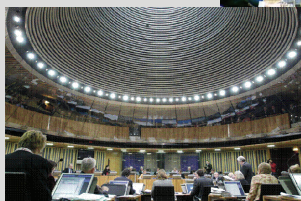
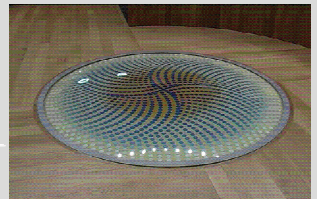




Cynulliad National  
Cenedlaethol Assembly for  
Cymru Wales

# STAFF CODE OF CONDUCT



## FOREWORD

This Code describes the standards of behaviour required of all members of staff of the National Assembly for Wales (employees of the Assembly Commission).

As an employee of a democratically elected institution you are expected to behave in a way that will not bring the National Assembly for Wales or the Assembly Commission into disrepute or cause embarrassment to them.

As an employee of the Assembly Commission you must ensure that you perform your duties and responsibilities with honesty and impartiality at all times.

By adhering to this Code, you will ensure that you maintain the standards of integrity, conduct and concern for the public interest that each and every one of us supporting the National Assembly for Wales is required to demonstrate in our work.

The Code sets out the Assembly Commission's expectations of you as a member of staff and you should read the Code and ensure that you remain familiar with the standards of behaviour expected of you.

Not only must you ensure that you maintain the proper standards of behaviour expected of you in your every day work, but you must not place yourself in a position where others might have reasonable cause to question your behaviour.

If you are ever uncertain as to what is expected of you in terms of behaviour you must seek advice from your line manager.

If you have reason to believe that this Code has been breached or is in danger of being breached, then you have a responsibility to bring this to the attention of management.



If you believe that you are being required to act in a way which conflicts with this Code, you should talk to your line manager or Human Resources.

If you have raised a matter and you do not receive what you consider to be a proper response, then you should report the matter to me.

**Claire Clancy**

**Chief Executive of the Assembly Commission and Clerk of the National Assembly for Wales ("Chief Executive and Clerk")**

**November 2007**

## About the Code of Conduct

1. This Code forms part of your terms and conditions of employment and part of the legal contract between you and the Assembly Commission. It sets out the standards of behaviour expected of you which follow from your position in serving the Assembly.

## Accountability

2. The person or body from whom you need to seek permission where specified in this Code is:-:

- Team Support to Band G - Director
- Director - Chief Executive and Clerk
- Chief Executive and Clerk - Assembly Commission

## Principles

3. You must serve the National Assembly for Wales in accordance with the principles<sup>1</sup> set out below.

- **Selflessness** – You must not take decisions or give preferential treatment to any individual or organisation in order to further your private interests and so compromise the performance of your role.
- **Integrity** – You must not place yourself under any financial or other obligation to outside individuals or organisations that might influence you in the performance of your official duties.
- **Objectivity** – You must provide information and advice, including advice to elected members and committees on the basis of evidence, and in a way that accurately reflects the options and facts, taking due account where appropriate of professional advice. You must serve the National Assembly for Wales and the Assembly Commission to the best of your ability irrespective of your own political beliefs. You must refrain from political activity and campaigning which could call into question your impartiality and ability to serve all elected members equally.
- **Accountability** – You must work to the best of your ability to support the implementation of the decisions of the National Assembly for Wales and the Assembly Commission and be prepared to be accountable for your actions and submit yourself to scrutiny as appropriate to your office.
- **Openness** – You must be as open as possible about the decisions and actions you take and be prepared to give reasons for your decisions.
- **Honesty** - You must not solicit or accept money, gifts, favours or hospitality from others or any other benefits that might be construed as compromising your integrity.
- **Leadership** – You should promote and uphold these principles by leadership and example.

<sup>1</sup> *The Nolan Committee produced the report on Standards in Public Life in May 1995 at the request of the Prime Minister. The Committee investigated standards in British public life and as a result, produced The Seven Principles of Public Life.*

## Rules

4. You will find the conduct rules in the following Sections:

(For full and detailed information on these sections, please refer to the **Terms and Conditions of Service** document and the related **Policies and Procedures**)

Section 1            Propriety (appropriate behaviour)

Section 2            Confidentiality and official information

Section 3            Outside occupations and appointments

Section 4            Participation in political activities

Section 5            Other rules

## Breach of conduct rules

5. If you breach any of the conduct rules, or if through a negligence or deliberate act on your part other people breach these rules, you may be subject to disciplinary action as laid out in the disciplinary policy.

## More information

6. If you wish further advice about the conduct rules, you should contact Human Resources.

## Section 1 Propriety

### Arrest or conviction on civil or criminal charges

7. You must, as soon as practicable inform your line manager, at each stage, if you are arrested, charged, refused bail, required to attend court, convicted or sentenced for any criminal offence. This does not apply to traffic offences unless the possible penalty includes imprisonment or disqualification from driving or involves an official vehicle. Failure to inform will be considered an act of gross misconduct.

### Unlawful activity

8. You have a duty to comply with the law; including international law and treaty obligation and to uphold the administration of justice and to report any evidence of unlawful and criminal activity. The Assembly Commission's Public Disclosure at Work Policy provides guidance on the reporting arrangements.

### Bankruptcy and insolvency

9. If you are bankrupt or may be declared bankrupt or insolvent by a court of law you must report this fact as soon as practicable to your line manager and the Chief Executive and Clerk. Failure to disclose potential bankruptcy and insolvency will be considered an act of gross misconduct.

### Acceptance of money, gifts, rewards and hospitality

10. You must not accept gifts or hospitality or receive other benefits from anyone which might reasonably be seen to compromise your personal judgement or integrity. You may accept isolated gifts of a trivial nature, for example a diary, calendar or modest hospitality, provided that it is not a regular occurrence. If the refusal of such a gift is likely to cause offence to the giver, you should report the facts immediately to your line manager.

11. A register of money, gifts and hospitality is maintained and if you are offered money, gift or hospitality (even if you do not accept it) you must ensure that the offer is entered on the register (the keeper of the register will need to know the nature of the gift or hospitality, whether you accepted it, who offered it, why it was given and an estimated value). Your line manager can inform you of the procedure for registering such money, gifts and hospitality. You should take advice from your line manager before you accept any money, gifts and hospitality about which you have any concerns.

12. If you are found to have accepted or have failed to register the receipt of money, gifts, hospitality, benefit or any other consideration in circumstances where it conflicts with your official duties, this will be considered to be an act of gross misconduct.

### Receipt of fees

13. Any fees received from an outside source must be paid to the Assembly Commission, if the payment is for services which form part of your official duty. In circumstances where all or part of the work involves private as well as official time or if the official time is made up, you may make an application to your line manager for permission to retain all or part of the fee as appropriate. In accordance with section 3 of this Code, you must seek permission before accepting any outside employment which might affect your work directly or indirectly.

### Political influence

14. You must not use your position and proximity to elected members and external public bodies to gain support or influence for your own personal benefit. This does not preclude you from approaching your Assembly Member through the normal channels of correspondence and surgeries.

### Contracts for goods and services

15. Unless you have obtained permission from your line manager, you must not let or be involved in any material way in letting Assembly Commission contracts to:

- Any employee in the Assembly Commission or Welsh Assembly Government;
- such employees immediate family, close personal friends and business associates;
- any company or partnership for which the employees immediate family, close personal friends and business associates may work;
- such employee or their immediate family or any organisation of which the employee or a member of the their immediate family is a Partner or Director.

16. Where permission is granted, you must still register the decision and acquaint the Assembly Commission's Procurement Officer of the background before proceeding.

## Section 2 Confidentiality and official information

17. Misuse of confidential information breaches the duty of confidentiality owed to the National Assembly for Wales and to the Assembly Commission and will be considered an act of gross misconduct.

18. Whilst information obtained in the course of your employment should be treated as confidential, you should be aware that information which you process may be released to individuals or into the wider public domain in accordance with legislation and the Assembly Commission's policies on access to information. You must not make unauthorised use of confidential information either during or after your period of employment. You are required to treat personal information (this applies to all forms of data about an individual, including paper documents, databases and emails) confidentially and in line with the Data Protection Policy operated by the Assembly Commission and in accordance with the Data Protection Act 1998 and Freedom of Information Act (2000).

19. Assembly Commission employees, who were previously Civil Servants and notified that they were subject to the Official Secrets Act, will continue to be bound in respect of information etc. which came into their possession whilst a Civil Servant. Such employees will be expected to comply with their duties under this Act and breach of their duties will be considered a potential breach of the Code. Assembly Commission employees who have never been subject to the Official Secrets Act are not be subject to the provisions of that Act.

### General rules

20. No confidential official information may be disclosed by you without permission as set out in paragraph 2 above.

21. Information, confidential or otherwise, to which you have had access, must not be used to frustrate the policies or decisions of the National Assembly for Wales or the Assembly Commission.

22. You must seek permission as set out in paragraph 2 above for any activities involving the following that are not undertaken as part of your official duty:

- participation in any media broadcast (sound or vision or otherwise) regarding the business of the National Assembly for Wales / Assembly Commission;
- publication, broadcasting or disseminating any personal memoirs relating to work carried out for the business of National Assembly for Wales / Assembly Commission;

- dissemination of any information (verbal or written) which is passed to any journalist for publication relating to the National Assembly for Wales / Assembly Commission;
- participation in any opinion poll or market research survey relating to attitudes or opinions on political matters;
- any arrangements regarding the publication of articles or materials which have been produced by you as part of your official duties, copyright of which will be owned by the Assembly Commission pursuant to the Copyright Designs and Patents Act 1988.

23. The above does not preclude national, organisational or branch representatives of a recognised trade union from discharging their duties as representatives.

## Section 3 Outside occupations and appointments

### Outside occupations

24. You must seek permission as set out in paragraph 2 above before accepting any outside employment.

**25. You may not:**

- at any time, engage in any private activity which would require your attendance during working hours or in any way tend to impair your usefulness as an employee of the Assembly Commission, unless you have been given permission as set out in paragraph 2 above to do so;
- engage in any occupation or other activity which might in any way conflict with the interests of the National Assembly for Wales or the Assembly Commission or be inconsistent with your position as an employee of the Assembly Commission;
- engage in any outside activity involving payment that uses experience or knowledge acquired during the course of official duties, without obtaining consent as set out in paragraph 2 above;
- hold a directorship or undertake executive work in a private company, firm or other organisation or engage in consulting work which has a connection with your official duties or is on behalf of a firm or concern which is in contractual or other special relationship with the National Assembly for Wales and or the Assembly Commission, without first obtaining consent as set out in paragraph 2 above.

26. If you have any doubt about the propriety of any personal private activity, you should seek further guidance.

### Appointments to public boards

27. If you wish to accept an appointment to any public board or body financed wholly or in part from public funds, you must seek consent as set out in paragraph 2 above.

### Acceptance of outside appointments

28. It is considered to be beneficial for all concerned that the skills and experience of those working for the Assembly Commission are able to transfer to the wider community and as a result, most applications submitted under these rules are approved without condition.

29. The aim of these rules is to maintain public trust in the people who work for the Assembly Commission and in particular:

- to avoid any suspicion, no matter how unjustified, that the advice and decisions of staff might be influenced by the hope of future employment with a particular organisation;
- to avoid the risk that a particular organisation might gain an improper advantage over competitors by employing someone who, in the course of their employment with the Assembly Commission has had access to technical or other information which those competitors might legitimately regard as their own or to information relating to proposed developments in the Assembly Commission's policy which may affect the organisation or its competitors.

30. You are required to obtain permission as set out in paragraph 2 above before accepting, within two years of resignation or retirement or otherwise leaving the employment of the Assembly Commission, any offer of employment in business and other bodies including overseas governments and consultancy work, whether on an employed or self employed basis and whether full time, part time or fee paid.

## Section 4 Participation in political activities

### Impartiality

31. For you to serve all elected members equally, it is essential that the National Assembly for Wales and the public have confidence that your personal views do not affect the discharge of your official duties. The aims of the rules set out below, are to allow you the greatest possible freedom to participate in public affairs without infringing this fundamental principle. *(It should be noted that the Government of Wales Act 2006 disqualifies a member of staff of the Assembly Commission from being an Assembly Member).*

### General rules applicable to political activity

32. The following rules apply to you at all times:-

- you cannot take part in any political activity whilst on duty or in uniform or on Assembly Commission premises;
- you must not attend outside conferences or functions convened by or under the auspices of a party political organisation in your official capacity;
- care must be taken to avoid any embarrassment to the Assembly Commission or the Assembly by you bringing yourself prominently to public notice in party political controversy as an employee of the Assembly Commission;
- you must ensure that your personal political views are expressed with moderation so as not to inhibit or appear to inhibit loyal and effective service to members of another party.

### Restrictions

33. You may not take part in political activities relating to the National Assembly for Wales, although you may seek permission as set out in paragraph 2 above to take part in other political activities. In considering such requests, the degree of contact you have with Assembly Members in the discharge of your official duties will feature heavily.

34. For the purpose of these rules, “political activities” are defined as follows:

### **35. At national level within Wales**

- announcement of your candidature for membership of the National Assembly for Wales;
- holding office (other than membership) in a party political organisation, office which impinges wholly or mainly on the party politics in a field relating to the National Assembly for Wales;
- canvassing on behalf of a candidate for the National Assembly for Wales;
- contributing to articles for publication, books or submitting letters to the press relating to debates on controversial political issues within the National Assembly for Wales;
- speaking in public on matters of national political controversy<sup>2</sup>.

### **36. At a national level in the rest of the UK**

- announcement of your candidature for the House of Commons, the Scottish Parliament, the Northern Ireland Assembly or the European Parliament;
- holding office (other than membership) in a party political organisation, office which impinges wholly or mainly on the party politics in a field of the House of Commons, The Scottish Parliament, the Northern Ireland Assembly or the European Parliament;
- canvassing on behalf of a candidate for the House of Commons, The Scottish Parliament, the Northern Ireland Assembly or the European Parliament;
- contributing to articles for publication, books or submitting letters to the press relating to debates on controversial political issues;
- speaking in public on matters of national political controversy<sup>2</sup>.

### **37. At local level**

- candidature for local authorities;

<sup>2</sup>This should not preclude national, organisational or branch representatives of a recognised trade union from discharging their duty as representatives.

- holding office (other than membership) in a party political organisation, office impinging wholly or mainly on party politics;
- canvassing on behalf of candidates for election to local authorities or a local political organisation;
- contributing to articles for publication, books or submitting letters to the press relating to debates on controversial local political issues;
- speaking in public on matters of local political controversy<sup>2</sup>.

## Section 5 Other rules

38. You must not bring the Assembly Commission into disrepute by publicly making derogatory, adverse or objectionable comments regarding individuals (whether officials, Members or others) or organisations or participate in any activities which conflict with the interests of the National Assembly for Wales.

<sup>2</sup>This should not preclude national, organisational or branch representatives of a recognised trade union from discharging their duty as representatives.