

Staff Code of Conduct



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1. Introduction

- 1.1. Birmingham Organising Committee for the 2022 Commonwealth Games Limited (“Birmingham 2022”) is committed to creating a work environment free of harassment and bullying, where everyone is treated with dignity and respect, and expects the same attitude from all members of staff towards Birmingham 2022.
- 1.2. This Staff Code of Conduct (“Code”) covers conduct, bullying and harassment in the workplace and in any work-related setting outside the workplace, e.g. business trips, events sponsored by Birmingham 2022, public events, away days and work-related social events.
- 1.3. The use of the term “members of staff” in this Code refers to any of the following, including but not limited to Birmingham 2022 officers, employees (full time and part time), consultants, contractors and all other individuals employed or engaged by Birmingham 2022.
- 1.4. Birmingham 2022 aims to provide a safe place of work and safe procedures for its members of staff. All members of staff are expected to use Birmingham 2022’s premises and equipment for the purposes for which they were intended and for no other reason. Breaches of this Code are classed as a disciplinary offence which will be dealt with under Birmingham 2022’s Disciplinary Action Policy.
- 1.5. This Code is part of the terms and conditions of service applicable to all staff, breaches of which may be the subject of disciplinary action.

2. Duties and responsibilities

- 2.1. Staff should familiarise themselves with the contents of this Code and should act in accordance with the principles set out in it.
- 2.2. Staff have a duty:
 - to discharge public functions reasonably and according to the law; and
 - to recognise ethical standards governing particular professions.
- 2.3. The Chief Executive of Birmingham 2022, has overall responsibility for propriety in a broad sense, including conduct and discipline.

3. Accountability

- 3.1. All members of staff should be aware:
 - of their accountability to the Board of Birmingham 2022. The Board has its own responsibilities which are set out in their own Code of Practice.

- that Birmingham 2022 is accountable to its sponsor department, the Department for Digital, Culture, Media and Sport (“DCMS”). Further details are set out in Birmingham 2022’s Management Agreement held with DCMS, which is located on Birmingham 2022’s website.
- that the Minister responsible for Birmingham 2022 is ultimately accountable to Parliament for its independence, effectiveness and efficiency.

3.2. Members of staff should conduct themselves with integrity, impartiality and honesty. They should not deceive or knowingly mislead the Board, DCMS, Ministers, Parliament or the public.

4. Conflicts of interest

4.1. Members of staff should abide by the rules adopted by Birmingham 2022 in relation to private interest and possible conflict with public duty; the disclosure of official information; and political activities. They should not misuse their official position or information acquired in their official duties to further their private interests or those of others.

4.2. Key members of staff, such as the Chief Executive, Chief Financial Officer, managers of large contracts, and members of staff working on contracts, should ensure that any possible conflicts of interest are identified at an early stage and that appropriate action is taken to resolve them.

4.3. Members of staff interviewing job applicants must immediately notify the Strategic Resourcing Manager if they have an interest or relationship with a job applicant. They must either remove themselves from the recruitment process or agree with the Strategic Resourcing Manager appropriate measures and safeguards to ensure that the recruitment and selection process is fair and cannot be influenced by any personal interest or relationship.

5. Integrity

5.1. Members of staff should 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. More details can be found in the Anti-Corruption, Counter Fraud, Bribery, Gifts and Gratuities Policy.

6. Relations with the public

6.1. Members of staff who deal with the affairs of the public should do so sympathetically, efficiently, promptly and without bias or maladministration. Members of staff should offer the public the highest standards of conduct and service.

7. Use of resources

- 7.1. Members of staff should endeavour to ensure the proper, economical, effective and efficient use of resources.

8. Confidentiality

- 8.1. Members of staff owe a general duty of confidentiality to Birmingham 2022 under civil law. They are therefore required to protect official information held in confidence.
- 8.2. The Official Secrets Act 1989 applies to any member of the public who has, or has had, official information in their possession. The Act makes unlawful disclosure of certain limited categories of information (for example security and intelligence, defence, international relations, and information which may lead to the commission of crime) a criminal offence.

9. Data protection

- 9.1. Members of staff should be aware of their obligations under the Data Protection legislation and Freedom of Information Act (2000). Guidance on this legislation can be obtained from the Information Commissioner's Office at: www.ico.org.uk.
- 9.2. Birmingham 2022 also has a Confidentiality and Data Protection Policy and a Freedom of Information Policy to which all staff must adhere.

10. Conduct at work

- 10.1. Moderation, consideration and respect for others should be the guide in all actions and activities.
- 10.2. The following (this is not an exhaustive list) are expressly prohibited at all times:
- any form of damage against Birmingham 2022's property;
 - physical or mental abuses by one member of staff to another;
 - carrying an offensive weapon;
 - intimidating behaviour, gestures or attitudes;
 - making or receiving bribes
 - careless or casual behaviour (whether intended or not) which could, or be likely to, cause danger or injury to another member of staff or third party;
 - harassment or bullying of any description;

- any victimisation and/or threats whether of a physical nature or made against the prospects, career or engagement of staff or someone connected with them; and
 - any other acts, word, action or inaction which can justifiably offend or harm another person;
- 10.3.** All members of staff are expected to report any activities that appear to be in breach of the above to their line manager, and if appropriate to a member of the HR department.

11. Dignity at work

- 11.1.** Birmingham 2022 will not tolerate bullying and harassment of any kind. All allegations of bullying and harassment will be investigated and, if appropriate, disciplinary action will be taken. Birmingham 2022 will also not tolerate victimisation of a person for making allegations of bullying or harassment in good faith or supporting someone to make such a complaint. Victimisation is a disciplinary offence.
- 11.2.** Bullying or harassment will constitute unlawful discrimination where it relates to one of the protected characteristics, which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age. Serious bullying or harassment may amount to other civil or criminal offences, e.g. a civil offence under the Protection from Harassment Act 1997 and criminal offences of assault.
- 11.3.** Bullying can take many forms. It can be defined as unwanted behaviour that can reasonably be considered to offend, persecute or exclude someone. It includes treating individuals in a demeaning and unacceptable way and can be intimidating or insulting, or a misuse of power to undermine, humiliate, threaten or cause injury.
- 11.4.** Harassment is a form of direct discrimination. It can be defined as unwanted verbal, non-verbal or physical conduct that can reasonably be considered to either violate an individual's dignity or create an intimidating, hostile, degrading, humiliating or offensive working environment for that person, even if this effect was not intended by the person responsible for the conduct.
- 11.5.** Harassment and bullying does not necessarily occur face to face. They may also occur in written communications, email, telephone, and automatic supervision methods such as computer recording of downtime from work.
- 11.6.** Examples of harassment or bullying would include sexual or racial remarks; the display of material with sexual or racial overtones (even if not directed at the complainant); lewd comments; inappropriate or suggestive behaviour;

unnecessary physical contact; abusive, threatening or insulting words and behaviour.

- 11.7.** Harassment and bullying may also include circumstances in which an individual is subjected to unwanted conduct from a third party, such as a client or customer. If a member of staff feels that he/she has been bullied or harassed by customers, suppliers, vendors or visitors, he/she should report any such behaviour to their manager who will take appropriate action. Bullying or harassment of customers, suppliers, vendors or visitors or others will be dealt with through the Workplace Behaviour Policy.
- 11.8.** Victimisation is where someone is treated less favourably than others when they have made allegations, brought proceedings, given evidence or complained about the behaviour of someone who has been harassing or discriminating against them.
- 11.9.** A member of staff has a right not to be victimised for making a complaint in good faith, even if the complaint is not upheld. However, making a complaint that they know to be untrue may lead to disciplinary action being taken against them.

12. Dealing with complaints

- 12.1.** The relevant member of staff may be able to solve the matters informally. If the person against which a complaint is being made is not aware that their behaviour is unwelcome or upsetting, an informal discussion may help them to understand the effects of their behaviour and agree to change it. If the member of staff does not feel able to approach the person themselves, they should seek support from their line manager, another member of staff or a member of the HR department.
- 12.2.** If an informal approach does not resolve matters, or the member of staff thinks the situation is too serious to be dealt with informally, the member of staff can make a formal complaint by using Birmingham 2022's Grievance and Complaints Resolution Policy and Procedure. In the case of grievances concerning bullying and harassment, the normal grievance procedure is modified so that you can choose whether to raise your grievance with your manager or directly with the HR department. Birmingham 2022 will ensure that the member of staff can bring their complaint in the first instance to someone of their own sex, if they so choose.
- 12.3.** All complaints will be investigated promptly and, if appropriate, disciplinary proceedings will be brought against the alleged harasser. For further details please refer to Birmingham 2022's Grievance and Complaints Resolution Policy and Procedure.
- 12.4.** Birmingham 2022 will treat complaints of bullying and harassment sensitively and maintain confidentiality to the maximum extent possible. Investigation of

allegations will normally require limited disclosure on a "need to know" basis. For example, the member of staff's identity and the nature of the allegations must be revealed to the person they are complaining about, so he/she is able to respond to the allegations. Some details may also have to be given to potential witnesses but the importance of confidentiality will be emphasised to them.

13. Staff concerns about improper conduct

13.1. If a member of staff believes they are being required to act in a way which:

- is illegal, improper, or unethical;
- is in breach of a professional code;
- may involve possible maladministration, fraud or misuse of public funds; or
- is otherwise inconsistent with this Code;

they should either raise the matter with their line manager or otherwise refer to Birmingham 2022's Whistleblowing Policy. Birmingham 2022's Whistleblowing Officer is also the Chief Legal Officer. The Whistleblowing Officer is entrusted with the duty of investigating staff concerns about illegal, improper or unethical behaviour.

13.2. Staff should also draw attention to cases where:

- they believe there is evidence of irregular or improper behaviour elsewhere in the organisation, but where they have not been personally involved;
- there is evidence of criminal or unlawful activity by others;
- they are required to act in a way which, for them, raises a fundamental issue of conscience.

13.3. Where a member of staff has reported a matter and believes that the response does not represent a reasonable response to the grounds of his or her concern, he or she may report the matter in writing to a nominated official at DCMS who will investigate the matter further.

13.4. Members of staff should be aware of the provisions of the Public Interest Disclosure Act 1998, which protects individuals who make certain disclosures of information in the public interest.

14. After leaving employment

14.1. Members of staff should continue to observe their duty of confidentiality (see confidentiality section above) after they have left the employment of Birmingham 2022 and should be aware of and abide by any rules on the acceptance of business appointments after resignation or retirement.