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**CODE OF CONDUCT**

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**INTRODUCTION**

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# This Code of Conduct has been developed by East Ayrshire Leisure taking account of COSLA’s National Code of Conduct for Local Government Employees.

# The public expects a high standard of conduct from all East Ayrshire Leisure employees. This Code, which is based on the recommendations of the Nolan Committee on Standards of Conduct in Public Life, sets out the minimum standards East Ayrshire Leisure expects of you as an East Ayrshire Leisure employee.

# There is also a national Code of Conduct for Councillors approved by the Scottish Parliament and enforced through the Standards Commission for Scotland and it is adopted here insofar as it relates to the conduct of employees.

# The purpose of this Code is to provide you with clear advice and guidance about your rights and your duties at work. It does not affect your rights and your responsibilities under the law or East Ayrshire Leisure duty of care to you as an employee.

# Employees involved in processing applications for services or resources, licences or statutory consents and those involved in the procurement of goods and services, need to be particularly vigilant in complying with the Code.

Accordingly, where you are in any doubt that any action you take may involve a conflict of interest you should err on the side of caution and take advice from the Chief Executive of East Ayrshire Leisure before proceeding.

# Should you have any other enquiries arising from the Code you should contact your Line Manager in the first instance for guidance. You can also contact the Employee Relations Section of East Ayrshire Council’s Human Resources Service.

# As East Ayrshire Leisure provides a wide range of services, some sections of the Code may be more relevant to some employees than others. The Code applies to all employees and all employees must comply with the Code at all times. Some employees are also subject to the provisions of a Code of Conduct produced to meet the requirements of a professional body such as the Scottish Social Services Trust (SSSC). These requirements are in addition to the requirements of this Code.

# Any breach of the Code will be investigated and dealt with under East Ayrshire Leisure’s Disciplinary Policy and Procedures and may give rise to disciplinary action. The Disciplinary Policy and Procedures give some examples of misconduct likely to result in disciplinary action being taken. You should also comply with the Code where you are appointed as a representative of East Ayrshire Leisure on any Organisation, Trust or Company.

# All employees must comply with all relevant East Ayrshire Leisure policies and procedures at all times whether or not they are expressly referred to in this Code.

# The Code incorporates “The Seven Principles of Public Life” identified by the Nolan Committee on Standards in Public Life. These are listed on the following page, altered slightly to place them in a public body context.

#### PRINCIPLES

**THE SEVEN PRINCIPALS OF PUBLIC LIFE**

### 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 East Ayrshire Leisure’s best interests.

### Integrity

You should not place yourself under any financial or other obligation to an individual or an organisation which might influence you in your work with East Ayrshire Leisure.

### Objectivity

Any decisions which you make in the course of your work with East Ayrshire Leisure, including making appointments, awarding contracts, or recommending individuals for rewards or benefits, must be based solely on merit.

### Accountability

You are accountable to East Ayrshire Leisure as your employer, East Ayrshire Leisure, 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 your decisions and should not restrict information unless this is clearly required by East Ayrshire Leisure policy or by the law.

**Honesty**

You have a duty to declare any private interests which might affect your work with East Ayrshire Leisure.

### Leadership

If you are a Manager, you should promote and support these principles by your leadership and example.

**The Scottish Public Services Ombudsman (SPSO) will use the National Code as a benchmark of good practice where a complaint of maladministration has been made.**

1. RELATIONSHIPS

1.1 THE PUBLIC

You may have contact with members of the public as users of services, clients or citizens. You should always be courteous and helpful. You should deal fairly, equitably and consistently with each member of the public and you must follow the East Ayrshire Leisure’s Equal Opportunities Policy. A copy of this Policy is available from East Ayrshire Council’s Human Resources Service.

East Ayrshire Leisure’s Customer First Service Commitment sets out the standards of customer care expected from East Ayrshire Leisure employees and you should adhere to these guidelines in all your dealings with customers and members of the public. Details of the Customer First Service Commitment are available from your Line Manager.

1.2 TRUSTEES

The National Code of Local Government Conduct gives the following guidance on the relationship between Trustees and employees –

“Both Trustees and employees are servants of the public and they are indispensable to one another. But their responsibilities are distinct. Trustees serve as long as their term of office lasts. Employees are responsible to East Ayrshire Leisure. Their job is to give advice to Trustees and East Ayrshire Leisure, and to carry out East Ayrshire Leisure’s work under the direction and control of East Ayrshire Leisure, their committees and sub-committees.”

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

This guidance is adopted from the National Code of Conduct and the principles apply equally to relationships between Trustees and employees within East Ayrshire Leisure.

1.3 CONTRACTORS

You must be fair and impartial in your dealings with contractors, sub-contractors and suppliers.

If it comes to your knowledge that a contract in which there is a personal interest, whether direct or indirect (not being a contract to which you are party) has been or is proposed to be, entered into by East Ayrshire Leisure you shall, as soon as practicable, give notice in writing to the Chief Executive of East Ayrshire Leisure of the personal interest therein.

If you are an employee who has both a “client” and “contractor” responsibility in the tendering process, you must observe the requirement for accountability and even-handedness in undertaking these two roles.

If you are involved through your role in East Ayrshire Leisure with engaging the services of any contractor either directly or indirectly to undertake work for East Ayrshire Leisure, and that contractor has in the past or may in the future be engaged by you to undertake work for you personally, you must declare your use of the contractor to the Chief Executive of East Ayrshire Leisure. The Employee Register of Interest form, enclosed here at Appendix B, must be completed and you must comply with the decision of the Chief Executive of East Ayrshire Leisure in accordance with Section 14 of this Code of Conduct. You must ensure that you do not receive any benefit or enhancement from the contractor as a result of the Trust’s relationship with the contractor.

If you have access to confidential information on tenders or costs for either internal or external contractors you must not disclose that information to any unauthorised individual or organisation.

1.4 COLLEAGUES

All employees should work together in the best interests of service users.

Employees should respect each other, their beliefs and opinions and behave in a fair and reasonable manner toward all others in the execution of their duties. Employees must comply with all reasonable requests made of them by their managers in the fulfilment of their duties and in compliance with East Ayrshire Leisure’s policies and procedures. In particular East Ayrshire Leisure’s policy and procedures on Harassment and Bullying and its Disciplinary Policy and Procedures apply and can be referred to for examples of conduct which is unacceptable.

2. CONFLICTS OF INTEREST

As an East Ayrshire Leisure employee you must not allow any private interest to influence your decisions.

You must not use your position in a paid or unpaid basis to further your own interests or the interests of others who do not have a right to benefit under East Ayrshire Leisure’s policies.

You may have a private interest which relates to the work of East Ayrshire Leisure. That interest may be a financial one or one which 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 East Ayrshire Leisure. In the course of your normal working day, you should not promote a personal business interest or those of others and all such interests must be declared in writing to the Chief Executive of East Ayrshire Leisure.

If you are a member of an organisation or a club, and membership might result in a conflict of interest in relation to any aspect of your work with East Ayrshire Leisure, you must declare this membership to the Chief Executive of East Ayrshire Leisure. This applies equally to membership of organisations or clubs which are not open to the public.

The Employee Register of Interest form, enclosed here at Appendix B, must be completed and you must comply with the decision of the Chief Executive of East Ayrshire Leisure in accordance with Section 16 of this Code of Conduct.

3. OPENNESS AND DISCLOSURE OF INFORMATION

East Ayrshire Leisure’s decision making process must be transparent and open. East Ayrshire Leisure must, by law, provide the public with clear and accessible information about how it operates.

Legislation governs how information is managed and the circumstances under which it can be disclosed e.g. the Freedom of Information (Scotland) Act 2002 and the Data Protection Act 1998 as amended.

There are some exceptions to the principle of openness where confidentiality is involved, and information may be withheld, for example, if it would compromise a right of personal or commercial confidentiality. This does not apply where there is a legal duty to provide information. Exceptions to the requirement to disclose information are rare.

It is your responsibility to ensure that you know whether the information available to you during the course of your employment with East Ayrshire Leisure may be disclosed to the public. If you require further clarification on this matter you must contact your Line Manager or East Ayrshire Council’s Freedom of Information representative before taking any action.

 East Ayrshire Leisure has an effective complaints procedure in place for the public to use when things go wrong. You must comply with East Ayrshire Leisure’s complaints procedures which are available from your Line Manager.

4. WORK OUTSIDE EAST AYRSHIRE LEISURE

With the exception of the Chief Executive of East Ayrshire Leisure, where separate arrangements apply requiring them to obtain the express consent of the Chair of the Board of Trustees if they wish to undertake paid work outwith East Ayrshire Leisure, no restriction shall be placed on employees undertaking other work of a paid or unpaid nature outwith normal working hours, provided:

* the additional work does not interfere with or impair the employee’s ability for the efficient execution of duties within East Ayrshire Leisure’s service;
* any work carried out does not involve the employee using trust vehicles, plant, premises, equipment, materials or any other East Ayrshire Leisure resources (both on and off site);
* any work carried out is not undertaken while the employee is in an East Ayrshire Leisure uniform or where the employee can be identified clearly as being an employee of East Ayrshire Leisure whilst undertaking this work e.g. wearing of East Ayrshire Leisure identification and this work does not extend into East Ayrshire Leisure time;
* no employee undertakes work for a private client to prepare any applications, drawings, reports or other documents which will be submitted to East Ayrshire Leisure for the purpose of obtaining any licence, consents, warrant, or other form of statutory permission on behalf of that client;
* any work does not involve the employee in exceeding the average weekly limit under the Working Time Regulations.

All employees may accept invitations to make presentations at seminars or similar events or undertake lectures appropriate to their professional qualifications. Where such lectures are given outwith normal office hours any fees may be retained. For lectures given within normal office hours, any fees received, excluding out of-pocket expenses, shall be paid to the Trust or the time off must be set against the employee’s annual leave entitlement.

Employees who participate in Community Emergency Services, e.g. retained fire-fighters, etc., will be granted paid leave of absence to attend emergencies which occur within normal working hours.

5. GIFTS AND HOSPITALITY

Employees of East Ayrshire Leisure are occasionally placed in a position where they have to decide whether or not to accept offers of gifts or hospitality from organisations or businesses associated with East Ayrshire Leisure. Often these can come from people who wish to become associated with East Ayrshire Leisure or who already have commercial links with East Ayrshire Leisure.

It is recognised that the offer of gifts or corporate hospitality can often be a normal part of business for some organisations. On the other hand, there have been instances elsewhere where inappropriate acceptance of gifts or hospitality has prejudiced or has been perceived to prejudice the decision making and good name of public sector organisations. This code offers guidance to employees faced with making a decision on whether or not to accept gifts or hospitality.

Whilst not wishing to enforce regulations which are over rigid and do not take account of individual circumstances, it is imperative that the reputation of East Ayrshire Leisure and its standing in the community be protected at all times. This will always be the prime consideration in any decision regarding the acceptance of gifts or hospitality by employees. You should therefore consider carefully all offers of gifts and hospitality and, if in doubt, err on the side of caution. Where you decline a gift or an offer of hospitality you should do so politely and inform the person making the offer of the procedures and standards operating in East Ayrshire Leisure. It is not acceptable to accept repeated gifts or hospitality from the same source.

You are personally responsible for all decisions made relating to offers of gifts or hospitality that you receive in the course of your employment. If in doubt as to the proper course of action to take, you should seek the advice of your line manager. However, it must be stressed that the responsibility for any decision to accept an offer remains with yourself even where you receive advice or authorisation to accept, so if you continue to have doubts you should decline the offer.

5.1 GIFTS

5.1.1 The general rule should be to refuse, tactfully, offers of gifts from businesses, organisations, or individuals who are associated, or wish to be associated, with East Ayrshire Leisure commercially. Gifts should also be refused from organisations or individuals who are seeking, or at some stage in the near future may reasonably be expected to seek, a particular decision or action from East Ayrshire leisure.

It is important to note that in the context of the Code of Conduct the term ‘gifts’ is defined not only as goods or items that have more than a nominal monetary value but also as the provision of services ( professional, technical, financial etc) which again would have more than a nominal monetary value if supplied on a commercial basis.

Additional consideration should be given to the following areas where exceptions can apply:

Twinning Gifts

The clear exception to the above guidelines is in relation to twinning gifts or gifts from overseas visitors or civic dignitaries. It is accepted that the offer of gifts by these individuals is normal practice and to refuse them could have a negative impact on the image of East Ayrshire Leisure.

Community Events

Where an officer undertakes a particular task relating to a community based event such as a School Prize Giving, Gala Day or Fête opening or Scout or Boys Brigade Inspections then a gift or hospitality can be accepted as to refuse would be likely to cause offence and would adversely affect East Ayrshire Leisure’s civic role.

Promotional Goods

Another exception to the general presumption to refuse gifts relates to modest gifts of a promotional nature. Calendars, diaries, stationery, pens etc. are often offered. These gifts can be accepted where they are clearly promotional goods and have only modest value.

5.2 HOSPITALITY

5.2.1 As with Gifts, the general rule should be to refuse, tactfully, offers of hospitality from businesses, organisations, or individuals who are associated, or wish to be associated, with East Ayrshire Leisure commercially. Hospitality should also be refused, from organisations or individuals who are seeking, or at some stage in the near future may reasonably be expected to seek, a particular decision or action from East Ayrshire Leisure. However, hospitality and entertaining are normal business activities in particular sectors and indeed, East Ayrshire Leisure itself is likely to engage in corporate entertaining on occasion. Clearly the decision on whether or not to accept such offers is a matter of judgement on the individual case but the following considerations should be made:

* Is the level of hospitality offered reasonable?
* Is corporate hospitality a normal part of the business of the company or organisation?
* Is similar hospitality being offered, or has it been offered in the past, to colleagues in other Council’s or Leisure Trusts?
* Is there an opportunity to promote East Ayrshire Leisure’s image or standing in the community or in the business sector by accepting the hospitality?
* Will the acceptance of hospitality prejudice, in any way, the good standing and reputation of the Trust in the community and in the public eye?
	+ 1. It is unlikely that there will ever be a situation where offers of hospitality which involve a significant amount of paid travel or residential stays for leisure purposes would ever be acceptable.

5.3 REGISTER OF OFFERS OF GIFTS OR HOSPITALITY

5.3.1 The action of East Ayrshire Leisure in respect of offers of gifts or hospitality should be open to public scrutiny at all times. All offers of gifts or hospitality should be recorded on a copy of the attached form (see Appendix A) and should be forwarded to the Chief Executive of East Ayrshire Leisure to enable them to be held centrally. These forms will be available to the public and Trustees on request. Any offers which are declined should also be recorded.

5.4 ROLES AND RESPONSIBILITIES

5.4.1 It is the responsibility of all Managers to ensure that employees within their section, at all levels, are aware of these guidelines on offers of gifts or hospitality and aware of the need to complete the register.

5.5 GENERAL PRINCIPLES AND CONSIDERATIONS

5.5.1 The following principles should be considered at all times when deciding whether or not to accept a gift or hospitality.

* Will the reputation of East Ayrshire Leisure and its standing in the community be enhanced or diminished as a result of accepting or rejecting the offer?
* Could you easily justify your decision to East Ayrshire Leisure, press, or the public?
* Is the offer of the gift or hospitality part of the normal business practice of the company, organisation, or individual?
* Has a similar offer ever been made to and accepted by colleagues in Councils or other Leisure Trusts?
* Is the motivation behind the invitation or offer absolutely clear?
* Could any decision of East Ayrshire Leisure either now or in the future be prejudiced in any way by the acceptance or otherwise of the offer?
* Is the extent of the hospitality or the nature of the gift reasonable and appropriate?
* Is the company or organisation involved in the procurement process for East Ayrshire Leisure business or support on which decisions will be taken in the immediate future?

5.5.2 Where an employee is in any doubt about the acceptance of hospitality then they should raise the matter with the Chief Executive of East Ayrshire Leisure.

6. BRIBERY AND CORRUPTION

It is a serious criminal offence under the provisions of the Bribery Act 2010 to participate in any act of ‘active’ bribery (that is offering, promising or giving a bribe) or ‘passive’ bribery (that is requesting, agreeing to receive or accepting a bribe) in the course of your work with the East Ayrshire Leisure.

It is important for you to understand that it is a very serious criminal and disciplinary offence to behave in a corrupt manner in the course of discharging your duties for East Ayrshire Leisure. That is to dishonestly exploit in any way the responsibilities and powers of the post you hold with East Ayrshire Leisure for your own personal gain.

If you become aware of any act of bribery or corruption within East Ayrshire Leisure or in any organisation wholly or partly funded by East Ayrshire Leisure you must report it immediately to an appropriate senior officer. Alternatively, you may report it under the provisions of East Ayrshire Leisure’s Whistleblowing Policy.

The Whistleblowing Policy can be obtained from East Ayrshire Council’s Human Resources Service.

7. USE OF EAST AYRSHIRE LEISURE EQUIPMENT AND RESOURCES

East Ayrshire Leisure is required by law to achieve value for money by ensuring that it has arrangements for securing economy, efficiency and effectiveness in the delivery of services. You and your colleagues serve the public, and you must remember this principle when you use East Ayrshire Leisure equipment, materials and resources, in order to ensure value for money.

It is important that you are aware that unauthorised use of East Ayrshire Leisure vehicles, plant, premises, equipment, materials or any other East Ayrshire Leisure resources is a serious disciplinary offence. Personal use of such East Ayrshire Leisure resources is not permitted except where expressly exempted e.g. use of East Ayrshire Leisure computers to access the internet during breaks in accordance with the IT Acceptable Use Policy. Nor can any employee source, price or order goods and materials for personal use or any other non-East Ayrshire Leisure business through any East Ayrshire Leisure procurement employees or processes, including Store employees.

Employees must not use any East Ayrshire Leisure resources in any outside work.

8. I.T. SECURITY

East Ayrshire Leisure has developed an ‘Acceptable Use Policy’ governing the Personal Use of Communications Systems’ which provides guidance on the use of the internet, email and telephony at work to minimise East Ayrshire Leisure’s exposure to these risks; explains what users can and cannot do; provides information on all monitoring systems in use; explains the consequences for users and East Ayrshire Leisure if users fail to follow the rules set out in the Policy and provides basic housekeeping guidelines and recommendations. All use of the East Ayrshire Leisure’s Communications Systems must be in accordance with the Acceptable Use Policy at all times.

The main aspects of the Policy are summarised as follows:-

* **All employees have access to the Internet, East Ayrshire Leisure’s e-mail system and have the ability to email outwith East Ayrshire Leisure.**
* **All employees have access to the East Ayrshire Leisure’s telephone network.**
* **Employees will not be charged for personal use of Internet access or the East Ayrshire Leisure’s e-mail system but will reimburse East Ayrshire Leisure for personal telephone and fax use.**
* **Other than in cases of emergency, personal use of these facilities will be restricted to meal breaks and/or pre and post-normal working day. These restrictions also apply to the use of personal mobile phones.**
* **The Chief Executive of East Ayrshire Leisure or nominee retains the right to deny or withdraw Internet and/or email access at any time.**
* **All Internet access will be automatically monitored with monthly usage reports issued to the Chief Executive of East Ayrshire Leisure as appropriate.**
* **All external and internal e-mails will be automatically monitored with monthly usage reports highlighting inappropriate use issued to the Chief Executive of East Ayrshire Leisure or nominee as appropriate.**
* **All employees are required to agree that they accept the ‘Acceptance and Declaration Guidelines’ whenever they switch on their East Ayrshire Leisure computer or laptop.**

A user handbook to supplement the Policy is available from East Ayrshire Council’s Corporate Infrastructure section which details employee responsibilities in the following areas:

♦ Inappropriate or malicious use of East Ayrshire Leisure’s resources

♦ Internet, email and telephone (including mobiles and faxes) usage

♦ Privacy and Monitoring

♦ Responses to Breaches of Policy

♦ Housekeeping issues

♦ Passwords

♦ Security and Asset security

♦ IPaq Security

♦ UBS Flash Drive Security

You should adhere to the Policy in your use of East Ayrshire Leisure’s computer equipment. Failure to do so may lead to disciplinary action being taken.

9. APPOINTMENTS

East Ayrshire Leisurehas a Recruitment and Selection Policy and Procedures which sets out the basic principles which must be taken into consideration to enable East Ayrshire Leisure 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. A fundamental principle of East Ayrshire Leisure’s Policy is that all employees involved in the process will be appropriately trained. Accordingly, if you have not received training in East Ayrshire Leisure’sRecruitment and Selection Policy and Procedures you should not participate in the interview process.

If you are involved in the appointment process and have a personal relationship with an applicant which could be deemed to affect your impartiality, you should declare your possible interest to your supervisor, with a view to being excluded from the selection process.

Canvassing of Trustees or employees of East Ayrshire Leisure, directly or indirectly shall disqualify the candidate.

All appointments must be made on the basis of merit.

Copies of the Recruitment and Selection Policy and Procedures are available from East Ayrshire Council’s Human Resources Service.

10. CONTACTS WITH THE MEDIA

In your work with East Ayrshire Leisure you should not have contact with the media unless such contact is authorised by the Chief Executive of East Ayrshire Leisure or nominee.

If you are contacted by a member of the media regarding the business of East Ayrshire Leisure you should politely decline to comment and refer the matter to the Chief Executive of East Ayrshire Leisure or nominee.

This procedure is in your own interests and will protect you.

11. POLITICAL NEUTRALITY

The public expects you to carry out your duties in a politically neutral way and this must be respected by Trustees of East Ayrshire Leisure. The political activities of a small number of employees are restricted by law.

You must serve East Ayrshire Leisure and all Trustees, regardless of their political outlook, in accordance with this principle. The Chief Executive and senior managers have ultimate responsibility to help ensure that the policies of East Ayrshire Leisure are implemented. You must implement the policies of East Ayrshire Leisure irrespective of your personal views.

If you are asked by a Trustee to provide assistance with a matter which is clearly party political or which does not have a clear link with the work of East Ayrshire Leisure, you should politely refuse and inform the Trustee that you are referring the matter to the Chief Executive of East Ayrshire Leisure.

12. APPEARANCE AT WORK

All employees in the course of their duties should not wear or display anything that might place the commitment to equality in the provision of East Ayrshire Leisure services in jeopardy, cause offence or indeed encourage factionalism within East Ayrshire Leisure or within the wider community.

In particular, in order to ensure the above objectives are met, all employees while at work or attending any work related functions held outside of normal working hours either on or off East Ayrshire Leisure’s premises should not wear any football colours or emblems. In addition, they should not wear any insignia, monogram or regalia that are indicative of membership of or support for any club or society, whether private or public which may be viewed as causing offence or prejudice.

Whilst East Ayrshire Leisure does not have a formal dress code, all East Ayrshire Leisure employees are expected to have a presentable appearance at work. This is important because no matter their job role, as they go about undertaking their duties, they will be viewed by the general public as being representatives of East Ayrshire Leisure. Therefore, the appearance of East Ayrshire Leisure employees is very important in determining the perceptions and impressions that the public has of the values of East Ayrshire Leisure and those to which it aspires.

An integral part of those values is the intention on the part of East Ayrshire Leisure to create and maintain an identifiable appearance that reflects sensitivity to the various social and cultural strands within East Ayrshire.

The general public must be able to perceive in the appearance of an employee nothing that might undermine the notion that East Ayrshire Leisure has a commitment to equality in the provision of its services to all citizens within East Ayrshire.

East Ayrshire Leisure will ensure that the implementation of this provision will be fully compliant with its strategy for equality and diversity both as an employer and a deliverer of services.

13. USE OF SOCIAL NETWORKING MEDIA

This section of the Code provides guidance on the use of social networking sites to ensure that employees are aware of the consequences of any potential misuse.

This guidance applies to the use of Social Networking Sites in all circumstances, even when the employee is not at work. For reasons outlined below, East Ayrshire Leisure has valid reasons in this context to be concerned about an employee’s conduct outwith normal working hours.

The use of online social networking media has grown over the past few years and employees of East Ayrshire Leisure are using a number of social networking sites e.g. Facebook, Twitter, Bebo, Friendster etc.

Employees have a right to a personal life and provided they do not breach reasonable conduct guidelines, this is respected by East Ayrshire Leisure. However, East Ayrshire Leisure may have valid concerns about the way employees conduct their personal lives with regard to breaches of confidentiality or bringing East Ayrshire Leisure into disrepute for example by making derogatory statements about East Ayrshire Leisure, fellow employees or others such as service users etc or by posting material which although not directly concerning East Ayrshire Leisure could still be reasonably considered to be offensive, defamatory or discriminatory. This is the same whether any misconduct happens online or offline.

The positive aspects of social networking sites include creating and developing work-related relationships; keeping in contact with relatives; research and communication.

Employees must not post online using a social network site anything which could constitute a negative and damaging communication about East Ayrshire Leisure, work colleagues or service users. Such action could be regarded as bringing East Ayrshire Leisure into public disrepute and may result in disciplinary action being taken against them.

Similarly if an employee uses a social network site to defame, harass, create a hostile work environment or post any discriminatory material about work colleagues then this may be regarded as bullying and harassment which could also result in disciplinary action being taken against the employee concerned.

Employees therefore need to reflect on what they say online about East Ayrshire Leisure or work colleagues before actually posting any information.

A number of East Ayrshire Leisure employees, in the course of their duties, will have access to sensitive and confidential information including personal details of a member of the public who is using the services of East Ayrshire Leisure. On no account, should an employee ever disclose any such sensitive or confidential information or make reference of any type about a service user on a social networking site and any failure to comply with these requirements may also result in disciplinary action being taken against the employee concerned.

A number of East Ayrshire Leisure employees come into contact with the public in the normal course of their employment. Their job may require them to be able to engender a degree of trust and confidence from the members of the public or client group with whom they deal. Employees in this situation therefore should consider carefully the ‘persona’ they wish to portray on a social networking site. In particular, any offensive, defamatory or discriminatory content which would, or would be likely to, damage East Ayrshire Leisure’s reputation and/or would, or would be likely, to have an adverse impact on the mutual trust and confidence which is essential to every contract of employment may lead to disciplinary action against the employee concerned, even where the content may not specifically be about East Ayrshire Leisure, its employees or service users.

In summary when using social network sites, all employees should at all times be aware of their continuing responsibilities to East Ayrshire Leisure.

14. YOUR RIGHTS AS AN EMPLOYEE

14.1 PUBLIC STATEMENTS

As a citizen you are entitled to express your views about East Ayrshire Leisure, provided you do not make use of any confidential information gained through your work with East Ayrshire Leisure. But you should not, in your work capacity, criticise East Ayrshire Leisure either through the media, at public meetings or in any written communication with members of the public.

14.2 ACCESS TO YOUR COUNCILLOR OR TRUSTEE

As a citizen, you are entitled to raise with your Councillor or Trustee any complaint which you have about the services of East Ayrshire Leisure. If your complaint concerns any aspect of your work with East Ayrshire Leisure, however, you must make use of the East Ayrshire Leisure’s Grievance Procedure. A copy of the Grievance Procedure is available from East Ayrshire Council’s Human Resources Service.

14.3 FAIR AND REASONABLE TREATMENT AT WORK

You are entitled to expect fair and reasonable treatment from your colleagues, Managers and from Trustees. If you feel that you have been unfairly treated or have been discriminated against, you are entitled to make use of the East Ayrshire Leisure’s procedures. Copies of the Grievance Procedure and Harassment and Bullying Policy and Procedures are available from East Ayrshire Council’s Human Resources Service.

There may be rare occasions when you have a concern relating to some danger, fraud or other illegal or unethical conduct connected with the workplace, be it of a colleague, a Trustee, a member of the public or another organisation. To allow you to raise confidentially within East Ayrshire Leisure issues such as these, the East Ayrshire Leisure has approved a Whistleblowing Policy. A copy of the Whistleblowing Policy is available from the East Ayrshire Council’s Human Resources Service.

15. OTHER EAST AYRSHIRE LEISURE POLICIES AND PROCEDURES

In considering the obligations and responsibilities placed on you by this Code of Conduct you should have regard to other East Ayrshire Leisure policies and procedures including:-

* Disciplinary Policies and Procedures
* Financial Regulations
* Scheme of Delegation and Administration
* Whistleblowing Policy
* Recruitment and Selection Policy
* The Equal Opportunity Policy and Equality Schemes
* Harassment and Bullying Policy and Procedures

Copies of these Policies and Procedures are available from East Ayrshire Council’s Human Resources Service

16. DECLARATION OF INTEREST

Any declaration of interest in relation to any part of this Code of Conduct should be made to the Chief Executive of East Ayrshire Leisure. You and the Chief Executive of East Ayrshire Leisure must complete the Employee Register of Interest form, a copy of which is produced here at Appendix B. You will agree the appropriate course of action with the Chief Executive of East Ayrshire Leisure who will sign and retain the form. You shall comply with the decision made. In the event that you are not satisfied with the decision of the Chief Executive of East Ayrshire Leisure you will require to raise your dissatisfaction through the Trust’s Grievance Procedure.

East Ayrshire Leisure

July 2013**Appendix A**

**GIFTS AND HOSPITALITY RECORD**

|  |  |
| --- | --- |
| **Name** |  |
| **Designation** |  |
| **Name of company or organisation offering hospitality or gift**  |  |
| **Nature of hospitality or gift** |  |
| **Date, Venue & Event (if relevant)** |  |
| **Whether or not accepted** |  |
| **Any other relevant information** |  |
| **Your signature** |  |
| **Chief executive’s signature** |  |
| **Date** |  |

Completed forms should be returned to EALeisure-CorporateAdmin@eastayrshireleisure.com

**Appendix B**

**CODE OF CONDUCT**

**DECLARATION OF INTERESTS**

**I declare an interest in East Ayrshire Leisure’s business under the following sections of the Code of Conduct. Please tick the appropriate box:**

**Section 1.3 Contractors**

**Section 2 Conflicts of Interest**

**Section 4 Work outside East Ayrshire Leisure**

|  |
| --- |
| Description of East Ayrshire Leisure work to which your declaration relates: |
| Signed: ................................................................... Date: .....................................................Print Name: ............................................................Section: ........................................................... |
| Chief Executive or nominee:I confirm that the above employee has made full disclosure to me of the above issues and the following action has been agreed: Employee to cease all involvement in the activity Employee to continue involvement in the activitySigned: ....................................................................... Date: ..........................................Designation: ............................................................... |

|  |
| --- |
| **For Departmental use only:** |
| Date Received |  |
| Reference Number |  |

**Appendix C**

**LIST OF RELEVANT CONTACTS**

Detailed below is a list of relevant Officers for employees to contact in relation to the following -

 **General Enquiries and Enquiries relating to Recruitment and Selection**

**Managerial Contacts**

**Paul McGowan**
Head of Human Resources
East Ayrshire Council Headquarters
London Road
Kilmarnock
KA3 7BU

Telephone: 01563 576227

Paul.McGowan@east-ayrshire.gov.uk

Jackie Biggart
Head of Corporate Services
East Ayrshire Leisure
Dower House

Dean Castle Country Park
Kilmarnock
KA3 1XB

Telephone: 01563 554057

Jacqueline.Biggart@eastayrshireleisure.com

**Human Resources Officers**

Aynsley Gourlay
East Ayrshire Council
Human Resources
Opera House
John Finnie Street
Kilmarnock
KA1 1DD

Telephone: 01563 576643

Aynsley.Gourlay@east-ayrshire.gov.uk

|  |  |
| --- | --- |
| **Freedom Of Information Enquiries**Jackie BiggartHead of Corporate ServicesEast Ayrshire LeisureDower HouseDean Castle Country ParkKilmarnockKA3 1XBTelephone: 01563 554057Jacqueline.Biggart@eastayrshireleisure.com | **Customer Service Enquiries**Dianne ReidMarketing and Development ManagerEast Ayrshire LeisureDower HouseDean Castle Country ParkKilmarnockKA3 1XBTelephone: 01563 554331Dianne.Reid@eastayrshireleisure.com |