

Witham & Humber Drainage Boards.

**North East Lindsey, Upper Witham, Witham First District and Witham Third District
Internal Drainage Boards (IDBs).**

Employees' Code of Conduct.

1. Background.

- 1.1 The Code of Conduct for Employees is applicable for all staff of the 4 IDBs, irrespective of which Board holds an individual's contract, as in practice most people work across the group of 4 Witham & Humber drainage Boards. The purpose of this policy is to provide a common set of standards of behaviour and rules across the 4 Boards, to govern required standards of behaviour.
- 1.2 This Code of Conduct was approved on behalf of North East Lindsey, Upper Witham, Witham Third District and Witham First District IDBs' Joint Services Committee [a joint sub-committee of each of the 4 Boards] on Monday, 19th July 2021.
- 1.3 The Code of Conduct will be reviewed periodically, as new Guidance is issued to IDBs. It is based significantly but not exhaustively on the Association of Drainage Authorities' (ADA) guidance.
- 1.4 All employees working for the IDBs will be guided by the standards of behaviour set out in this Code but should note that it is not exhaustive. Employees should also read the ADA Lincolnshire Branch 'White Book' of terms and conditions manual and have regard to guidance therein. The examples of misconduct in both this Code of Conduct and the White Book are not exhaustive. Individuals will have regard to other relevant policies which set out aspects of required behaviour, e.g., the four Boards' Financial Regulations.
- 1.5 Employees have a duty to comply with the standards of behaviour and performance required by the 4 IDBs and to behave in a reasonable manner at all times.
- 1.6 A breach of the Code of Conduct may result in a disciplinary investigation and disciplinary action. A single instance of gross misconduct may result in dismissal without notice. Examples of misconduct, which the Boards will normally regard as gross misconduct, are included.

2. Introduction.

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

- 2.2 This Code of Conduct is to provide guidance for staff as to the general standards of behaviour required, the governing principle being that is incumbent on all staff to always behave in a reasonable manner, to promote a positive image of the IDBs and not to do anything which may bring the Boards into disrepute.
- 2.3 The Code of Conduct applies to the 4 Boards' employees. It does not apply to self-employed individuals or contractors working on the Boards' premises.

3. **Attendance & Timekeeping.**

- 3.1 Employees are required to fulfil their contracted hours, arriving at work promptly and completing work at their contracted finishing times. Working from home or flexible working arrangements will be discussed and agreed by line managers but, learning the lessons from the Covid-19 pandemic, the Boards will support flexible working arrangements and a hybrid of office-based working, working from depots, site visits and working from home. Achieving business continuity for the 4 Boards is key, the way in which people work and where to support this will be more flexible than pre-pandemic.
- 3.2 Employees are required to notify their line manager, by telephone, of any absence from the workplace at the earliest opportunity. This should not be by email or text message, but by speaking to their manager to ensure he/she is aware of the absence and the reason for it.
- 3.3 Employees should obtain authorisation for variations to their agreed usual start and finish times. Managers will seek to be flexible and authorise such, providing the needs of the service can be fulfilled and taking into account the frequency and nature of such requests.
- 3.4 The Boards reserve the right to withhold payment to employees in respect of working time lost because of poor timekeeping.
- 3.5 Persistent poor time keeping may be treated as misconduct.
- 3.6 Employees, in addition to good time keeping and ensuring that absences are notified and authorised, should not waste time whilst at work.

4. **Standards and Personal Conduct.**

- 4.1 Employees will maintain satisfactory standards of performance at work, although the objective of this Policy is not Capability & Performance, which is dealt with as a separate issue and Policy.
- 4.2 Employees are required to comply with all reasonable management requests and instructions.
- 4.3 Employees are required to co-operate fully with Members and other staff of the 4 IDBs and to maintain acceptable standards of professionalism and courtesy at all times.

- 4.4 Individuals will recognise that they present the public face of the 4 IDBs and, recognising the Boards have a duty to work in partnership with other Flood Risk Management authorities, they will co-operate to promote a positive public image of the Boards and good relationships with the Environment Agency, other IDBs, Lincolnshire County Council (the Lead Local Flood Authority), North East Lincolnshire Council [the Lead Local Flood Authority], North Lincolnshire Council [the Lead Local Flood Authority], all relevant District Councils, Town and Parish Councils, rate payers in the drainage districts and members of the public.
- 4.5 Employees will not deliberately take any action or behave in a way which would damage the reputation or standing of the IDBs. For the avoidance of doubt, employees of all 4 IDBs must not undermine the standing of any one or all four of the IDBs.
- 4.6 Employees will comply with the Boards' policies and procedures. For example, this includes Health and Safety policies and Financial Regulations of the 4 Boards.

5. **Press and Media.**

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

6. **Gifts and Hospitality.**

- 6.1 As public sector organisations, the 4 IDBs are required to have in place a policy on the acceptance of gifts and hospitality. The guidance for Members of the IDBs is included in the approved Members' Code of Conduct.
- 6.2 Employees should follow this guidance in the event that they are offered gifts and/or hospitality (whether or not they accept it, an offer is sufficient):
 - 6.2.1 Treat any offer made to them with caution, whether that be an offer of a gift, favour or hospitality. The employee will consider whether the person making the offer may be doing so in the context of seeking to do business with the IDB or is making such an offer in the hope or belief that this will influence the individual or Board to look favourably on some future decision which affects him/her or his/her business, or indeed the business of someone with whom he/she is connected.
 - 6.2.2 There are no absolute rules about the acceptance or refusal of hospitality or tokens of goodwill. For example, working lunches may be an appropriate way of conducting the 4 Boards' business, providing they are authorised by the Chief Executive and are proportionate (i.e., not extravagant).

- 6.2.3 In the same way, it may be reasonable for staff to represent the 4 Boards at a social function, awards ceremony or sporting event organised by outside persons or bodies. Again, employees will use their discretion as to proportionality of any such offer and the reasonable public perception of them accepting such hospitality. Again, employees will seek the approval of the Chief Executive prior to accepting such offers.
- 6.2.4 Each employee is individually responsible for their assessment of the appropriateness of accepting or declining an offer of gifts or hospitality and for avoiding the risk of damage to public confidence in the 4 IDBs. The offer and acceptance of gifts and hospitality, and the detail of all offers, will always be reported to the Chief Executive and entered by the relevant officer in the Gifts and Hospitality Register. It is the individual's duty to record such offers and acceptances, bearing in mind the proportionality and appropriateness of the gift/hospitality concerned and public perception and transparency.
- 6.2.5 When hospitality is declined, employees should inform those making the offer courteously and firmly of the standards operated by the 4 Boards, and it should be explained why the offer is not being accepted.
- 6.2.6 Employees should not accept significant personal gifts from contractors and outside suppliers.
- 6.2.7 The 4 Boards will allow employees to keep insignificant items of token value. Examples include pens, calendars and diaries. Such insignificant items do not need to be recorded in the Gifts and Hospitality Register. A general guide is a notional value of gifts with a value of under £25 being acceptable.
- 6.2.8 Employees may accept offers of hospitality through attendance at work related conferences and events where it is clear that the hospitality is corporate, rather than personal, and where the individual concerned is clear that attendance will not (and could not be construed to) compromise any purchasing decisions.
- 6.2.9 Where employees undertake visits to inspect equipment, suppliers or services the 4 Boards will meet the officers' reasonable expenses, e.g. travel expenses, to avoid jeopardising the integrity of subsequent purchasing/procurement processes and decisions.
- 6.3 When gifts and hospitality are offered and/or accepted, employees will follow this guidance and for their own protection, and that of the 4 Boards, they will enter the offer details in the Gifts and Hospitality Register maintained at Witham House. This will detail the date, individual, offer from whom, offer description, value (if known) and whether the offer was accepted/declined.

7. **Confidentiality.**

7.1 Employees have a duty of confidentiality in respect of information gained in the course of their employment about sensitive information held by any or all of the 4 IDBs, except where disclosure is required by law or in the proper course of their duties. Examples of such sensitive or personal information include commercial contracts, personal information and data relating to Members, colleagues or ratepayers. This duty to maintain confidentiality is whilst the individual is employed but it extends also to a duty of confidentiality after employment has terminated.

7.2 Employees will observe legislative requirements, national guidance and good practice on data capture, storage, retention and destruction, e.g., GDPR compliance and compliance with guidance from the Information Commissioner's Office in respect of the holding and retention of personal data. As guidance, data should be relevant, proportionate, necessary, timely, not excessive and retained for the purpose intended. Other specific data processing will comply with specific regulations, e.g., in the processing of card payments for the Boards' services [e.g., Drainage Rates income, consent fees].

8. **Conflicts of Interest.**

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

8.2 Employees must not engage in employment activities which conflict with the interests of any of the 4 Boards, or which might reasonably bring the Boards into disrepute.

8.3 Employees must have regard to the core business of the 4 Boards and must declare an interest when they have a direct or indirect personal or prejudicial interest.

9. **Flexibility.**

9.1 Employees may be required to work additional hours at short notice, in accordance with the business needs of the 4 IDBs.

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

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

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

10.1 The 4 IDBs will provide work clothing and Personal Protective Equipment (PPE) for all duties which staff are asked to perform (e.g., overalls, fleeces, boots,

waders, hard hats, gloves, waterproofs, eye goggles, reflective clothing), as appropriate. Learning from the Covid-19 pandemic, this PPE provision extends to all reasonable equipment to protect our staff e.g., face coverings, wipes, gloves and hand sanitiser.

- 10.2 Staff are required to wear appropriate clothing for the role in which they are employed, and that includes use of any PPE as instructed by the 4 Boards.

11 **Health & Safety.**

- 11.1 Employees have a general duty to look after their own safety and that of their colleagues in the workplace. The 4 IDBs have a duty to provide all staff with a safe working environment, governed by an appropriate Health and Safety Policy and Procedures, where safety is at the heart of how the 4 Boards' business is conducted and all employees are provided with a safe system of work.

- 11.2 Employees of the 4 Boards are required:

- 11.2.1 to observe the 4 Boards' Health and Safety procedures.
- 11.2.2 to ensure that appropriate health and safety equipment and clothing is used in accordance with the 4 Boards' health and safety procedures.
- 11.2.3 to report all accidents, however small, in accident books maintained by the 4 Boards at the 4 Depots and at Witham House.
- 11.2.4 to report and record near misses and hazards, using the 4 Boards' 'Near Miss and Hazard Alert' forms, maintained at the 4 Depots.
- 11.2.5 to ensure that, when working on customer or client sites, any additional, site-specific rules are always adhered to.

12. **Smoking.**

- 12.1 Smoking is not permitted in any of the Boards' buildings (office or depots) or in any of the Boards' vehicles. Smoking is deemed to include the use of vaporisers.

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

- 13.1 The consumption of alcohol or use of non-medical substances by employees is not permitted on the Boards' premises or during normal working hours, if off-site.
- 13.2 Staff should not report for duty apparently under the influence of such substances.
- 13.3 The Chief Executive may grant dispensations, e.g., staff Christmas lunches, providing staff are not returning to work duties after the consumption of alcohol.

14 **Property and Equipment.**

- 14.1 The Boards' telephone and postal systems should be used for the Boards' business, not for personal use.
- 14.2 Employees should only remove property and equipment from sites/premises for use on authorised business of the Boards, or with the express permission of the Chief Executive.
- 14.3 Employees must take due care of the Boards' assets and property and should take care not to damage it through misuse, carelessness or negligence. For example, if staff take home laptops, they should seek to prevent theft by taking all reasonable precautions, e.g., ensuring that if laptops are left in vehicles, the vehicle is locked, and the laptop should preferably be out of sight in the car boot.
- 14.4 Employees may use the internet and email systems for personal use, outside normal working hours (e.g. at lunchtimes) but the use must be proportionate. Excessive personal use of the internet or email systems is not permitted.
- 14.5 On termination of employment, employees must return all property belonging to the Boards such as keys, laptops, mobile telephones, vehicles, documents, banking on-line access keypads, ID badge etc. This list is not exhaustive.
- 14.6 All staff have a personal duty to protect the Boards' property and to exercise due diligence in this respect, e.g. ensuring income to the Boards is banked in timely fashion, ensuring that equipment left on site in the cutting season is secured (and away from public view where practicable) and returned to the depot promptly when works are complete.
- 14.7 In order to provide a cost-effective service, employees are requested to use the Boards' equipment, materials and services wisely. Employees should try to reduce wastage and the subsequent impact on the environment by ensuring that they close windows, avoid using unnecessary lighting or heating or leaving taps running, switch off equipment when it is not in use and handle all materials with care.

15. **Personal Details.**

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

16. **Misconduct.**

- 16.1 A breach of this Code of Conduct may amount to misconduct.
- 16.2 Employees should also have regard to the standards of behaviour required of them in the ADA Lincolnshire Branch 'White Book' of terms and conditions of employment.
- 16.3 Some types of behaviour will be treated as gross misconduct by the Boards. Such behaviour may result in dismissal without notice. The following list provides examples of such behaviour, but is illustrative rather than exhaustive:
- 16.3.1 actual assault, acts of violence or aggression.
 - 16.3.2 breach of duty of confidentiality, including the unauthorised disclosure of business to the media or third party.
 - 16.3.3 bringing one or more of the Boards into dispute.
 - 16.3.4 falsifying records of one or more of the Boards.
 - 16.3.5 gambling, bribery and corruption.
 - 16.3.6 possession, use of or being under the influence of alcohol on the Boards' premises, or during normal working hours if off-site.
 - 16.3.7 possession, use of or being under the influence of non-medical substances on the Boards' premises or during normal working hours if off-site.
 - 16.3.8 refusal to carry out reasonable management instructions.
 - 16.3.9 a serious breach of the health and safety policies and procedures.
 - 16.3.10 serious or gross negligence.
 - 16.3.11 serious insubordination.
 - 16.3.12 sleeping during working hours.
 - 16.3.13 theft, dishonesty or fraud.
 - 16.3.14 unacceptable use of obscene or abusive language.
 - 16.3.15 unauthorised accessing or use of computer data or hardware.
 - 16.3.16 unauthorised copying of computer software.
 - 16.3.17 unlawful discrimination, including acts of indecency or harassment (including breaches of Equal Opportunities legislation).
 - 16.3.18 wilful damage to property of the Boards, employees, ratepayers and clients.

17. **Review.**

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

It will in any event be reviewed within 3 years of the approval date of July 2021.