appropriate on the proposed complaints policy and procedure for handling vexatious customers.

8. CODE OF CONDUCT FOR EMPLOYEES

**Appendix C
(Pages 23 - 42)**

The Head of Human Resources submits a report which presents the Code of Conduct for Employees. The Committee is asked to receive the report and recommend any changes.

9. ANY OTHER URGENT BUSINESS

10. PRIVATE SESSION

MEMBERS OF THE PUBLIC TO NOTE

Under the law, the Committee is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

The Committee is recommended to consider the following reports in private on the grounds that they contain 'exempt' information as defined by the Local Government (Access to Information) Act 1985, as amended and consequently that the Cabinet makes the following resolution:-

"that the press and public be excluded during consideration of the following reports in accordance with the provisions of Section 100A(4) of the Local

Government Act 1972, as amended, because they involve the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.

Paragraph 1

Information relating to any individual.

Paragraph 2

Information which is likely to reveal the identity of an individual.

Paragraph 7a

Information which is subject to any obligation of confidentiality.

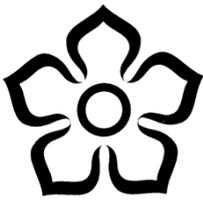
Paragraph 7c

The deliberations of a standards committee or of a sub-committee of a standards committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred under the provisions of section 60(2) or (3), 64(2), 70(4) or (5) or 71(2) of that Act.

**11. HEARING PANEL RECOMMENDATIONS -
COMPLAINT 2018/05**

**B1
(Pages 43 - 62)**

The Monitoring Officer submits a report.



Leicester
City Council

Appendix A

Minutes of the Meeting of the
STANDARDS COMMITTEE

Held: TUESDAY, 28 NOVEMBER 2017 at 5:30 pm

P R E S E N T :

Councillor Byrne (Chair)
Councillor Shelton (Vice-Chair)

Councillor Dr Moore

Also present:

Ms Fiona Barber	Independent Member
Mr Mike Galvin	Independent Member
Ms Jayne Kelly	Independent Member
Mr Alison Lockley	Independent Person

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15. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Rae Bhatia, Mr Simon Smith, Mr Michael Edwards and Mr David Lindley.

16. DECLARATIONS OF INTEREST

No declarations of interest were made.

17. MINUTES OF PREVIOUS MEETING

RESOLVED:

That, subject to the date in resolution 2 of minute 9, (“Discussion Paper – Meetings of the Standards Committee”), being amended to March 2018, the minutes of the meeting of the Standards Committee held on 20 June 2017 be confirmed as a correct record.

18. BI-ANNUAL REPORT (2015-2017) OF COMPLAINTS RECEIVED

The Monitoring Officer presented the draft Bi-Annual Report on complaints received for the period July 2015 to June 2017.

It was noted that, although ten referrals had been made to the Monitoring Officer in 2015/16, only four of these were held to be valid complaints. In 2016/17, 25 referrals had been made, with 11 being held to be valid complaints. Of the 11, five were complaints from Councillors about other Councillors arising from one Council meeting.

The Monitoring Officer advised the Committee that:

- A complaint could not be made against all of the Members of the Council at once;
- Complaints seeking resolution of operational matters, (such as Ward issues), could not be processed as Member misconduct complaints;
- Some complaints about Member misconduct related to times when an elected Member was not acting as such at the time complained of. For example, during the canvassing period of an election, the Member could have been acting on behalf of a political party, not as a Councillor; and
- The number of complaints made relating to activities on social media was increasing and it was anticipated that this trend would continue. Councillors therefore needed to be careful to ensure that there was no confusion about when they were using social media as a Councillor, or in another capacity, such as a personal one, or as a representative of a political party.

RESOLVED:

That Bi-Annual Report of the Standards Committee July 2015 – June 2017 be welcomed and endorsed.

19. CORPORATE COMPLAINTS SYSTEM

The Service Manager – Business Service Centre introduced a report setting out details of the Corporate Complaints System, reminding the Committee that the report contained annual figures for non-statutory complaints. The figures therefore did not include complaints in relation to service areas such as child and adult social care.

The Service Manager advised the Committee that:

- The current complaints process had been in place for one year;
- Under the new complaints process, a corporate complaints team, independent of any service areas, had been established;

- Over the last year, 100 cases had gone to the Local Government Ombudsman, 14 fewer than the previous year. Of these, only 29 had been investigated and the Council had been found to be at fault in ten of them. The Complaints team had upheld all ten;
- Service improvements were being sought continuously. For example, in three of the cases considered by the Ombudsman, service improvements already had been identified and implemented before the Ombudsman's findings were known;
- A "triage" process had been introduced for complaints. This enabled issues that had could be addressed through other processes, (such as through an appeal process, or as a service request), to be taken out of the complaints system;
- Although the triage process had reduced the number of complaints being processed, the ones remaining in the system tended to be multi-faceted and therefore more complex. More outcome categories therefore had been introduced, (such as complaints being partially upheld);
- Service managers no longer carried out initial investigations in to complaints. Instead, these were now done by the corporate complaints team;
- When a complaint was received, the officers involved were asked for their version of events. If subsequent investigations showed that intervention was needed by Human Resources, the complaint was taken out of the complaints system;
- Over the last few years the same services had been receiving the highest numbers of complaints. It was hoped that service improvements would help reduce these complaints;
- Complaints regarding housing repairs tended to arise because of the volume of work being done by the service, (for example, lack of appointments, or a second visit being needed to rectify a problem), or due to high expectations of the service;
- Most complaints were received through the Customer Service Centre. Staff at the Centre were trained to deal with people who were angry or upset. The Council also held lists of customers considered to be vexatious and pre-vexatious. It was recognised that many of those people had issues other than with the Council, but when added to the lists their sole point of contact became the Service Manager – Business Service Centre;
- No correlation had been identified between the number of complaints received and reductions in funding and/or staffing levels; and
- This Council received approximately the same percentage of complaints as

neighbouring Councils, (for example, Nottingham City Council and Coventry City Council).

RESOLVED:

That the report be noted.

20. REVIEW OF SOCIAL MEDIA GUIDANCE FOR MEMBERS

The Monitoring Officer reminded the Committee that guidance to Councillors on the use of social media had been agreed in July 2014. It therefore was considered appropriate to review the guidance, to ensure it remained appropriate.

It was noted that Councillors could publish material on a Council content area and post a link to this from social media. The pages in this content area contained a disclaimer stating that the Council did not endorse or share the views expressed on those pages. Councillors therefore needed to maintain separate identities on social media as individuals and local authority representatives. For example, it could be difficult to maintain those separate identities if a councillor identified themselves on social media as a councillor, but stated that they were commenting under that title as an individual.

To date, there had not been a noticeable increase in the number of complaints regarding Councillors and social media. Complaints that had been received tended to be about comments made by councillors commenting as individuals, not as councillors.

RESOLVED:

That no changes be made at this time to the guidance to Councillors on using social media.

21. COMPLAINTS AGAINST COUNCILLORS - UPDATE

The Monitoring Officer submitted a report giving feedback on complaints against Councillors reviewed and/or determined since the last meeting of the Committee. The report also updated the Committee on progress on outstanding complaints against Councillors.

RESOLVED:

that the press and public be excluded during consideration of the remainder of this item in accordance with the provisions of Section 100A(4) of the Local Government Act 1972, as amended, because it involves the likely disclosure of 'exempt' information, as defined in the Paragraphs detailed below of Part 1 of Schedule 12A of the Act and taking all the circumstances into account, it is considered that the public interest in maintaining the information as exempt outweighs the public interest in disclosing the information.

Paragraph 1

Information relating to any individual

Paragraph 7c

The deliberations of a standards committee or of a sub-committee of a standards committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred under the provisions of section 60(2) or (3), 64(2), 70(4) or (5) or 71(2) of that Act.

Further to minute 12 of the meeting of this Committee held on 20 June 2017, (“Hearing Panel Recommendations – Complaint 2016/11”), , the Monitoring Officer reported that he had advised Councillor Porter of the decisions taken under that minute, but the required apology from him had not been forthcoming to either Councillor Thomas, or to the Council Chamber. As a result, a press release had been made, which had been reported on by local media.

Having discussed the options available to it, the Committee expressed disappointment at this situation and at the limited range of sanctions available to it under current legislation. It was recognised that the limitation on sanctions was a cause for concern nationally, so it was suggested that representations could be made to any forthcoming national review of these sanctions, to encourage the reinstatement of a wider range.

RESOLVED:

- 1) That the Monitoring Officer consider sending representations on this Committee’s behalf to any relevant forthcoming national review of the Councillors’ Code of Conduct, requesting that the range of sanctions available for breaches of the Code be made wider ranging and stronger; and
- 2) That no further action be taken with regard to the non-compliance by Councillor Porter. Frustrating though his lack of contrition is, the process has resulted in public censure of his conduct and it was always known that this was the most that could be achieved under the regime. Any further action, such as a re-referral for misconduct owing to failure to comply with recommended reparations, would only provide a platform for more attention.

22. RE-ADMISSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be readmitted to the remainder of this meeting.

23. DATE OF NEXT MEETING

NOTED:

That the next meeting of this Committee will be held at 5.30 pm on Tuesday 13 March 2018.

24. CLOSE OF MEETING

The meeting closed at 6.35 pm



Complaints Policy & Procedure for Managing Vexatious Customers

Report to the Standards Committee
Date of Meeting: 13 November 2018
Lead director: Alison Greenhill

Useful Information

- Ward(s) affected: All
- Report author: James Rattenberry, Principal Policy Officer
Nilkesh Patel, Service Improvement Manager
- Author contact details: 0116 454 1616 / 37 1616
James.rattenberry@leicester.gov.uk
0116 454 2505
nilkesh.patel@leicester.gov.uk
- Report version number plus
Code No from Report
Tracking Database: v.1

1. **Purpose of Report**

- 1.1 The Standards Committee is asked to note the Revenue & Customer Support Service's implementation of a written Corporate Complaints Policy and Procedure to Manage Vexatious Customers that will ensure a clear and standardised approach for dealing with corporate complaints and customer who exhibit inappropriate behaviour.
- 1.2 The Terms of Reference of the Standards Committee include the following:
1. *To oversee and promote the Council's arrangements to ensure and maintain probity and the highest standards of governance in the conduct of business by members (including co-opted members) and officers.*
 2. *To oversee and advise Full Council and the City Mayor on matters relating to the Council's corporate governance and ethical framework.*
 3. *To oversee, promote, monitor observance and recommend necessary change to Members' and officers' Codes of Conduct and Political Conventions.*
 4. *To oversee and ensure the provision of appropriate training to Members and officers to enable them to adhere at all times to the provisions of the Council's Political Conventions and governance arrangements.*
- 1.3 Given this remit it is appropriate that the Standards Committee reflects upon the proposed written Corporate Complaints policy.

2. **Background**

- 2.1 Since April 2016 we have been operating a single stage non-statutory complaints regime, streamlining the process and providing a flexible approach to handling a complaint dependent upon its nature and complexity. The “triage” process successfully determines the route of the complaint and who will need to be involved. The purpose of this report is to put in place a written policy to support this standardised regime.
- 2.2 The Council currently receives complaints in relation to a variety of services. Complaints are separated into categories based on the subject of their complaint and/or the service responsible. This policy is concerned with corporate complaints only. Complaints around Councillors, Children Services and Adult Social Care have their own complaints policy and procedure and so are not affected by the proposed policy.
- 2.3 Currently the process for managing corporate complaints and vexatious customers is written across various documents available to staff but no official written policy exists either internally or externally.

3. **Recommendations**

- 3.1 The Standards Committee is asked to note and comment where appropriate on the proposed complaints policy and procedure for handling vexatious customers.

4. **Report /Supporting information:**

- 4.1 The purpose of this report is to address this lack of a written policy thereby mitigating the risk that customers are not receiving a standardised level of service. The lack of a written policy also increases the risk of confusion between the Council and members of the public as no explicit definition of what counts as a complaint has been adopted.
- 4.2 The aim of the policy is to ensure that corporate complaints are identified in a standardised manner.
- 4.3 The policy will also inform customers how the Council will deal with their complaints and what the complaints process is including an outlining of the Council definition of what a corporate complaint is, the reporting process and how the Council will investigate the complaint.
- 4.4 We have drafted guidance for managing vexatious customers to be used on occasions when a complainant’s expectations are inappropriate or they make inappropriate persistent complaints, or a combination of the two, in such a way that they impede the complaint investigation or other council work. The guidance outlines the necessity to give the complainant fair warning that they are acting inappropriately and could be reprimanded as a result. If the complainant is persistent in their inappropriate behaviour the guidance sets out the restrictions that can be imposed on the complainant and dictates that a

vexatious customer can only contact the council through a single point of contact, currently the Complaints Manager.

- 4.5 The Local Government Ombudsman (LGO) and Housing Ombudsman (HO) are independent bodies that investigate complaints from the public about councils and other public service providing bodies. The LGO and HO begin investigations once a local authority or public body has exhausted its own complaints procedure with no resolution reached. The LGO produce various reports on best practice around complaints to avoid such a situation which have been utilised in the creation of these policies.
- 4.6 The new complaints policy and guidance embodies the good practice approaches set out by the LGO to ensure services are of the required standard. In its creation it was ensured that the complaints policy focused on the key features set out by the LGO in their “Guidance on Running a Complaints System”. These key features are accessibility, timeliness, communication, fairness, credibility and accountability.
- 4.7 Below is a table demonstrating how the proposed corporate complaints policy includes these key features listed above:

Accessibility	The proposed written complaints policy is intended to be external facing and readable by any members of the public. The policy will be made easily accessible through publication on the council site.
Communication	The proposed policy makes it clear to individuals when the council will look to communicate with them throughout the complaints process. Individuals will be contacted at an early stage if an initial review of their complaint deems it necessary. The policy itself also represents a key element of communication between the council’s strategy, its staff and the public.
Timeliness	The proposed written policy will inform individuals when to expect a response from the council based on the complexity of the complaint they made. The policy contains no guarantee of when a complaint will be resolved however; the council will try to resolve a complaint within a 10 week period. This is within the 12 week guideline recommended by the LGO.
Fairness	The complaints policy sets out that the council “welcomes complaints from all sections of the community” and that all individuals will be engaged with on an equal basis. The policy clearly sets out the process and the role of staff in handling individual complaints. The resolution process has been kept vague in order to ensure that the council can respond in a manner appropriate to each individual complaint.
Credibility	The written policy specifies a complaints manager who can take an overview of the system and make changes where necessary. The Complaints Manager will provide leadership over the process and have the authority and independence to ask questions and alter the process.

Accountability	The proposed corporate complaints policy has been written in a clear style and will be promoted in an open manner. The policy contains a section on the regular reviewing and monitoring of the process ensuring the system is subject to periodic reviews where changes can be made if necessary.
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4.8 It is proposed that the Policy and Procedure will take effect from 1 January 2019.

5. Financial, Legal and other Implications

5.1 Financial Implications

There are no significant financial implications arising directly from this report, although the proposed policies should promote the more effective and efficient use of officer time.

Colin Sharpe, Head of Finance, ext. 37 4081

5.2 Legal Implications

There are no direct legal implications arising from this report as it is just for noting.

As background, the Local Government Ombudsman will usually want to see that a complaint has been through the Council's complaint process prior to considering it. Having a robust process and policy in place for complaints will assist the Council in ensuring that complaints can be dealt with prior to reaching the LGO and reduce the likelihood of an LGO complaint being necessary, allowing for resolution at an earlier stage. The policy ensures we are complying with the standards the LGO expects of local authorities.

Emma Horton, Head of Law (Commercial, Property & Planning)

5.3 Climate Change and Carbon Reduction Implications

There are no significant climate change implications associated with this report.

Aidan Davis, Sustainability Officer, Ext 37 2284

5.4 Equalities Implications

There are no direct equalities implications arising from the report as it is just for noting.

However, it is worth noting that under the Equality Act 2010, public authorities have a Public Sector Equality Duty (PSED) which means that, in carrying out their activities (including the development of or changes to policies and procedures), they have a statutory duty to pay due regard to the need to

eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

A clear corporate complaints policy which is easy to read and understand will benefit people from across all protected characteristics as the service that they receive will be standardised as a result and customers will be clear on what they can expect from the Council when raising a complaint. The draft Corporate Complaints Policy supports the general aims of eliminating unlawful discrimination and advancing equality of opportunity by explicitly stating that complaints are welcomed from all sections of the community, that complaints will be dealt with fairly and impartially and that steps will be taken to meet customers' specific needs

In terms of the procedure for managing vexatious customers, it is recommended that a screening equality impact assessment is undertaken to explore whether a full Equality Impact Assessment is required.

Hannah Watkins, Equalities Manager ext. 375811

5.5 **Other Implications**

N/A.

6. **Background Information and other papers**

Guidance on Running a Complaints System – LGO

<https://www.lgo.org.uk/information-centre/reports/advice-and-guidance/guidance-notes/guidance-on-running-a-complaints-system>

Good Administrative practice: Guidance on Good practice – LGO

<https://www.lgo.org.uk/information-centre/reports/advice-and-guidance/guidance-notes/good-administrative-practice>

Corporate Compensation Policy -

<http://www.cabinet.leicester.gov.uk:8071/documents/s62783/CorporateCompensationPolicy.pdf>

7. **Summary of Appendices**

Appendix 1: Corporate Complaints Policy 2018

Appendix 2: Procedure on Management of Vexatious Customers

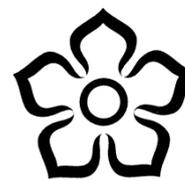
8. **Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)**

No.

9. **Is this a “key decision”?**

No.

10. **If a key decision please explain reason**



Corporate Complaints Policy

1. Introduction

1.1 Leicester City Council ('the Council') recognises the importance of complaints from its residents and their value as a form of feedback about the services we provide and are responsible for.

2. What is a complaint?

2.1 The Council defines a corporate complaint as:

An expression of dissatisfaction about the standards of our services; or the actions or lack of action, by the council, its staff, contractors or volunteers that requires a response, that you have been unable to resolve with the service directly in the first instance.

2.2 This may include, but are not limited to:

- Allegations of unreasonable delay;
- Unreasonable behaviour by a Council employee towards an individual;
- Poor quality service provision;
- Policy procedure not followed.

2.3 The following issues are **not** defined as a complaint by the Council and instead the resolution of which are treated as a part of the Council's normal day-to-day duties:

- Appeals or situations where the customer has not exhausted the service area's resolution process;
- Service queries;
- General comments or feedback;
- Initial requests for service provision;
- Initial reporting of issues (e.g. potholes);
- Concerns in relation to council strategy;
- Occasions where the service has not been made aware of your dissatisfaction and been given an opportunity to resolve the matter.

2.4 The Council is unable to deal with complaints that are outside of its control. Examples of such complaints include:

- Matters of law or central government policy;
- Decisions that have been made by elected members;
- Where the customer or the Council has started legal proceedings;
- Complaints that have already been decided by a court, independent tribunal or Ombudsman.

2.5 There are separate legal requirements for dealing with statutory services such as Adult Social Care or Children’s Services. These service areas have their own separate complaints processes and are not considered under the Corporate Complaints policy.

2.6 To make a complaint about Adult Social Care:

<https://www.leicester.gov.uk/contact-us/comments-compliments-and-complaints/adult-social-care-comments-and-complaints/>

2.7 To make a complaint about Children’s Services:

<https://www.leicester.gov.uk/health-and-social-care/childrens-social-care/social-care-complaints/>

2.8 To make a complaint about a councillor: <https://www.leicester.gov.uk/contact-us/comments-compliments-and-complaints/complaints-about-councillors/>

2.9 To make a complaint relating to a school:

<https://www.leicester.gov.uk/media/182272/school-complaints-guidance-leaflet-dec-2016.pdf>

2.10 To report an environmental issue:

<https://www.leicester.gov.uk/your-environment/report-an-environmental-issue/>

3. How can I make a complaint?

3.1 Complaints can be made in the following ways:

- Via the online self-service portal at <https://my.leicester.gov.uk/MyFeedback> - this is our preferred method and will ensure the swiftest possible response;
- In person at the Customer Service Centre;
- By telephone on 0116 454 1000;
- By emailing customer.services@leicester.gov.uk;
- By writing to “Comments, Compliments and Complaints, Customer Services, Leicester City Council FREEPOST LE985/33, CITY Hall, 115 Charles Street, Leicester, LE1 1FZ”.

4. Can I make a complaint?

4.1 Anyone who receives or is seeking to receive a service from the Council can make a complaint subject to the criteria above. This includes anyone acting on behalf of someone else with their permission, such as friends, family members or representatives. Those acting on behalf of someone must provide written authorisation that will then be retained on file and provide ID to ensure they are the person authorised.

4.2 The Council welcomes complaints from all sections of the community. The Council is committed to ensuring all individuals are dealt with on an equal basis and are treated with respect and courtesy at all times. To achieve this we will deal with complaints fairly and impartially. If customers have particular needs we will do our best to meet these needs to ensure our complaints procedure is accessible and non-discriminatory.

5. How will you deal with my complaint?

5.1 In the first instance your complaint will be reviewed to see if it meets the definition of a complaint. If it is a request for service or a comment on services, or if the service has not had the opportunity to put right or respond, it will not be treated as a formal complaint in the first instance.

5.2 If your complaint does meet our definition, it will be allocated to a Complaints Officer independent of the service in question. An investigation will take place conducted by the Complaints Officer who will investigate with the service concerned. We may contact you for further details to progress our investigation.

5.3 When a complaint is made, the Council will acknowledge your complaint and advise you how we will deal with the complaint within 3 working days. Depending on the complexity, the time taken to resolve any complaint may vary, however we will try to reach a resolution within 10 weeks of the complaint being received.

5.4 During the investigation, we may need to extend the response deadline where there is good cause to do so. We will inform you of any extension to manage your expectations as to the time we will be able to fully respond.

5.5 We will write to you with the findings of our investigation and we will advise you that should you remain dissatisfied with the independent response you may raise the issue with the Local Government and Social Care Ombudsman, or Housing Ombudsman for housing related complaints.

6. What action will be taken as a result of my complaint?

6.1 The Council will consider offering appropriate redress where necessary on a case by case basis. This may take a variety of forms. Where necessary the Council will aim to take corrective action as soon as possible and will review its service practice.

7. How will my personal data be used?

7.1 The Council is committed to ensuring personal data is properly collected and then managed. For complaints it may be necessary for us to collect personal data, including name, contact details and address, in order to keep in touch and communicate outcomes and updates on potential investigations.

Data collected in relation to complaints made will be retained on record as per the Council's official retention schedule here:

<https://www.leicester.gov.uk/media/180081/retention-schedule-2018.pdf>

To read more about our privacy policy please visit <https://www.leicester.gov.uk/your-council/how-we-work/our-website/privacy/>.

8. What further action can I take if my complaint has not been resolved?

8.1 Should you remain dissatisfied with the outcome of your complaint you will be advised that you may contact the relevant Ombudsman. Their address and telephone numbers are detailed below:

Local Government and Social Care Ombudsman,
PO Box 4771, Coventry, CV4 0EH
Telephone: 0300 061 0614

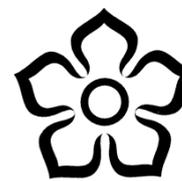
Housing Ombudsman,
Exchange Tower, Harbour Exchange Square, London, E14 9GE
Telephone: 0300 111 3000
Email: info@housing-ombudsman.org.uk
Call: 0116 454 1000

9. Policy Review

9.1 The policy will be reviewed when necessary and whenever the Council receives best practice guidelines from the Local Government Ombudsman and any relevant changes to legislation.

10. Relevant Legislation

- The Data Protection Act 1998 & 2018;
- The Freedom of Information Act 2000;
- The Human Rights Act 1998;
- Environmental Protection Act 1990 (as amended) Section 79;
- The Education Act 1996.



Procedure for Managing Vexatious Customers

1. Introduction

1.1 Wherever possible, Leicester City Council ('the Council') takes all appropriate action to investigate complaints fully and resolve our customers' issues. However, there are occasions where customer behaviour prevents this from happening.

2. Inappropriate Complainant Behaviour and Persistent Complaints

2.1 This guidance is to be used on occasions when a complainant's actions are manifestly unjustified, inappropriate, represent an improper use of a formal procedure and/or when persistent complaints are made, or a combination of the two in such a way that they impede the complaint investigation or other Council duties. This behaviour can happen either while their complaint is being investigated, or once the Council has finished dealing with the complaint.

3. Examples of Inappropriate Behaviour

3.1 Examples of what we might consider to be inappropriate behaviour are shown below. The list is not exhaustive, nor does one single feature on its own necessarily imply that the person will be considered as being in this category:

- Using abusive or foul language via any medium;
- Any form of intimidating or threatening behaviour;
- Attempting to communicate in an inappropriate, time-consuming way such as by leaving multiple emails or calling many times in relation to the same issues already responded to by service departments;
- Complaints made that are groundless;
- Making repeated complaints about the same topic despite exhausting the complaints procedure previously.

4. Before Categorising a Customer as Vexatious

4.1 Before a complainant can be categorised as vexatious, the following process must be followed:

4.2 The relevant service must gather data on an individual that explains why they are acting in an inappropriate manner and provide a timeline of events to be given to the Complaints team. Following this, the service should send out a warning letter to the complainant which explains why their behaviour is inappropriate and that they are at risk of being categorised as vexatious.

4.3 On taking any of the above actions, the service should also create a record using the template below to be logged with the Complaints team. From the service a timeline of the number of contacts needs to be created with the following:

Date	Time	Officer time taken on matter	Outcome to date

As well as the data recorded in this template, the service should also collect details of previous correspondence for all dates recorded.

4.4 Should the complainant continue to demonstrate inappropriate behaviour or persistence, then they should be categorised as **pre-vexatious**. At this point the customer will be sent a final warning in relation to their behaviour that will outline the restrictions they could potentially face, should they continue. In addition, the letter will notify the customer that they may now only contact the Council through a single point of contact – either the Complaints Manager or another officer delegated on their behalf.

4.5 Should the complainant continue to demonstrate inappropriate behaviour or persistence subsequent to the above action being taken, then the Complaints Manager may categorise the individual as **vexatious**. The relevant individual will be notified as such and appropriate contact restrictions may be put in place as outlined below.

4.6 Every 4 months pre-vexatious and vexatious customers will have their situation reviewed by the complaints manager to determine if they are categorised appropriately. At this point, the complaints manager will evaluate their complaint and behaviour and either maintain their current categorisation, re-categorise them or remove any vexatious or pre-vexatious status.

5. Imposing Restrictions

5.1 It is the role of the Complaints Manager to determine whether a complainant is acting inappropriate and/or persistent manner. If the Complaints Manager deems that the complaint is inappropriate or persistent in nature they will review the entire details of the customer record and correspond with the customer as to why the complaint was deemed to be inappropriate or persistent. Following this, the Manager will inform the complainant of the action the Council has chosen to take against them. In such exceptional circumstances, the Council has the right to specify how the individual complaint will be handled and how future contact from the complainant will be permitted.

5.2 These actions may include:

- Refusing to accept any further phone calls from the complainant or anyone calling on the complainants behalf
- Terminating any calls made to the Council by the complainant
- Refusal to grant any further meetings with the complainant
- Allowing limited contact with the Complaints Manager or a nominated person
- Limiting the type of correspondence the complainant can make.

5.3 All future correspondence that the complainant makes to the Council must be retained on record in line with s13.06-13.10 in the retention schedule here: <https://www.leicester.gov.uk/media/180081/retention-schedule-2018.pdf> .

Furthermore, the Complaints Team must continually review all future correspondences with the complainant to ensure limited contact is still necessary. A review is likely to happen if:

- The complainant provides new, important information of the complaint to require it to be reassessed.
- The complainant has a wholly separate complaint which warrants the use of the general complaints procedure.
- The complainant shows a change of attitude and behaviour when dealing with the Council.

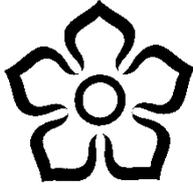
5.4 Once a complainant has been categorised as ‘inappropriate and/or persistent,’ their access will be limited in some way. This will be reviewed and customers will be advised accordingly.

6. Assessing new complaints from vexatious customers

6.1 New complaints from people who have acted unreasonably before will be treated on their merits on a case by case basis. The Complaints Manager will decide whether any restrictions which have been applied before are still appropriate and necessary in relation to the new complaint. The council does not support a blanket policy of ignoring genuine service requests or complaints where they are well founded.

7. Record Keeping

7.1 It is the Council’s policy to keep relevant personal data collected from complainants for a maximum of 18 months **after a complaint has been resolved**, as deemed by the council. If a complainant is ever categorised as a vexatious customer, then this will be recorded as such until this 18 month period has passed. Interaction between the council and such an individual will, in this period, be informed by section 4 of this guidance.



Leicester
City Council

WARDS AFFECTED

All Wards

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

Standards Committee

13th November 2018

Code of Conduct for Employees

Report of the Head of Human Resources

1. PURPOSE OF REPORT

To invite the Standards Committee to review the Code of Conduct for Employees.

2. RECOMMENDATIONS (OR OPTIONS)

That the Standards Committee receives the report and recommends any changes.

3. REPORT

3.1 The Terms of Reference of the Standards Committee include the following:

1. *To oversee and promote the Council's arrangements to ensure and maintain probity and the highest standards of governance in the conduct of business by members (including co-opted members) and officers.*
2. *To oversee and advise Full Council and the City Mayor on matters relating to the Council's corporate governance and ethical framework.*

3. *To oversee, promote, monitor observance and recommend necessary change to Members' and officers' Codes of Conduct and Political Conventions.*
4. *To oversee and ensure the provision of appropriate training to Members and officers to enable them to adhere at all times to the provisions of the Council's Political Conventions and governance arrangements.*

3.2 Given this remit it is appropriate that the Standards Committee undertakes a review of the Code of Conduct for Employees.

3.3 Overall it is felt that the policy is comprehensive, robust and up to date. It is referenced frequently within conduct cases with allegations based on specific paragraphs in the policy. It also provides a framework of use to reference additional specific policies e.g. Data, Information Technology, Health and Safety.

3.4 This specific policy is tied into contract and any amendments would mean varying an employee's terms and conditions. This would need us to consult and achieve collective agreement from unions.

4. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

4.1. Financial Implications

None

4.2 Legal Implications

None

5. OTHER IMPLICATIONS

OTHER IMPLICATIONS	YES/NO	Paragraph References Within the Report
Equal Opportunities	NO	
Policy	YES	
Sustainable and Environmental	NO	
Crime and Disorder	NO	
Human Rights Act	NO	
Elderly/People on Low Income	NO	
Corporate Parenting	NO	

6. BACKGROUND PAPERS - LOCAL GOVERNMENT ACT 1972

None

7. CONSULTATIONS -

The original Code of Conduct policy was consulted and agreed with Unions at Authority Wide Consultative Committee on the 13th June 2013. Amendments made since ensure legal compliance which do not need union consultation.

8. REPORT AUTHOR –

Craig Picknell
Head of Human Resources

Appendix V - Code of Conduct for Employees

1 PURPOSE

The purpose of the Code of Conduct is to set out the standards of behaviour, conduct, responsibilities and approach expected of you as a Leicester City Council employee.

2 SCOPE

This policy and procedure applies to all employees of Leicester City Council, with the exception of teaching staff in schools but including schools support staff. Where no separately negotiated policy exists, Governing bodies may make appropriate amendments where governance/management and practical application so require.

In relation to Chief Officers where there is a conflict between this code of conduct and the Conditions of Service of the Joint Negotiating Committee for Chief Officers of Local Authorities, the latter shall prevail.

A separate code of conduct applies to elected and co-opted members of the Council which can be found in the Council's constitution.

Employees are expected to adhere to the Code of Conduct. Any failure to do so, may result in disciplinary action.

3 OUR AIM

Our primary aim is to serve the public to the highest quality of customer care within the resources available; each employee has a vital role that contributes to this aim.

4 SERVING LEICESTER CITY COUNCIL

Employees serve the public and the City Council as an entity. As employees we all have the responsibility to contribute to the overall aims of the organisation, including delivering efficient services and promoting a culture where everyone is treated with respect and dignity.

It is also vital that employees understand that the public has a right to expect the highest levels of integrity and responsibility from all employees. This integrity and responsibility must be demonstrable and, therefore, actions which would lead to a loss of confidence, including through perception, should be avoided. Therefore you should never put yourself in a position where your personal and professional interests conflict.

If you are involved in working with children, young people and vulnerable adults, you have a duty to safeguard them from harm and promote their welfare at all times.

4.1 DUTY OF TRUST

You must, at all times, act in accordance with the trust that the public is entitled to place in you as an employee of the City Council.

You are expected to be ready and able, at the agreed times, to carry out your 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 your duties and responsibilities your honesty and integrity should be beyond question.

4.2 RESPECT FOR OTHERS

The City Council wishes to create an environment where all its employees are treated with dignity and respect. All members of the community, clients and other employees have the right to be treated with fairness and equity regardless of age, disability, gender, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation.

You should be aware that your behaviour may inadvertently intimidate or offend other employees or service users. You should refrain from; the displaying of offensive sexist or racist material or wearing T-shirts or other clothing, badges or tattoos which convey an offensive message, making racist comments, swearing, rudeness or non-verbal behaviour which intimidates or offends others and making sexually suggestive or sexist remarks.

The Council take harassment, discrimination, victimisation and bullying very seriously and will investigate all reports in line with the relevant policies.

4.3 COMPLYING WITH LEGISLATION, CONDITIONS OF SERVICE AND PROFESSIONAL PRACTICE

During the course of your work you should, at all times, be aware of, and comply with, the relevant legislation applicable to your role; for example the Health and Safety at Work Act 1974, the Equality Act 2010, current data protection legislation, the Freedom of Information Act 2000, the Computer Misuse Act 1990 and legislation relating to each service area. This list is not exhaustive.

You are also responsible for reading and complying with the conditions of service under which you are employed, including all local policies, and complying with any other specific guidelines issued by your Service /Directorate. Relevant policies and guidelines should be made clear to you by your line manager during your initial induction period, and are available from the council's intranet site.

If you are a member of a professional institute or association then you are also obliged to comply with any professional code and/or standards of practice pertaining to that organisation e.g. the social care codes of practice.

4.4 STANDARDS OF DRESS

You should ensure that you are suitably dressed for your duties and responsibilities, including wearing appropriate safety clothing and equipment where required.

Depending on the type of work that you do there may be a requirement for you to wear a Council uniform, which will be provided for you. This forms a condition of your employment and you must wear the uniform provided. If you are not required to wear a uniform, you should dress appropriately as agreed by your line manager.

Religious and cultural dress may be worn within the workplace. However health and safety considerations will take precedence in cases where the wearing of such dress would heighten a health and safety risk to yourself or others.

4.5 SECURITY AND IDENTIFICATION

To prevent security breaches the Council has an Identification Card scheme for all employees. You should ensure that you have your ID card with you at all times and, if challenged, should show the ID card to confirm your identity.

If your role requires you to deal with money in any way, it is important that you read and comply with the Council's Financial Regulations.

4.6 CONTRACTORS AND VOLUNTEERS

Due to the nature of our organisation and the work that we do, we often depend on the services of contractors and volunteer staff. If you are responsible for contractors or volunteers, you should ensure that they abide by the same standards that are expected of an employee of Leicester City Council.

5 CONFIDENTIALITY AND INFORMATION HANDLING

During the course of employment it is likely you will come across confidential information. You must understand and comply with the Council's Information Assurance requirements.

5.1 INFORMATION ASSURANCE

Information Assurance encompasses those disciplines that provide the council with the confidence that its information systems, manual and electronic, will protect the information they handle, function as they need to, when they need to, under the control of legitimate users working within a legally compliant framework. It has three elements

- Information Security
- Information Governance
- Information Management

5.2 INFORMATION SECURITY

Information security delivers all those measures that protect data both electronically and for paper files, manually. All City Council employees have a responsibility to safeguard the Council's information assets and IT equipment used to process, transfer and store information. The safeguarding of information assets should be based on the need to maintain Confidentiality, Integrity, Accountability and availability of an information asset based on the level of risk posed to that information.

You must understand and comply with the Council's Information Security Policy, ICT Acceptable Use Policy and other relevant Information Security Policies and procedures.

The duty of confidentiality is imposed on all employees no matter what your function or capacity is within the Council. This applies to both personal and non-personal data.

All Information Security related breaches or potential breaches should be promptly reported in accordance with the Information Security Incident Management Policy and Process. The necessity to report information security

incidents at a corporate level is underpinned by the need to prove our assurance arrangements for data to the public and specifically of personal data to the Information Commissioner who is empowered to levy fines and require action on part of public authorities.

You must keep your computer password confidential and any materials you are using, sign off if you are going to leave your terminal unattended, and dispose securely of any unwanted disks, USB drives and printouts etc. Do not put any personal information on the internet. Refer to the Information Security Policy and other Information Assurance related policies for more information.

You should use your discretion to determine where it is appropriate to hold conversations of a confidential nature. This includes conversations conducted over mobile phones and the internet, including social media sites.

5.3 INFORMATION GOVERNANCE

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 utmost importance since information is central to any organisation and underpins everything we do.

Information concerning the private affairs of an individual must not, under any circumstances, be supplied to any person or organisation outside the service of the City Council without the consent of the individual, nor to anyone within the City Council unless that person has authority or responsibility for such information. Our handling of such personal data is regulated by current data protection legislation, which provides particular penalties over and above the Council's disciplinary procedure for the unauthorised disclosure of personal information. Under the law you may be personally liable for disclosing personal information.

Access controls to personal information are detailed in Information Assurance Policies.

You must never use your authority or position for personal gain, or to enable colleagues or others to gain personally. Any particular information you may receive from a councillor, which is personal to the councillor and does not belong to the City Council, must not be divulged without prior consent of the councillor, except where disclosure is required or sanctioned by law.

5.4 MEDIA CONTACTS AND INFORMATION REQUESTS

You must not make any statements to the media, or any other public statement which concerns the business of the City Council, unless you have been authorised by your manager to act 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. No formal statements should be made on behalf of the City Council without prior consultation with the Council's Press Team.

If you have any reservations about any request to supply information you should immediately refer the matter to your manager.

6 POLITICAL NEUTRALITY AND ACTIVITY

As an employee, you serve the Council as a whole. It follows that you must serve all councillors equally, and not just those of the controlling group, and you cannot be accountable to individual political groups. If your role requires you to advise political groups, you should not be involved in advising any political group, nor in attending any of their meetings, in a private capacity, without the express consent of your Director and you must not compromise your political neutrality. In summary you must never allow your personal political opinions to interfere with your work.

Managers or professional staff at different levels may require political sensitivity, and need to consider the political or media implications involved in their work, and brief their own managers where necessary.

6.1 BRIEFING ELECTED MEMBERS

'Elected members' include elected councillors, the City Mayor and co-opted members of the Council. Further detail on member officer working arrangements can be found in the Council's constitution, particularly in the political conventions

Briefings to elected members will often be required as part of the normal decision making process in order for them to carry out their particular role. Senior managers need to ensure that members have appropriate and timely information on key issues and decisions. The Constitution sets out on what basis elected members are entitled to be briefed and provided with specific information. However if you are unsure always seek the advice of your Director. If you are specifically asked to brief a Political Group you must make sure that the Chief Operating Officer knows of, and approves of, any such briefing and that all Political Groups are informed and offered the same briefing.

6.2 POLITICALLY SENSITIVE POSTS

If your post has been determined by the City Council to be “politically sensitive”, then you are precluded from standing for any political post or engaging in certain political activity (such as canvassing or speaking publicly). If this does not apply to you, you are eligible to stand for office as a Member of Parliament and may participate in District, Borough or Parish Council activities, provided any resultant conflict of interest is declared. You are however, ineligible to stand for office as a Leicester City Councillor. For further details please check with your line manager.

7 BALANCING PERSONAL AND WORK LIFE

Your life away from work is normally your personal concern. You should not however, put yourself in a position where your job, or the City Council’s interests, and your own personal interests conflict. This includes behaviour which would undermine the City Council’s confidence or trust in you. This section of the code details your responsibility in relation to declaring and managing your interests in and out of work. Failure to fully comply with these responsibilities will lead to investigation which may, except in exceptional circumstances, result in disciplinary or other management action.

7.1 USE OF SOCIAL MEDIA

The term ‘social media’ includes websites, such as Facebook or Twitter, online tools, blogs and other Interactive Communication Technologies (ICT).

Only individuals who are authorised may conduct social media activities on behalf of the City Council.

When conducting your own social media activities, other users should be in no doubt that all opinions are your own and not the City Council’s.

When you make comments public on any social media site or emails, you abandon any rights to have your comments treated as private. The Council’s interference with the right to your private and family life, and the right to freedom of expression can, in some circumstances, be justified (for example in protecting reputation or confidential information).

The Council will treat ‘electronic behaviour’ in the same way it would treat ‘non-electronic behaviour’ and any breaches of the council’s policies and procedures will be dealt with under the Disciplinary Procedure.

Examples of this behaviour are:

- Defamation – posting or sending damaging or libellous comments about an organisation or its products/services or publishing sensitive commercial data.
- Divulging protected data – for example giving away details of salary, political or religious beliefs or disciplinary records or information that is not public knowledge for example information relating to service users, commercially sensitive information or information which may bring the Council into disrepute.
- Cyber-Bullying- bullying, harassment and victimisation conducted via social networking channels, often using blogs, social networking sites or e-mails to post photographs or offensive or threatening comments about colleagues or other work contacts.

If you are in any doubt about the appropriateness of your social media activities, you should speak to your line manager.

7.2 REGISTER OF INTERESTS

Registering interests is important to protect the Council and the workforce from allegations, justified or not, of dishonesty or partiality in the conduct of the Council's business. You should act with openness, honesty and integrity in every action you take. All interests you may have must be declared to your line manager by recording them on MyView. If you are unable to access MyView a 'Register of Interests form' can be obtained from your line manager and returned to the Employment Services Centre.

7.3 FINANCIAL INTERESTS

If you discover that a contract in which you have a financial or other interest has been, or could be, entered into by the City Council then you are required under Section 117 of the Local Government Act 1972 to advise your line manager in writing.

7.4 BUSINESS INTERESTS

If you, your partner, family or close associate is involved in the running of a company's affairs where the company has, or may seek to have, a contractual relationship with the Council, this must be declared as an interest.

7.5 RELATIONSHIPS

APPOINTMENT AND PROMOTION

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

Similarly, you should not be involved in decisions relating to discipline, promotion, recruitment or pay and conditions for any other employee who is a relative, partner or someone with whom you have a personal relationship.

COUNCILLORS

Mutual respect between employees and councillors is essential to effective local government. It is important that this relationship is a professional working relationship. Any close personal relationships between Members and Officers should be declared in the register of interests.

Where a relationship is of a significant nature (i.e. it is likely to influence the Member or Officer in their respective roles) then this must be declared to your Director, the relevant Group Whip (where applicable) and the Monitoring Officer. Guidance on this matter should be sought from your line manager, further information can be found in the Political Conventions.

SERVICE USERS AND MEMBERS OF THE PUBLIC

As a local government employee, you are expected to give the highest possible standard of service to the public and, where it is part of your duties, to provide appropriate advice to councillors and fellow employees with impartiality. In carrying out duties and responsibilities, your honesty and integrity must be beyond question. You must never use your authority or position for personal gain, or to enable colleagues, family, friends or others with whom you are acquainted to benefit personally.

Your own Service or Directorate may have its own customer care policy in addition to these guidelines. Please also refer to the Council's Corporate Customer Service Policy. Concerns about dishonesty or dangers at work may be addressed through the Council's Whistleblowing Policy which can be found on the council's intranet site. Concerns or complaints about other employment issues should be raised in the first instance with your line manager and, if not resolved, through the Council's Grievance Procedure which may also be found on the council's intranet site.

CONTRACTORS

All relationships of a business or private nature with external contractors or potential contractors of the City Council should be made known to your line manager where it may be relevant to your area of work. Orders and contracts must be awarded on merit, in fair competition with other tenderers, and in accordance with the Council's procurement processes. If you are involved in the client management of Council contracts then you are expected to manage contracts effectively in order to ensure the efficient delivery of services and value for money. No special favouritism should be shown to any contractor and the highest standards of probity must be maintained.

7.6 MEMBERSHIP OF ORGANISATIONS

If you are a member of any organisation which has the potential to impact on your work or professionalism or bring the Council into disrepute, you should declare this to your manager.

7.7 GIFTS, HOSPITALITY AND SPONSORSHIP – GIVING AND RECEIVING

PAYMENTS AND GIFTS

You must not receive any reward or fee other than your proper remuneration. As a general rule, you should tactfully refuse offers of gifts or services from organisations or persons who do, or might, provide work, goods or services to the City Council or who require a decision from the City Council (for example regarding a grant application).

However, where it is felt that refusal of a small gift or token of appreciation (for example a small box of chocolates) would cause offence or would upset the relationship with a client, you should consult your manager, and where it is agreed that the gift may be accepted this should be recorded on the register of interests on MyView.

PROMOTIONAL SALES / BENEFITS

Offers from companies of promotional sales, either to an individual or to the Council, should be declined. You should bring such matters to the attention of your manager.

The use of personal loyalty cards whilst making purchases on behalf of the authority or service users is also unacceptable. It may bring into question the impartiality of the use of that supplier.

Any prizes won whilst on City Council business, or whilst using City Council funds, should be reported immediately to your line manager who will make a decision as to the acceptability of such a prize. Such a prize may also need to be declared under the register of interests.

SPONSORSHIP

Where an external organisation wishes to sponsor, or is seeking to sponsor, a City 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 City Council sponsors, or gives grants for, sporting and cultural events such as exhibitions, plays or performances, or games. The general rule is that neither you 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 your manager of any such interest. Similarly, where the City Council through sponsorship, grant aid, financial or other means, gives support in the community, you must ensure that impartial advice is given and that there is no conflict of interest involved.

HOSPITALITY

It is acknowledged that, on occasions, the business of the City Council can be progressed through, for example, working lunches or dinners with external individuals or groups. As a general rule, you should only accept offers of such hospitality if there is a genuine need to impart information or represent the City Council in the community.

If, on the other hand, the hospitality offered is primarily a social function, at which business matters are of a secondary concern (for example sporting events, film premiers or concert performances) then it is unacceptable, and such invitations should normally be refused. When hospitality is declined, those making the offer should be informed of the procedures and standards operating within the City Council.

It is of vital importance that the possibility of you being deemed by others to have been influenced in making a business decision, as a result of accepting such hospitality, should be avoided at all costs, for your own protection. Where you have accepted an offer of hospitality, it should be declared in the register of interests.

INTERNAL HOSPITALITY

On occasions it may be necessary to provide catering or other associated facilities to enable the smooth running of council business. The provision of hospitality, including refreshments, is governed by the corporate hospitality policy which should be referred to in advance of booking such facilities.

LEGACY/BEQUESTS

If, as a result of your employment, you become a beneficiary in a service user's will, this must be reported to your manager. You must not accept the legacy/bequest, regardless of its size or value, unless granted explicit permission by your manager. Permission will only be granted in circumstances where the legacy/bequest is of little financial value, such as a sentimental item.

7.8 ADDITIONAL EMPLOYMENT

The City Council will not prevent you from undertaking additional employment providing it does not conflict with the interests of, or in any way weaken public confidence in, the City Council and does not in any way affect performance of your duties and responsibilities whilst you are at work. If there is a conflict, your manager can ask for you to discontinue the conflicting employment.

In taking up additional employment, there will also be health, safety and wellbeing consideration. You should therefore inform your manager if you have, or intend to take up, additional employment.

In circumstances where total number of hours worked will exceed an average of 48 hours per week, or where the work is likely to have a detrimental effect on your health and safety it is vital that you seek advice from your manager, for more information see the Health and Safety Manual - Working Time Regulations.

7.9 OFFICERS AND ELECTED MEMBERS AS SERVICE USERS

Due to the nature of the services that the City Council offers, employees and elected members will also be our service users. As a City Council employee you should not receive any preferential advantage in the services you receive as a service user. If you are offered preferential advantage, or asked to provide preferential advantage by an officer or elected member, you must report this to your line manager or via the Whistleblowing Policy where appropriate.

If you are involved in the decision making process of a service in which you, your partner or close relative are direct beneficiaries you should declare this as an interest.

8 RAISING CONCERNS

8.1 WHISTLEBLOWING

The Whistleblowing Policy is intended to encourage and enable anybody who works for, or on behalf of, the Council to raise within the Council serious concerns regarding the categories of issues which fall within the

Whistleblowing Policy rather than overlooking a problem. It makes it clear that reporting can happen without fear of reprisal.

An employee must not treat another employee of the authority less favourably than other employees because the other employee has used/intends to use, or is suspected of using, the authority's reporting procedures to report the misconduct of others.

For further guidance please refer to the City Council's Whistleblowing Policy on Insite.

8.2 RAISING CONCERNS WITH ELECTED MEMBERS

Concerns relating to your employment within the Council should never be raised with elected members, either as an employee or as a constituent. This includes personal employment issues, such as remuneration, grievance or working arrangements, as well as issues of an operational nature, for example corporate structure, contractors or suggestions on potential service improvements. These must be raised with your line manager or via the Whistleblowing Policy where appropriate. This does not affect your right to raise matters which are not related to your personal employment with members, as a member of the public.

8.3 DISCLOSURE OF CRIMINAL CONVICTIONS

If you receive a reprimand, formal warning, conditional caution, bind-over order or conviction for any reason during your employment, or you are arrested or charged with a criminal offence by the Police, you must notify your line manager immediately. If you are an essential car user, you must declare any driving offences (including speeding and failing to stop at a traffic signal).

The bearing of the offence on your employment in your current post will be fully and objectively considered and, if necessary, an investigation may be carried out. Appropriate action would then be taken based on the outcome of this investigation.

Should you be arrested, there is an expectation that you provide the Police with full details of both your role at Leicester City Council and the setting in which you work.

9 USE OF COUNCIL FACILITIES AND INTELLECTUAL PROPERTY

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

All equipment belonging to the City Council should be treated with due care and respect, and is intended for City Council and agreed trade union purposes only.

If you wish to use an item of equipment, for example a photocopier, telephone or printer, for personal use, you must gain permission from your manager in advance.

9.1 USE OF INFORMATION EQUIPMENT

Use of Council ICT equipment, including mobile devices is subject to Information Assurance Policies which are available on the Intranet. Please make sure that you read and abide by the contents.

9.2 INTELLECTUAL PROPERTY

COPYRIGHT

All records, documents and other papers in electronic or paper format relating to the finance and administration of the City Council, and which are compiled or acquired by you in the course of your employment, are, and will remain, the property of the City Council and the copyright in all such cases belongs exclusively to the City Council.

Where you develop such materials in your own time and therefore not paid to produce them, for example projects undertaken as part of a course to further your professional career, teaching materials developed in your own time and professional articles and blogs, the copyright will belong to you.

PATENT

If any matter, item or idea capable of being patented under the Patents Act is developed or discovered by you, alone or together with other colleagues, in the course of your duties, you must disclose this to your manager and, subject to provisions of the Act, this belongs to the City Council. It is the responsibility of the City Council in the first instance to decide whether to apply for patent or other protection in law for any invention, which belongs to the City Council by virtue of the Patents Act 1977.

10 HEALTH, SAFETY AND WELLBEING

10.1 SMOKING

In line with our commitment to employee well-being, the City Council operates a Smoking Policy. This policy aims to promote a healthier, safer and more pleasant working environment by protecting employees from second

hand smoke exposure and supporting employees who wish to stop or reduce their smoking habit. If you would like more information about this policy please consult the council's intranet site. or your line manager.

10.2 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 City Council premises unless specifically approved by a manager. The City Council prohibits the use, possession, distribution or sale of illegal drugs at the work-place, or when conducting City Council business. See the Policy on Substance Misuse.

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 Amica 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.

Updated: 18/11/2013 (s.7.1) [HRPP/HP/OOT]

Updated: 09/07/2013 (s.8.3) [SHR/OOT]

Updated: 25/05/18 (s.4.3 and 5.3) [HR P&P/TH]

Effective: 01/07/2013 [SHR/OOT]

By virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A
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