

Title	Code of Conduct
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Version	Date	Description
0.1		Inherited policy
1.0	January 06	Policy updated for HEFCW
	Jan08	Policy updated to reflect OD, style guide and EIA

### 1. Foreword

2. Duties and Responsibilities
3. Accountability
4. Conflicts of Interest
5. Integrity
6. Relations with the Public
7. Use of Resources
8. Official Information
9. After Leaving Employment

### 1. Foreword

- 1.1 This Code of Conduct for staff of HEFCW is based on the Model Code of Conduct for Staff of Executive Assembly Sponsored Public Bodies, prepared by the National Assembly for Wales (Assembly Compliance Office). HEFCW's code is adapted to take account of the particular characteristics and circumstances of its operation and has been agreed with the National Assembly for Wales.

1.2 This Code does not have the force of law, but it is based on legal principles covering the liability of staff of public bodies and derives from best practice in public affairs. This Code is part of the terms and conditions applicable to all employees of HEFCW, breaches of which may be the subject of disciplinary action. The Code itself is a public document provided to all members of staff and to Council members and is available to members of the general public on request.

## **2. Duties and responsibilities**

2.1 The staff of HEFCW should at all times act in the public interest. They have a responsibility to act fairly, objectively and in good faith. They should familiarise themselves with the contents of this Code together with any other codes of practice, rules, regulations or statutory instruments appertaining to their employment. Staff should also familiarise themselves with the main aims and objectives of HEFCW, and with the Operational plan of HEFCW insofar as is appropriate to their responsibilities.

Copies of the Corporate and Operational Plan of HEFCW are available from the intranet.

2.2 Members of staff, where appropriate to their responsibilities, will also need to familiarise themselves with the Management Statement, Corporate Plan and Financial Memoranda of HEFCW. These similarly are available from the intranet.

2.3 Staff of HEFCW have a duty:

- to discharge public functions reasonably and according to the law;
- to recognise ethical standards governing particular professions.

2.4 Staff should not embark on any course of action which is likely to bring HEFCW into disrepute.

2.5 Staff must pay due regard to the Equal Opportunities Policy whilst undertaking their duties.

2.6 The Chief Executive, who is the Accounting Officer for HEFCW, has overall responsibility, under the Council, for propriety in a broad sense, including conduct and discipline.

## **3. Accountability**

3.1 Staff should serve HEFCW in accordance with the principles set out in this Code and recognising:

- their accountability to the Council;
- the respective roles of the Assembly and the Council as set out in the Management Statements, supplemented by Financial Memoranda specifying the terms on which HEFCW receive their funds;
- that the Minister **for Education and Lifelong Learning** is ultimately accountable to the Assembly for HEFCW's dependence, effectiveness and efficiency.

3.2 Staff of HEFCW should conduct themselves with integrity, impartiality and honesty. They should not deceive or knowingly mislead HEFCW, the Assembly, Assembly Ministers or the public.

#### **4. Conflicts of interest**

Staff should abide by the rules adopted by HEFCW in relation to private interest and possible conflict with public duty; the disclosure of official information; and political activity as defined by the Assembly. Guidance may be sought from the Director of Finance and Corporate Services on the level of political activity permitted. They should not misuse their official position or information acquired in their official duties to further their private interests or those of others. Key members of staff, including the Chief Executive, Directors, and those responsible for the making of contracts, procuring of provision and the making of decisions which affect distribution of Council funding must ensure that any possible conflict of interest is identified at an early stage and that appropriate action is taken to resolve it, if necessary by passing responsibility for action to another member of staff.

#### **5. Integrity**

Staff must not use their official position to receive, agree to accept or attempt to obtain any payment or other consideration for doing, or not doing, anything or showing favour, or disfavour, to any person. They should not receive benefits of any kind from a third party which might reasonably be seen to compromise their personal judgement and integrity. Under the Prevention of Corruption Act 1916, employees of public bodies may be required to prove that the receipt of payment or other consideration from someone seeking to obtain a contract is not corrupt.

#### **6. Relations with the public**

Staff who deal with the affairs of the public should do so sympathetically, efficiently, promptly and without bias or maladministration.

Staff should offer the highest standards of conduct and service.

#### **7. Use of resources**

Staff should endeavour to ensure the proper, economical, effective and efficient use of resources.

#### **8. Official information**

- 8.1 Staff owe a general duty of confidentiality to HEFCW under common law. They are therefore required to protect official information held in confidence. Nothing in the Code should be taken as overriding existing statutory or common law obligations to keep confidential, or in appropriate cases to disclose, certain information.
- 8.2 The Freedom of Information Act requires all public bodies to produce a code of practice on openness and disclosure. Staff will be expected to follow HEFCW's Access to Information Policy, subject to the provision in paragraph 8 above. This is based on the National Assembly's Code of Practice on Public Access to Information. Both available from the Clerk to the Council.

## **9. After Leaving Employment**

Staff should continue to observe their duties of confidentiality (see Whistleblowing Policy) after they have left the employment of HEFCW.