

Policy on Standards of Conduct

1. Introduction

- 1.1 This policy sets out the Ombudsman's standards of conduct for employees. It applies alike to staff employed by the Commission for Local Administration in Wales and to staff employed by the Health Service Commissioner for Wales. It provides a framework within which all staff are expected to act with integrity, honesty, impartiality and objectivity.
- 1.2 This policy applies to all staff without exception, whether they are employed on a permanent, fixed-term, or temporary contract, or are seconded or on loan.
- 1.3 No policy can set out the appropriate conduct or behaviour for every situation. Within the framework of this policy, the Ombudsman relies on staff to make a reasoned judgment as to what is right and proper in any situation and to seek advice from a member of the Senior Management Team if they are not sure what to do.

2. Standards of Conduct

2.1 All staff have the right to:

- be spoken to politely;
- be treated with respect;
- have their point of view listened to and given consideration;
- have their efforts and achievements valued;
- be treated fairly;
- speak out if they are the victim of bullying or harassment and to expect their complaint to be taken seriously.

2.2 All staff must:

- comply with a reasonable instruction or contractual requirement;
- comply with the Ombudsman's policies and procedures.

2.3 All staff members have a responsibility to:

- have consideration for others in the exercise of their duties;
- express their point of view without being aggressive;
- listen to what others say and respect their point of view;
- take prompt action if they witness or are made aware of unreasonable behaviour, including bullying or harassment in any form. Staff members should not assume it is someone else's problem;
- ensure that they act at all times with honesty and integrity, and in a professional manner;
- ensure that their conduct (both at work and outside) and their appearance during working hours, and whilst representing the Ombudsman, do not cause embarrassment to the Ombudsman in any way.

3. Confidentiality

3.1 All staff must be aware of the statutory requirements to keep confidential the information which is in the Ombudsman's possession. Staff must use their best endeavours at all times to prevent the publication or disclosure of any confidential information.

3.2 Staff must continue to observe their duties of confidentiality after they have left the Ombudsman's employment.

4. Standards of Propriety

4.1 The Ombudsman expects all staff members to adopt the highest standards of propriety and to act with integrity and impartiality at all times.

4.2 Staff must not misuse their position or use information acquired in the course of their work to further their private interests or those of others. Should a conflict of interest arise for a member of staff, they must declare their interest to the Ombudsman, who will determine how best to proceed. In considering what amounts to a personal interest employees should be guided by the terms of the model code of conduct for local authority members issued by the National Assembly for Wales. In particular investigators should not undertake investigations into a complaint or allegation against an authority or a member of an authority of which the investigator was an employee within the previous three years.

4.3 All staff must seek permission from the Ombudsman before accepting any paid outside appointment, or unpaid appointment of a public nature.

4.4 Should a member of staff discover that the Ombudsman has entered, or proposes to enter, into a contract in which they are aware that they have a

current or past financial and/or private interest, they must bring the matter to the attention of the Ombudsman as soon as practicable in writing.

5. Political Activities

- 5.1 It is of paramount importance that the Ombudsman and his staff should be, and be seen to be, impartial and non-partisan. Accordingly, staff are not permitted to undertake party political activity of any kind. Nor are they permitted to take part in non-party campaigning which is directed at a body in the Ombudsman's jurisdiction e.g. a public campaign against the closure of a school or hospital.
- 5.2 Any member of staff who is in doubt as to whether an activity which they wish to undertake might be considered to be unacceptable under paragraph 5.1 should give prior notice to the Ombudsman and should not engage in that activity unless and until written agreement has been given by the Ombudsman.

6. Use of Office Premises and Facilities

- 6.1 Smoking is not permitted in any part of the office or its entrances by any person at any time.
- 6.2 Members of staff can use the telephone at work for occasional and reasonable personal use, provided that they are sensitive to any possible impact on colleagues. Similarly, staff can receive occasional and reasonable personal phone calls. Staff may also make occasional and reasonable use of their own mobile phone in the office, but again need to be aware of potential disturbance to colleagues, for example, from loud or intrusive ring tones. Mobile phones that take and send pictures must not be used for this purpose in the office as this could invade the privacy of other staff members.
- 6.3 Members of staff may make occasional and reasonable personal use of photocopiers/printers and faxes. However unless the cost of making personal use of the equipment is clearly negligible, staff should contact the Corporate Services Manager to arrange payment before doing so.
- 6.4 Members of staff may make occasional and reasonable personal use of internet access and the email system. In doing so they must take commonsense precautions to avoid introducing viruses or malicious code into the office system, and follow any office instructions in that regard.
- 6.5 Members of staff may not under any circumstances buy or sell goods or services, or play games over the internet.
- 6.6 Members of staff may not deliberately view or download material from websites containing indecent or offensive material. Breach of this rule may be regarded as gross misconduct leading to summary dismissal.
- 6.7 If the email system is used to send or receive personal messages, members of staff must take particular care to ensure that they are not of an offensive nature,

and that recipients understand clearly that the emails in question are personal and not sent on behalf of the Ombudsman. Serious misuse of the email system may be viewed as gross misconduct.

6.8 The Ombudsman reserves the right without notice to access, listen to or read any communication made or received by you on computers for the following purposes:

- to establish the existence of facts;
- to ascertain compliance with regulatory or self regulatory practices and procedures;
- for quality control and staff training purposes;
- to prevent or detect crime (including 'hacking');
- to investigate or detect unauthorised use of the Ombudsman's systems;
- to intercept for operational purposes, such as protecting against viruses and making routine interceptions such as forwarding emails to correct destinations.

6.9 The Ombudsman also receives the right to make and keep copies of emails and data documentation use of email, for the purposes set out above. The Ombudsman may bypass any password you set.

This policy is issued after consultation with Representative Council.

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