

# **Code of Conduct:** Assembly Commission Staff

January 2018



The National Assembly for Wales is the democratically elected body that represents the interests of Wales and its people, makes laws for Wales, agrees Welsh taxes and holds the Welsh Government to account.

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## FOREWORD

This Code describes the standards of behaviour required of all employees of the National Assembly for Wales Commission ("the 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 Commission into disrepute or cause embarrassment to them.

As an employee of the 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 Commission's expectations of you as an employee of the Commission 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 everyday 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.



*Manon Antoniazzi*

Manon Antoniazzi

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



## 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 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 E-1-Director
- Director to Chief Executive and Clerk
- Chief Executive and Clerk to 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.

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<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.

- **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 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 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.

## Rules

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

(For full and detailed information on these sections, please refer to 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 negligent 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 criminal charges

**7.** You must, as soon as practicable, inform your line manager or the HR Operations Team, at each stage, if you become aware that you are under criminal investigation or are arrested, charged, refused bail, required to attend court as a defendant, receive a police caution or are 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 and may result in summary dismissal (i.e. without notice).

### Unlawful activity

**8.** You have a duty to comply with the law; including international law and treaty obligations and to uphold the administration of justice and to report any evidence of unlawful and criminal activity. The 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 by a court of law you must report this fact as soon as practicable to your line manager or the HR Operations Team and the Chief Executive and Clerk. Failure to disclose proceedings which have the potential to result in bankruptcy will be considered an act of gross misconduct and may result in summary dismissal.



## 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, or modest hospitality where it is incidental to your normal duties (such as being provided with modest refreshments) and 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. You must take advice from your line manager or the HR Operations Team before you accept any money, gifts or hospitality.
- 11.** A register of money, gifts and hospitality is maintained and if you are offered money, a 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.
- 12.** If you accept or fail 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 and may result in summary dismissal.

## Receipt of fees

- 13.** Any fees received from an outside source relating to your duties as an employee of the Commission (such as fees for speaking at a conference) must be paid to the 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.

## 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, or any other person's, personal benefit. This does not preclude you from approaching your Assembly Member(s) through the normal channels of correspondence and surgeries as a constituent.

## Contracts for goods and services

**15.** Unless you have obtained permission, you must not award, or be involved in any material way in awarding, Commission contracts to:

- any employee of the Commission,
- any business which an employee of the Commission works for or is paid by,
- the immediate family, close personal friends or business associates of any employee of the Commission, or
- any business which such immediate family, close personal friends or business associates works for or is paid by.

**16.** Where permission is granted, you must still register the decision and inform the Commission's Head of Procurement 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 Commission and will be considered an act of gross misconduct which may result in summary dismissal.

**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 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 Commission and in accordance with relevant legislation.

### General rules

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

**20.** 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 Commission.

**21.** 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 / Commission or which might bring into question your duty of political impartiality;
- publication, broadcasting or disseminating any personal memoirs relating to your employment in the National Assembly for Wales / Commission;
- dissemination of any information which is passed to any journalist for publication relating to the National Assembly for Wales / Commission;
- 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 Commission pursuant to the Copyright Designs and Patents Act 1988.

**22.** The above does not preclude national, organisational or branch representatives of a recognised trade union from discharging their duties as representatives. Elected trade union representatives may comment on Welsh Government, UK Government or National Assembly for Wales' policy when representing the legitimate interests of their members, but in doing so they must make it clear that they are expressing views as representatives of the union and not as employees of the Commission.

## Section 3 - Outside occupations and appointments

### Outside occupations

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

**24.** You may not:

- at any time, engage in any activity which would conflict with your duties as an employee of the 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 Commission or be inconsistent with your position as an employee of the 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;

**25.** If you have any doubt about the propriety of any activity, you should seek further guidance from the HR Operations Team.

### Appointments to public boards

**26.** If you wish to apply for or 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 after leaving the employment of the Commission

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



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

- to avoid any question that the advice and decisions of employees 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 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 Commission's policy which may affect the organisation or its competitors.

**29.** 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 Commission, any offer of employment relating to your employment by the Commission including:

- by a company or other organisation which has a connection with your official duties;
- by a company or other person or organisation which is in a contractual or other special relationship with the National Assembly for Wales and/or the Commission;
- by 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.

**30.** You may not accept any appointment as support staff for an Assembly Member or Assembly Group within two years of resignation or retirement or otherwise leaving the employment of the Commission unless you obtain permission as set out in paragraph 2 above. In particular, account will be taken of the extent to which you have advised Members on questions of policy and procedure or have been involved in presenting the Assembly's decisions and policies to the public.

## 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 an employee of the 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 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 Commission or the Assembly by you bringing yourself prominently to public notice in party political controversy as an employee of the 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.** Employees at grades E-2 and above may not take part in any political activities. Other employees may not take part in political activities relating to the National Assembly for Wales, although you may seek permission as set out in Section 2 above to take part in other political activities. In considering such requests, the nature of your official duties will feature heavily. In particular, account will be taken of the extent to which you have advised Members on questions of policy and procedure or have been involved in presenting the Assembly's decisions and policies to the public.

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

**35.** At national level within Wales

- announcement of candidature for membership of the National Assembly for Wales;
- holding office (other than membership) in a party political organisation;
- 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 in a personal capacity;
- expressing personal views in public on matters of national political controversy.

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

- announcement of 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;
- 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 in a personal capacity;



- expressing personal views in public on matters of national political controversy.

**37.** At local level

- candidature for local authorities;
- holding office (other than membership) in a party political organisation;
- 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 in a personal capacity;
- expressing personal views in public on matters of local political controversy.

## Section 5 - Other rules

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

**39.** Misuse of any social media can, in certain circumstances, be considered as bringing the Commission into disrepute. It could also constitute a legal offence or otherwise give rise to legal liability against you or the Commission.

**40.** Bringing the Commission into disrepute will be considered to be an act of gross misconduct and may result in summary dismissal.