

Grampian Valuation Joint Board



Code of Conduct for Employees

Date of Review	October 2024
Date of previous version	23 October 2019
Policy Approved	31 January 2025
Version Effective From	31 January 2025
Next Review Date	October 2027

1.0 Introduction

- 1.1 The public is entitled to expect the highest standards of conduct from all employees of the Board. You must meet those expectations by ensuring your conduct is above reproach. It is your responsibility to make sure you are familiar with the provisions of this Code and that your actions comply with it. However, no written information can provide for all circumstances and if you are uncertain about how the Code applies, you should seek advice from your line manager, HR (Moray Council), or your trade union representative. This Code incorporates existing policies, regulations and conditions of service and provides further guidance on the minimum standards of conduct expected of Board employees.
- 1.2 In addition to the general Code, there may be professional standards and rules related to your particular area of work which you must also comply with (e.g. RICS).
- 1.3 The Code does not affect your rights and responsibilities under the law; its purpose is to provide clear and helpful advice. Because of the nature of their work, parts of the Code may apply to some employees more than others, but all employees must comply with the Code.
- 1.4 A breach of the Code may result in disciplinary action in accordance with the Board's Disciplinary Procedures. Employees are reminded of the Bribery Act 2010 where it is an offence to offer, promise, or give a financial or other advantage to another person.
- 1.5 Employees are reminded of the Bribery Act 2010 where it is an offence to offer, promise, or give a financial or other advantage to another person.

2.0 Scope

- 2.1 This Code shall apply to all Board employees.

3.0 Key Principles of the Code

- 3.1 The general principles upon which this Code of Conduct is based are:-
 - **Selflessness:** You should not take decisions, which will result in any financial or other benefit to yourself, your family, or your friends. Decisions should be based solely on the public and Board's best interests.
 - **Integrity:** You should not place yourself under any financial or other obligation to any individual or organisation, which might reasonably be thought to influence you in your work for the Board.
 - **Objectivity:** Any decisions which you take in the course of your work for the Board must be based solely on merit, including making appointments, awarding contracts, or recommending valuation adjustments or banding changes.
 - **Accountability:** You are accountable for your decisions and actions to the Board as your employer. The Board, in turn, is accountable to the public.
 - **Openness:** You should be as open as possible in all the decisions and actions

that you take. You should give reasons for decisions and should not restrict information unless this is clearly required by Board policy, by the law or when public interest demands.

- **Honesty:** You have a duty to act honestly. You must declare any private interests relating to or which might affect your work with the Board.
- **Leadership:** If you are in a managerial position, you must promote and support these principles by leadership and example to maintain and strengthen the trust and confidence in the integrity of the Board and its employees.
- **Respect:** You must respect all other Board employees, Members and users of Board services and treat them with courtesy at all times.

4.0 Relationships

4.1 The Public

You may have access to the public as users of services or as citizens. Each member of the public should be dealt with fairly, equitably and consistently to ensure courteous, efficient and impartial service delivery to all groups and individuals within the community.

4.2 Board Members

You must respect all Board Members and the role they play and treat them with courtesy at all times. It is expected that Members will show the same consideration in return.

Both Members and employees are public servants but their responsibilities are distinct: Members are responsible to the electorate and serve only as long as their term of office lasts. Recognising the statutory position of the Assessor & ERO, their role is to determine policy outside the statutory frameworks of Lands Valuation and Electoral Registration. Employees are responsible to the Board and their job is the direct operational management and delivery of the services provided by the Board.

Mutual respect between Members and employees is essential to good local government. Close personal familiarity between individual Members and employees can damage the relationship and prove embarrassing to other Members and employees.

You should follow the practice detailed in the Protocol for Relations between Members and employees attached at **Appendix A**.

4.3 Contractors

You must be fair and impartial in your dealings with contractors, sub-contractors and suppliers. If you are involved in the tendering process you must follow the Board's procedures and rules about tenders and contracts.

If you have access to confidential information on tenders or costs, you must not

disclose that information to any unauthorised individual or organisation.

4.4 Conflicts of Interest

You must not allow any private interest, financial or non-financial, to influence your decisions.

You must also not use your position to further your own interests or the interests of others who do not have a right to benefit under the Board's policies.

You may have a private interest which relates to your work for the Board. That interest may be a financial one or one that a member of the public might reasonably think could influence your judgement. In addition, close family members or people living in your household may have financial interests in the work of the Board. All such interests must be declared to your line manager/supervisor and subsequently passed to the Assessor for recording in a register of staff interests.

If you are a member of an organisation or club (e.g. School Board, Community Council, PTA etc.) and membership might result in a conflict of interest in relation to any aspect of your work with the Board, you should declare this interest to your line manager/supervisor who, in turn, should pass the details to the Assessor. This applies equally to membership of organisations or clubs, which are not open to the public (e.g. Freemasonry). You need only declare interests which relate to your work with the Board.

If you declare an interest, you will not normally be required to continue to work or take decisions relative to this interest. In certain circumstances, your activities outside work may be restricted due to your employment, eg political or commercial activities.

4.5 Confidentiality

The Board's decision making process must be as transparent and open as possible and this should be the basis on which you normally work. The Board must provide the public with clear and accessible information about how it operates.

There are exceptions, however, to the principle of openness where confidentiality is involved, and information may be withheld if, for example, it would compromise a right of personal or commercial confidentiality or Board Policy. This does not apply where there is a legal duty to provide information. If there is any doubt you should raise the matter with your line manager/supervisor. You must not break the law in this area. The provisions of the Freedom of Information (Scotland) Act 2002 are relevant in this regard.

4.6 Employment outside the Board

The Board will normally allow employees to undertake paid employment outside the Board unless there is a clear conflict of interest, or it is likely to have an adverse effect on the work of the Board. Employees should seek advice from their line manager/supervisor if they are in doubt and, where approval is given, details should be forwarded to the Assessor & ERO, for retention in personnel files.

Any fees, commissions or other payments received by an employee as a

consequence of their acting as an officer of the Board shall, unless otherwise directed by the Board, be paid to the Board.

4.7 **Gifts and Hospitality**

You may occasionally be placed in a position where you have to decide whether or not to accept offers of gifts or hospitality from organisations or businesses associated with the Board. It is essential that any suggestions of improper influence should be avoided.

The general rule should be to refuse, tactfully, offers or gifts from businesses, organisations, or individuals who are associated with, or wish to be associated with the Board commercially. Gifts should also be refused from organisations or individuals seeking, or at some stage in the near future may be expected to seek, a particular decision or action from the Board or the Assessor & ERO.

In certain circumstances, hospitality or gifts not exceeding £30 in value may be accepted, but you should refuse repeated gifts or hospitality from the same source.

In any event, **all** offers of gifts and hospitality should be notified to your line manager/supervisor who will forward the information to the Assessor for recording in a register of gifts and hospitality. This recording mechanism will enable the Board to respond to any queries on such issues.

When making a visit to inspect domestic or non-domestic property or to attend meetings, you must ensure that the Board pays for the cost of these visits.

4.8 **Corruption**

It is important that employees are aware that it is a serious criminal offence for them corruptly to receive or give any gift, loan, fee, reward or advantage for doing or not doing anything, or for showing favour or disfavour to any person, in the course of their work with the Board.

4.9 **Use of Financial Resources**

You must ensure that any public funds entrusted to you are used in a responsible and lawful manner. You must strive to ensure value for money to the local community and to avoid legal challenge to the Board.

4.10 **Use of Other Resources**

You are not permitted to use materials, equipment or resources of the Board for outside employment or for personal benefit without the permission of the Board. In particular, employees with access to a computer should make themselves aware of the relevant policy and associated documents on its use including internet and e-mail access.

4.11 Appointments

The Board has Recruitment and Selection Policies which set out the basic principles which must be taken into consideration to enable the Board to achieve a corporate and consistent approach in the critical area of recruitment and selection and to comply with employment legislation and associated codes of practice. All appointments must be carried out fairly and openly and candidates appointed on the basis of merit.

If you are involved in the recruitment and selection process and have any kind of relationship which might affect your ability to be impartial, that relationship must be declared to the Assessor & ERO, who will decide whether you can participate in the process. The same procedure must be followed in other personnel procedures such as grievance or disciplinary procedures or job evaluation.

You must not lobby Members or colleagues either directly or indirectly to secure personal appointment or promotion, or the appointment/non-appointment or promotion of another person. Any employee who has been lobbied by an applicant, a colleague or any other person must report the matter immediately to the Assessor & ERO.

4.12 Contacts with the Media

All contact with the media should normally be directed through the Assessor & ERO. Designated officers may, however, speak to the media on issues related to their direct area of responsibility. Designated officers are limited to staff with statutory Depute status except in exceptional circumstances. Staff below the level of Assistant Assessor are unlikely to have direct contact with the media.

4.13 Public Statements

Outside work, you are entitled to express your views about the Board provided you do not make use of any private information gained through your work with the Board. But, in your work capacity, you must not criticise the Board either through the media or at a public meeting, or in any written communication with members of the public. This includes responding to public consultations the Board hosts on social media, for example Facebook or X.

Employees who have serious concerns about any aspect of the Board's work are referred to the Confidential Reporting ("Whistleblowing") Policy.

4.14 Political Neutrality and Services to Members

The public expects employees of the Board to undertake their duties in a politically neutral manner and this must be respected by Members. The political activities of a small number of employees are restricted by law.

Employees must serve the Board and all Members regardless of their political outlook. The Assessor & ERO and senior officers have ultimate responsibility to help ensure that the policies of the Board are implemented. All employees must implement the Board's policies irrespective of their personal views.

In the event of an employee receiving a request from a Member to provide assistance with a matter which is clearly party political or which does not have a clear link with the work of the Board, the employee should refer the matter to their line manager/supervisor who, if necessary, should report the matter to the Assessor & ERO for clarification.

Some senior employees may from time to time require to have a close working relationship with Members or Councillors of the major political group(s) of the constituent councils. Political groups may sometimes seek advice from employees of the Board particularly in relation to electoral matters.

The following procedures will assist employees who may be requested to give advice to political groups:-

- The political group's office bearer must first approach the Assessor & ERO
- They must tell the Assessor & ERO what type of advice they are seeking.
- The Assessor & ERO will decide whether the advice can be given, when and by which employee.
- If attendance at a meeting is involved, the employee must leave after giving the advice and before any decision is taken.
- The employee must observe strict confidentiality. The discussion in one political group or Council should not be disclosed to another political group or Council or to any member of such a group or another Council.

5.0 The Rights of the Employee

5.1 Public Statements

As citizens, employees are entitled to express their views about the Board, provided they do not make use of any private information gained through their work with the Board. They should not, in their working capacity, or as a result of their employment relationship, criticise the Board either through the media or at a public meeting, or in any written communication with members of the public.

5.2 Access to Councillors

As citizens, employees are entitled to raise any complaints which they may have about the constituent Council's services with their Councillor or via the Council's Complaints Procedure. Complaints relating to any aspect of your employment with the Board should be raised with your line manager/supervisor or via the Board's Grievance Procedure or Harassment Policy.

5.3 Fair and Reasonable Treatment at Work

Employees are entitled to expect fair and reasonable treatment from their colleagues, managers and Board Members. If you feel that you have been unfairly treated or have been discriminated against, you are entitled to make use of the appropriate Board policies and procedures (e.g. Grievance Procedure, Disciplinary Procedure, or Harassment at Work Policy).

There may be rare occasions when an employee feels that they have been required by a colleague, a Board Member, a member of the public, or an organisation to act in a way which might be illegal, improper or unethical, or which is otherwise in conflict with the principles of this Code or the procedures of the Board. Employees are referred to the Board's Confidential Reporting ("Whistleblowing") Policy for dealing with such concerns, which includes the following steps:-

- Raise concerns with your immediate line manager/supervisor.
- If you feel you cannot discuss the matter with your line manager/supervisor then the matter should be reported to the Principal Administration Officer who acts as the Board's Confidential Reporting Officer, or directly to the Assessor & ERO.
- The Principal Administration Officer, following consultations as appropriate, with the Assessor & ERO or other Senior Officers, will determine what action should be taken.

6.0 Associated Documents

6.1 Readers are also referred to the following policies and procedures:-

- Financial Regulations
- Anti-Fraud and Corruption Policy
- Confidential Reporting ("Whistleblowing") Policy
- Disciplinary Procedure
- Grievance Procedure
- Recruitment and Selection: Policy and Procedures
- Harassment at Work Policy

A PROTOCOL FOR RELATIONS BETWEEN COUNCILLORS AND EMPLOYEES

(as issued in December 2021 by the Scottish Ministers, with the approval of the Scottish Parliament, as required by the Ethical Standards in Public Life etc.(Scotland) Act 2000 (the “Act”).

Definitions

The reference to ‘employees’ below covers all employees and officers of councils and all officers and employees of any other body or organisation to which a councillor is appointed or nominated by the Council.

The reference to ‘Convener’ below covers all committee chairs and portfolio leads.

The reference to ‘chief officers’ covers all Chief Executives, Directors and Heads of Service.

The reference to ‘committee’ also covers all forms of executive and scrutiny operating models.

Although the Board is not a Council, the protocol is still appropriate for Board Members and Board Employees and should be read in that context.

Principles

1. This protocol outlines the way in which councillors and employees should behave towards one another. It should be noted that while some scenarios are included, these are not exhaustive. The protocol should be treated, therefore, as applying in all situations where there is interaction between councillors and employees.
2. Councillors and employees should work in an atmosphere of mutual trust and respect, with neither party seeking to take unfair advantage of their position or influence.

Roles

3. Councillors are required to provide strategic leadership and oversight. This involves setting strategy and policy, scrutinising and making major, complex decisions that concern the Council as a whole. Councillors are not, however, responsible for operational management (being the planning, organising and execution involved in day-to-day activities) as this is the role of employees. Chief Executives and senior employees have ultimate responsibility to ensure that the Council meets its responsibilities.
4. Legally, employees are employed by the Council / other body and are accountable to it as an entity. Employees are responsible for serving the Council/other body as a whole, and not any particular political group, combination of groups or individual councillor. It is nevertheless appropriate for employees to be called upon to assist any political group in its deliberations or to help individual councillors fulfil their different roles (see the section on political groups below).

Office bearers

5. For the Council to perform effectively, it is important that there is a close professional working relationship between a committee convener and the director and other senior employees of any service reporting to that committee. However, such relationships should never be allowed to become so close, or appear to be so close, as to bring into question an employee's ability to deal with other councillors impartially, or the ability of a convener to deal with other employees impartially.
6. Conveners will have many dealings with employees. While employees should always seek to assist committee chairs, they are ultimately responsible to the relevant chief officer and not to any convener.
7. Conveners will often be consulted on the preparation of agendas and reports. Employees will always be fully responsible, however, for the contents of any report submitted in their name and will always have the right to submit reports to councillors on their areas of professional competence. The Convener does not have a right to veto this course of action.
8. Conveners are recognised as the legitimate elected spokesperson on their committee's area of responsibility. Where authority is delegated to employees, they may choose to consult the relevant convener about any action they propose to take. The employee nevertheless retains responsibility for the final decision (as long as the delegated authority remains in place).

Political groups

9. Most councils operate through a system of groups of councillors, many of them based on political affiliation. All employees must treat all political groups and individual councillors in a fair and even-handed manner and must maintain political neutrality at all times.
10. Employees can provide political groups with support (such as discussing matters with the convener and vice-convener before a committee meeting or presenting information to a group meeting). While, in practice, such support is likely to be most in demand from whichever political group is in control of the Council, it nevertheless should be available to all political groups. The advice given by employees to different party or political groups should be consistent.
11. Councillors and employees must act in accordance with the council's rules about the access and support to be provided to political groups (for example, that all requests must be approved by the Chief Executive).
12. Employee support for political groups must not extend beyond providing information and advice in relation to matters of council business. Employees should not be asked, or be expected, to be present at meetings or parts of meetings when matters concerning party business are being discussed. It is the responsibility of the convener of the political group meeting to ensure that all attending are clear on the status of the meeting and the basis on which any employees are present.
13. Councillors and employees must note that while political group meetings may form part of the preliminaries to council decision-making, political groups are not empowered to make decisions on behalf of the Council. Conclusions reached at such meetings are

not council decisions and it is essential that they are not interpreted or treated as such.

14. Employees can provide information and advice in relation to matters of council business to political groups. Employees are nevertheless responsible for ensuring that all necessary information and advice is still provided to the relevant committee or sub-committee when the matter in question is considered.
15. Political groups must recognise that information and advice given by employees should be used to enhance discussion and debate at council and committee meetings. Such information or advice should not be used for political advantage (for example by issuing media briefings before a decision is made), as doing so could devalue the decision-making process and can place employees in a difficult position.
16. Employees should take special care when providing information and advice to a meeting of a political group where other individuals who are not elected members of the Council are in attendance, as such individuals will not be bound by the Councillors' Code (and, in particular, the provisions concerning the declaration of interests and confidentiality).
17. Employees must treat any discussions with a political group or individual councillor as being strictly confidential.
18. Any difficulties or uncertainty about the extent of advice and information that can be provided to political groups should be raised with the Chief Executive (who should then discuss the matter with the group leader).

Councillors as local representatives

19. Councillors should ensure they act in accordance with the provisions of the Councillors' Code and this protocol when performing such a role. Elected members must recognise that, when performing their local representative role, they are representing the Council. Employees must treat all councillors fairly and openly in their role as local representatives.

Communications

20. Employees should not normally copy any communications they have with an individual councillor to any other councillor, unless they have been clear in advance that they intend to do so (or this has been agreed).

Human resource issues

21. Where councillors are involved in the appointments of employees they must act fairly and openly, and make decisions solely on merit.
22. Councillors should not become involved in issues relating to any individual employee's pay or terms and conditions of appointment, except while serving on a committee tasked with dealing with such matters.

Social relationships

23. The relationship between councillors and employees depends upon trust, which will be enhanced by the development of positive and professional relationships. While

councillors and employees may often find themselves in the same social situations, they should take care to avoid close personal familiarity as this can damage the relationship of mutual respect and the belief that employees can undertake their role in an impartial and objective manner. Councillors and employees should, therefore, be cautious in developing close personal friendships while they have an official relationship.

Public comment

24. Councillors and employees both have a responsibility to project a positive image of the Council and should avoid making any public comments that could bring it into disrepute.
25. Councillors should not raise any adverse matters relating to the performance, conduct or capability of employees in public. Employees must ensure they treat councillors with similar respect and courtesy.

Employees supporting councillors

26. Where councils arrange for employees to provide direct administrative or practical support for individual councillors to help them undertake their duties, particular considerations will apply. While councillors may ask employees to provide such support in a particular way, they must nevertheless remember that the employee is accountable to their line manager. Any issues about conflicting priorities, conduct or performance must be referred to the line manager.

Version History

Version	Status	Date	By
1	Approved	23/08/2019	GVJB
2	Approved	31/01/2025	GVJB