

# BEHAVIOUR AT WORK POLICY



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## Policy/Strategy Control Statement

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12/01/21	Updated to reflect content moved into new Respect policy.	Jenny Roberts	12/01/21

Please summarise the current policy requirements and how this is changed in the new policy.

[Policy Key Changes Summary]

Please explain the reason for changes/improvements/new policy.

Amalgamation of several policies

Please explain any new actions required to put the policy changes into practice.

Familiarisation of policy required.

### GLOSSARY OF TERMS

*The word “employee(s) or colleagues” includes more than just the Groups’ employees and covers all individuals working at any of the companies’ premises, irrespective of status, level and grade. It includes employees, managers, directors, officers, consultants, contractors, trainees, homeworkers, part-time, fixed-term, casual, agency staff and volunteers.*

This Policy does not form part of your contract of employment and may be amended at any time subject to compliance with legal requirements. This policy is available to all Group employees irrespective of length of service or position held unless explicitly stated.

## CONTENTS

<b>1. Aims and Objectives.....</b>	<b>5</b>
<b>2. Behaviour/Conduct (Colleague Relations) .....</b>	<b>6</b>
<b>Discrimination.....</b>	<b>6</b>
<b>Victimisation .....</b>	<b>8</b>
<b>Using Social Media.....</b>	<b>8</b>
<b>Raising a Grievance .....</b>	<b>8</b>
<b>Relationships at Work.....</b>	<b>9</b>
<b>3. Behaviour/Conduct. (Compliance).....</b>	<b>10</b>
<b>Drugs, Alcohol and Substance abuse.....</b>	<b>10</b>
<b>Smoking at Work .....</b>	<b>11</b>
<b>Confidentiality of information .....</b>	<b>11</b>
<b>Bribery.....</b>	<b>12</b>
<b>Cash in Hand activities .....</b>	<b>13</b>
<b>Gifts hospitality and personal interests.....</b>	<b>13</b>
<b>Bequests .....</b>	<b>13</b>
<b>4. Misconduct .....</b>	<b>14</b>
<b>5. Confidential Reporting – Whistleblowing .....</b>	<b>14</b>
<b>6. Other Relevant Procedural Documents.....</b>	<b>15</b>
<b>7. Monitoring the Policy.....</b>	<b>15</b>
<b>APPENDIX .....</b>	<b>16</b>
<b>Appendix 1. SPIRIT Values .....</b>	<b>17</b>
<b>Appendix 2. Definitions of a family friend. ....</b>	<b>18</b>
<b>Appendix 3. Relationships at Work- factors to consider. ....</b>	<b>18</b>
<b>Appendix 4. Anti- Bribery Procedures.....</b>	<b>21</b>
<b>Appendix 5. Examples of Gross and Serious Misconduct .....</b>	<b>22</b>

# Behaviour at Work Policy

The nature of the Group's work is such that it considers that its employees ('you'), customers, suppliers and the public at large are entitled to demand conduct of the highest standard from all its employees at every level within the organisation. The Group recognises and seeks to go beyond our legal obligations in relation to Equality and Diversity.

The SPIRIT values have been developed to demonstrate and support good behaviours and relationships in our workplace. They are fundamental behaviours that we all should possess and keep working towards in order to develop and continuously improve our workplace culture. Appendix 1.

This Policy covers conduct issues which can occur in the workplace but also outside the workplace in settings such as business trips, events or social functions organised for, or on the Group's behalf. It covers all the people who you may come in contact with during the course of your employment even if it is virtual or through digital technology.

## 1. Aims and Objectives.

The Group strives to be fully inclusive, encouraging equality & diversity and high standards of behaviours in everything we do. It recognises that you can have an important impact in the way we work together in teams and within our service delivery to our customers and tenants.

It is our objective to strive towards excellence and encourage you to have pride in your work, demonstrate exceptional behaviours and share the values which underpin our Group.

### **The Group:**

- aims to conduct all of its business in an honest, ethical manner within the legislative requirements.
- aims to ensure that you treat everyone, whether within internal or external work relationships, with dignity and respect.
- is committed to creating a work environment free of discrimination, harassment, bullying and victimisation.
- will treat any serious complaint of poor behaviour as gross misconduct.
- will not tolerate victimisation of a person for making allegations or supporting you to make a complaint.
- is committed to acting professionally, fairly and with integrity in all business dealings and relationships.
- considers personal or sensitive information with the strictest confidence maintaining confidentiality whether during the course of your employment or outside work.
- fully supports implementing and enforcing effective systems to counter bribery and corruption.
- aims to ensure that we act in an efficient, professional and impartial manner when delivering services.

### **Manager's responsibility**

All managers have a specific responsibility to operate within the boundaries of this Policy, ensuring that they understand the standards of behaviour expected and they take action if behaviour falls below the requirements set out in this Policy.

All managers have a responsibility for leading and setting standards of behaviour that are appropriate for a working environment. Under the Health and Safety at Work Act 1974, managers have a duty to provide you with a safe place and system of work.

Managers should ensure that:

- Their own behaviour is consistent with this policy.
- They and the team/s for which they are responsible are aware of this policy.
- New employees are informed of this policy through a local induction process;
- The workplace is kept free of any literature, posters, notices etc., which may encourage inappropriate/ discriminatory attitudes or behaviour;
- They take the initiative to quash rumor and gossip in the workplace, which may fuel inappropriate/ discriminatory attitudes or behaviour;
- They take action if they witness incidents of harassment or bullying, whether or not a complaint has been made;
- When they are involved in an investigation, that they deal with a complaint swiftly, fairly and confidentially and in accordance with this policy.

#### **Your responsibility.**

- You must not put yourself in a position where your personal or private interests might conflict with, or influence, the actions you take in carrying out your duties.
- You have a responsibility to encourage a working environment in which everyone is treated with respect and dignity. You are expected to contribute to preventing poor behaviour through your own self-awareness, and through supporting other employees who may suffer harassment or bullying.
- Making it clear in your dealings with other employees and customers that you find all forms of discrimination, victimisation, harassment and bullying unacceptable;
- Challenging inappropriate/ discriminatory behaviour and attitudes in others when it occurs;
- Challenging gossip and rumor, which could fuel inappropriate/ discriminatory behaviour and attitudes;
- Disclosing any instance of harassment or bullying of which you become aware.
- Adhering to this policy in its entirety and seek advice from your line manager if necessary.

## **2. Behaviour/Conduct (Colleague Relations)**

The way you behave is important at work, as it can impact those around you (either positively or negatively).

The Group has a separate Respect Policy which aims to ensure you and everyone else who forms our Group or associated companies are treated with dignity and respect.

The Group will not tolerate any form of discrimination, harassment, victimisation or bullying of or by its employees, customers or representatives. Under the Health and Safety at Work Act 1974 we have a duty to provide you with a safe place and system of work.

It is therefore important that your conduct is compliant and supportive of this Policy. All allegations of misconduct or any grievance that you raise, will be considered seriously and appropriate action taken. (Refer also to the Group's Conduct & Capability Management Policy).

Effects on the Group of poor behaviours can include loss of morale, poor work performance, increased turnover of staff, legal claims and damage to its reputation.

### **Discrimination**

This section should be read alongside the Group's Equality, Diversity and Inclusion Policy.

Discrimination in any form is not tolerated within the Group. You are not expected to tolerate forms of racist, sexist, homophobic or other discriminatory behaviour. This may include direct or indirect discrimination and can apply from the early stages within advertising during recruitment through the whole employment cycle until termination of the employment contract. It applies to all individuals you may come in contact with during your employment with us.

Protected characteristics are the grounds upon which discrimination or harassment is unlawful.

**The protected characteristics under the Equality Act 2010 are:**

*Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (colour), religion or belief (including lack of belief), ethnic or national origin (colour) gender and sexual orientation.*

*Caste (Hindu social class system determined by birth) is currently regarded as an aspect of race under the Act. See Appendix 3 for further clarification.*

Characteristics such as your sexual orientation or ethnicity are not always obvious to others and you may not want to discuss or make them apparent to the colleagues you work alongside. However the Group expects everyone to always consider what you do and say and the impact it may have on others. You need to be mindful of your direct and indirect actions and ensure that processes or activities are inclusive to all and recognise the diversity within the work environment. (Refer to the Groups Equal Opportunities and Inclusion Policy.)

The impact of a disability on an individual will vary and often may not be apparent such as serious mental health challenges or underlying conditions. You are expected to be sensitive and supportive when in contact with an individual affected by a disability. If you have a disability you are encouraged to discuss this with your manager so that you too can be given support whilst carrying out your duties and participating in workplace activities.

You are able to complain about behaviour you find offensive – even if it is not directed at you, the process for this is set out in the grievance procedure. You do not need to possess the relevant characteristic yourself and are also protected from harassment because of perception and association. It may also be behaviour directed at someone who *associates* with you who has a protected characteristic or because you are *believed to possess* a protected characteristic (even if you don't). The key is that the actions or comments are viewed by you as the recipient, as demeaning and unacceptable.

Definitions of discrimination:

**Direct Discrimination**

Direct Discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see 'perceptive discrimination' below) or because they associate with someone who has a protected characteristic (see 'associative discrimination' below).

**Associative Discrimination**

Means direct discrimination against someone because they associate with another person with a protected characteristic.

**Perceptive Discrimination**

Means direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person doesn't actually possess that characteristic.

**Indirect Discrimination**

Indirect discrimination can occur when the Group has a condition, rule, policy or even a practice in the company, that applies to everyone but particularly disadvantages people who share a protected characteristic.

### **Disability Discrimination**

A person is disabled if they have a physical or mental impairment with a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities, which would include things like using a telephone, reading a book or using public transport. The Disability Discrimination Act 2010 includes a new protection from discrimination arising from disability.

### **Victimisation**

Victimisation occurs if you are treated badly because you have made or supported a complaint or raised a grievance under the Equality Act 2010, or because you are suspected of doing so. The poor behaviours directed towards you may vary and may be subtle but you should challenge these through the grievance procedure if the behaviours are unwelcome and inappropriate.

*N.B. You are not legally protected from victimisation if you have maliciously made or supported an untrue complaint however the Group will not tolerate any forms of victimisation for any reason.*

### **Using Social Media**

Anything you publish on social media regarding your workplace, colleagues or customers should be in line with our SPIRIT values. Demonstrating respect and integrity is as important online as it is offline.

- You should act in good faith and in keeping with all our policies, good practice and the law.
- Be mindful of the impact your contribution might make to people's perceptions of the Group as a company and employer.
- Show consideration for others' privacy and for topics that may be considered objectionable or inflammatory (like religion or politics).
- Do not do anything that could be considered discriminatory against, or bullying or harassment of, any individual, for example by:
  - Making offensive or derogatory comments relating to a protected characteristic.
  - Using social media to bully another individual (such as an employee of the Group); or
  - Posting images that are discriminatory or offensive.

Try to avoid provoking other colleagues. If an online discussion becomes heated try to be conciliatory, respectful and factual, or try to diffuse the situation by exiting the discussion.

You should never underestimate the effect your comments may have on another colleague, particularly if they believe you are making them as a joke. Often text, digital material and comments can be misinterpreted and cause offence. You must be wary of sending messages or using social media when intoxicated, as this is no excuse for the reactions and adverse issues it may cause. You are personally responsible for your actions and legal action, by an 'offended' person/s or recipient of the unwanted behaviour, may be instigated.

Don't share any personal or sensitive data regarding another colleague without their explicit consent, as you may be personally liable. Refer to the Groups Social Media Policy for further guidance.

### **Raising a Grievance**

The Group has a separate Grievance Procedure, to enable you to raise any concerns at work. It is designed to help you to take the appropriate action when you are experiencing any issues at work. In the first instance you are encouraged to personally deal with the issue on an informal basis and if required, discussing options with your line manager that are available for you to resolve the conflict or upsetting behaviour. If you are a member of the Trade Union, you may also wish to consider talking with your Trade Union representative..



Although it may not be possible to solve all problems to your complete satisfaction, the grievance procedure ensures that the Group deals objectively and constructively with all grievances, and that if you decide to use the procedure you may do so with the confidence that your issue will be dealt with fairly. Refer to the Groups Grievance Procedure for further guidance.

Grievances must be raised within 12 weeks (unless exceptional circumstances apply) of an incident occurring. If the incident is linked to a series of incidents, the 12 weeks is measured from the last incident.

***You have obligations under health and safety regulations and Group policies to report matters of concern.***

### **Relationships at Work**

You should not put yourself in a position where your personal or private interests might conflict with, or influence, the actions you take in carrying out your duties. This policy provides advice so that you are not involved in any process which may benefit your family or a close friend without having declared it and sought advice and approval. The aim is to ensure that issues arising from or involving family or close personal relationships are dealt with promptly, sensitively and effectively in order to protect all parties as far as possible from any accusations of unfair or improper conduct/treatment. (Appendix 2. Definitions of family.)

You must also ensure that you act in an efficient and impartial manner especially when delivering services to customers, in order to avoid any potential conflict of interest which may arise from personal or private relationships.

Your manager will need to reduce any risk of a conflict of interest and should deal promptly and effectively with issues involving close personal relationships at work, maintaining sensitivity and confidentiality where possible. (Appendix 3 suggests factors to consider and potential conflicts of interest).

#### ***Close personal relationships at work:***

Whilst respecting your right to privacy and family life and not wanting to interfere unduly in your private life, the Group has a legitimate right to protect the interests of the organisation, and to take action when close personal relationships either have the potential to, or do impact upon the Group's services and operations.

If you embark on a close personal relationship with a colleague working in an area where a conflict of interest may arise, you must declare the relationship to your manager. The Group does not usually find it acceptable if there is a close personal relationship in jobs where there is a direct line management / supervisory relationship between you both. If you have a close personal relationship with a colleague, you should remind yourself of the Groups SPIRIT Values and behaviours expected in the workplace, to prevent any apparent embarrassment to colleagues and also to maintain a professional image.

The Group reserves the right to elect to transfer one or both of you involved in the relationship to a job in another department if the relationship is deemed to have a detrimental effect on the service or customers or working relationships within that department. In these circumstances the Group will consult both of you and seek to reach a satisfactory agreement regarding the transfer of one or both of you.

#### ***Non- Reciprocated Behaviour:***

You must be aware that behaviour towards another employee that is not reciprocated is not acceptable and can amount to harassment which would be dealt with under this Policy or the Conduct & Capability Management Policy, whichever is most appropriate in the circumstances.

### 3. Behaviour/Conduct. (Compliance)

The Group already has many policies and procedures that are designed to help you understand what is and is not acceptable. Some apply to specific jobs and some apply to all jobs, by way of example, we have policies on:

- the allocation of housing to colleagues and to relatives of colleagues,
- accepting gifts or hospitality in connection with work,
- disclosing interests in suppliers that deal with the Group

and we carefully control who can buy things for the Group and who can pay out money for the Group.

The policies and procedures are there to help you. If you are in any doubt about something, you should read the relevant policy or procedure. (Refer to the Guidance section at the back of this policy for further information). If you're still in doubt after that, you should ask for advice from your line manager.

Below are areas of this policy which require you to demonstrate positive behaviours and compliance.

#### **Drugs, Alcohol and Substance abuse.**

The Group takes the health and safety of you, your colleagues, contractors, and its customers/tenants very seriously and is not prepared to allow you, irrespective of status, to put yourself or other colleagues at risk due to the effects of alcohol, drug or substance abuse. If there is a reasonable belief that you are under the influence of alcohol, drugs or substance abuse you will not be allowed to work and will be sent home pending the use of the appropriate conduct management procedures. This may well lead to your dismissal.

The Group recognises that, by itself, alcohol or drug abuse is essentially a medical problem and does not constitute grounds for your dismissal unless accompanied by actions and performance which is unacceptable (i.e. being under the influence of alcohol or drugs in the work place, or an unacceptable attendance record). Such cases will be dealt with sensitively and with care under the Groups Conduct & Capability Management Policy involving the appropriate representatives at all stages.

If you are suspected of an alcohol, drug or substance abuse related problem you will be encouraged to seek guidance and help from an appropriate specialist or provider. Where such counselling is sought, the company will take reasonable measures to ensure that confidentiality and job security are maintained, provided the help and advice are taken. Your line manager will contact the Group's Occupational Health specialist for support and guidance particularly regarding any regular prescribed medication and the predicted side effects etc. The Group will exercise the right to seek progress reports on your treatment and any counselling undertaken. Reasonable time off for this purpose may be granted when professional counselling is both sought and taken. Failure to take advantage of professional counselling within reasonable timescales, may however lead to formal action being taken. (Refer to the Groups Sickness/Injury Policy).

Possession or consumption of non-prescribed drugs will not be tolerated on any company premises at any time unless they are freely available '*over the counter drugs*' such as Paracetamol, Night nurse etc.

You must not be under the influence of any non-prescribed drugs whilst attending the workplace or participating in work related activities.

You will not be allowed to perform any work if you consumed alcohol and are it is still within your system. This is to protect yourself and others from harm such as health and safety breaches or driving a vehicle under the influence. It is also not appropriate to come into contact with customers or suppliers when you smell of alcohol. On occasion there may be team social activities, events or

special occasions where alcohol consumption is permitted, however you must have explicit permission from a senior manager.

If you are found to be taking, selling, giving or distributing unlawful or regulated substances you will be subject to the Group's Conduct & Capability Management Policy and procedures which may well include the sanction of summary dismissal and criminal prosecution.

It will play its part in educational programmes to combat alcohol or drug abuse and will organise appropriate training to recognise and deal with the problem when it occurs.

The Group has the right to request tests for drugs and alcohol in its medical examinations carried out as part of its health surveillance programme and as part of its pre-employment practices.

*You should note that the Group reserves the right to enforce summary dismissal for serious acts (Refer to the Group's Conduct & Capability Management Policy and Procedures), when committed under the influence of drugs or alcohol.*

## **Smoking at Work**

In accordance with the Health and Safety at Work Act and the Smoke-free (Premises and Enforcement) Regulations 2006 the Group has to provide a smoke free environment within its premises. Smoking cigarettes/ tobacco or e-cigarettes is therefore banned in any of the Groups buildings/ premises (*with the exception of designated areas*) or in its public vehicles (i.e. company cars and vans). Designated areas may be available outside but these will be clearly indicated and strictly the only areas where smoking can take place. If you are in doubt you should ask your line manager for clarification.

Limited smoking is allowed during your working day if the timings and frequency of the breaks are reasonable and are authorised by your manager. It is expected that you take smoking breaks (in your own time), during your lunchtime, before or after work. If you are found to be taking unreasonable periods of time out to have smoking breaks, you may be refused further breaks and/or be subject to the Conduct Management Policy and Procedure if you fail to comply.

Smoking in non-authorised areas is classed as serious misconduct and could result in a Final Written Warning in the first instance, in a second instance it would be classed as Gross Misconduct which may result in your summarily dismissal. Your workplace may provide a designated area, if they do not, then smoking is not allowed on the premises. Local Authorities are responsible for policing the law and have powers to issue fines to individuals such as yourself and/or the Group for non-compliance. Refer to the Group's Health and Wellbeing Policy.

## **Confidentiality of information**

Handling data is inevitable and you will come across a variety of types of information during your employment. You are expected to treat information carefully and consider whether it is disclosable or requires protecting. Your behaviour towards handling information is an important part of your role and there are legal and Group procedures designed to protect it.

The Group is to comply fully with the Data Protection Act 2018, and the General Data Protection Regulations 2018 (GDPR). It has therefore set out the Group's intentions within its Data Protection Policy. You should respect individuals' rights to privacy, sensitive data and also the protection of the Group's commercial activities and processes.

You have obligations which you should comply with to ensure that you keep certain information confidential to protect individuals and the Group. You should not attempt to access data that you are not authorised to use or view and should not share data which is not absolutely necessary to carry out the function being asked of it. Serious breaches may result in your dismissal. If you are in any doubt you should speak to your manager.

Your main obligations are as follows:

- All information about employees and customers of the Group is to be treated in the strictest confidence. You should not divulge any information unless it is the subject of a legal or other governing legislative requirement, or it is directly necessary to carry out an operational procedure.
- It is your responsibility when passing on information to ensure that the recipient understands the need for confidentiality and that disclosure only takes place when absolutely necessary.

Specifically you must maintain the confidentiality through observing the following:

- Personal details and sensitive information concerning customers, employees and partners of the Group;
- Not disclosing personal information concerning a colleague to a person or body outside of the Group unless their express permission has been given;
- Not disclosing proceedings of official meetings or the contents of official documents to a person or body outside of the Group unless required by law or authorised to do so;
- Commercially sensitive information covering proposals, current and past work including: any details of acquisitions or disposals of Group assets; any funding arrangements of the Group; any information regarding the strategy of the Group including investment plans and projects and details of contracts or terms of business; all information concerning the design and specification of software; and all information regarding the financial performance of the Group.
- If you are requested, you must hand over any confidential information concerning customers, employees or partners of the Group held in hard copy and irretrievably delete any such information stored on any disk or electronic memory, including personal computers and networks, hand-held devices and mobile phones. This applies to all employees even if it is upon your termination of employment with the Group.

Nothing should however prejudice any rights that you have or may have under the Public Interest Disclosure Act 1998 ("PIDA") (or any other enactment which PIDA amends) and/or any obligations that you have or may have to raise concerns about health and safety with regulatory and other appropriate statutory bodies pursuant to your professional and ethical obligations including those obligations set out in guidance issued by regulatory or other appropriate statutory bodies from time to time; or prevent use or disclosure that has been authorised by the Group or is required by law or by your employment.

## **Bribery**

One of our SPIRIT principles is "integrity" and so we seek to do the right thing.

In addition to doing the right thing, sometimes it's important to be able to show that we did the right thing. For that reason, we have checks and balances in our operating systems that help us to show how we reached decisions about what to do. These things aren't just a matter of administration; they are important because they help us to think about what's right in each situation and they put us in a position of being able to show that we thought about those things if anyone asks.

The Bribery Act 2010 is fairly recent legislation on a very old problem. You don't need to know the fine detail of the legislation to understand what is expected of you - ***you must not offer a bribe or accept a bribe in connection with your work for the Group.***

A bribe will definitely be present if there is some form of direct payment or benefit offered or given to you to get you to do your work in a way which is not fair or impartial. Bribery can also exist if the payment or inducement is not direct e.g. inappropriate corporate hospitality. Defining bribery will

always be difficult: The people who want you to engage in it will usually look for ways of disguising it and making the act seem legitimate. Acting with integrity means that you should question things and if you have any doubts then you should be cautious.

The legal penalties for committing a corporate offence include an unlimited fine and/or a prison sentence of up to 10 years. If you are found breaching the act you will face Formal Conduct Management procedures with resulting action up to and including dismissal.

### **Cash in Hand activities**

You must not carry out “cash in hand” jobs or any other services outside of your role for other colleagues, companies or individuals using Group equipment, time and resources. In addition, you must avoid engaging in outside activities that could bring the Group into disrepute, adversely impact on your work for the Group and/or adversely impact on your contribution to the Group. If you are concerned that an outside activity may be perceived in this way, you should discuss this with your line manager or a more senior manager for advice and before engaging in this activity.

### **Gifts hospitality and personal interests**

You must never compromise the Group’s position in the way you manage financial interactions between you and the Group’s customers, suppliers, contractors and partners. You must not benefit from your relationship with the Group except through payments, grants or loans, which are given under the terms of a Contract of Employment or as reimbursement of legitimate expenses. If you handle Group money it must be counted, recorded and banked in accordance with the Group’s financial regulations;

All decisions by you, Board members or associated persons (being those who perform services for or on behalf of the Group) must be able to withstand both internal and external scrutiny. They must be defensible as being in the interests of the Group.

Any gifts/hospitality must be in proportion to the Group’s interests and even then they must be within limits that are acceptable to the Group. Any personal interest must be declared and must not be allowed to influence the way in which your duties are performed.

### **Bequests**

Acting as a witness or as executor for the Wills of any customers is unacceptable. Any requests by customers/tenants of this nature must be reported to your line manager immediately.

You must not invite or influence a resident/tenant to make a will or trust under which you are named as executor, trustee or beneficiary unless they are related to you.

Where it emerges following the death of a customer that a bequest has been made in their Will to you, this must be reported to your line manager immediately. An investigation will then be conducted by the appropriate Manager with advice from the HR Helpline or HR Lead. The purpose of the investigation is to protect the customers, you and the Group. A written record will be made of the circumstances of the relationship between you and the customer and the details of the bequest itself. The investigation will record if there was any influence on behalf of you for the customer to make the bequest to your benefit. If the outcome of the investigation reveals that you encouraged or influenced the customer to make a bequest to your benefit, formal conduct management action and/a referral to the Police Fraud Team will be considered.

Any instances of customers making statements that they intend to leave you a bequest in their will, this being either money or gifts, must be refused and immediately reported to your line manager.

Where you are named as executor without your prior knowledge this should be reported to your line manager who will then refer this to the local authority who can take on the role of executor.

## 4. Misconduct

An instance of misconduct resulting from any serious breach of any of the above processes and procedures may warrant in your dismissal without any previous warning. We normally refer to this as an act of gross misconduct. We will provide you with the reasons for dismissal in writing. We will make clear the date on which your employment ends. We may summarily terminate your employment (i.e. without notice or payment in lieu of notice) for gross misconduct. Appendix 5 gives examples of gross misconduct.

If you are found guilty of violence, discrimination, harassment, victimisation or bullying you are likely to receive a formal sanction under the conduct procedure (up to and including dismissal). You could also be personally liable to pay compensation if you are named as an individual respondent in a legal claim for unlawful discrimination. . Serious cases may also be a criminal offence.

## 5. Confidential Reporting – Whistleblowing

The disclosure you make may be protected in under the Public Interest Disclosure Act 1998. This is commonly referred to as '*blowing the whistle*'. The law that protects whistle-blowers is for the public interest - so you can speak out if you find malpractice in the Group. Blowing the whistle is more formally known as '*making a disclosure in the public interest*'.

The Act stipulates that you **must** disclose the issue to the Group in the first instance. You should do this in writing to your line manager (or a more senior manager if it is more appropriate) as soon as you become aware of the wrongdoing providing any information or evidence that you may have. You should not attempt to investigate or collate information to support your allegation, as this will be done through the investigation process which will ensue. Refer to the Groups Whistleblowing Procedure.

Qualifying disclosures are disclosures of information where you reasonably believe (and it is in the public interest) that one or more of the following matters is either happening, has taken place, or is likely to happen in the future.:

- A criminal offence
- The breach of a legal obligation
- A miscarriage of justice
- A danger to the health and safety of any individual
- Damage to the environment
- Deliberate attempt to conceal any of the above.

***If you have information about a wrongdoing you must bring this to the Groups attention so it can be fully investigated and if appropriate take action to remedy the issue and/or take formal action against any involved person/s.***

## 6. Other Relevant Procedural Documents

This policy should be read in conjunction with the following Group documents and relevant Group policies i.e.:

- Equality (Impact) Assessment relating to this Policy
- Health and Safety Policy
- Fraud Response Policy
- Capability Management Guidance
- Conduct Management Guidance
- Appeal Procedure
- Guidance for Conducting Investigations
- Fast Track Conduct Management Procedure
- Conduct & Capability Management Policy
- Sickness/Injury Absence Policy
- Social Media Policy
- Equality, Diversity & Inclusion Policy
- Recruitment & Selection Policy
- Whistleblowing Policy.
- Grievance Procedure.
- Data Protection Policy
- Respect Policy

If fraudulent or corrupt activity is suspected in relation to any areas of this policy, advice should be sought from your line Manager in the first instance or a senior manager if this is more appropriate. All information provided via any of these reporting lines will be treated in strictest confidence and may be provided completely anonymously.

The Group fully endorses the provisions of the Public Interest Disclosure Act 1999, and disclosure by anyone who has reasonable suspicions of fraud or corruption is encouraged. The Group Whistleblowing Policy will be rigorously enforced to ensure that you should not suffer as a result of reporting reasonably held suspicions.

## 7. Monitoring the Policy

The Policy and supporting guidance will be monitored and reviewed by senior management and in partnership with staff and the recognised union, through the Joint Negotiating and Consultation Committee (JNCC).

Therefore, relevant data will be collected, analysed and interpreted to ensure that this Policy and its supporting procedures are not having an adverse impact on yourself and other employees in accordance with the Equality Act, Data Protection Act 2018, , the relevant Group Policies and legislation.

The Group acknowledges the importance of skills training for managers. The training of all People Managers in respect of this policy, shall be supported through training, guidance, coaching etc. as appropriate.

***It is important that you read and understand the rules contained within this Policy. Any breach of this Policy may result in disciplinary action, up to and including dismissal.***

# APPENDIX



## Appendix 1. SPIRIT Values

Places for People embrace S.P.I.R.I.T values which underpin the behaviours, practices and approach which we want to see demonstrated by our supply chain partners as part of delivering their contracts with us.

### **Support**

Our principle “We support everyone for doing the right thing”

- Recognise when and how customers and colleagues need help.
- Proactively offer resources to help.
- Work collaboratively, remove barriers and resolve issues.
- Listen to and address others’ concerns.

### **Positive**

Our principle “We positively embrace difference”

- Focus on what ‘I CAN DO’ for customers and colleagues.
- Identify options, alternatives and solutions.
- Express positive expectations and encourage individuals to achieve.
- Celebrate and publicise achievements and successes.

### **Integrity**

Our principle “We always strive to do what is right”

- Deliver on promises and ensures actions are in line with words.
- Be open and honest about the reality of situations, providing information and explanation.
- Find appropriate opportunities to give feedback directly to individuals and addresses non-performance.

### **Respect**

Our principle “We truly value the skills and abilities of others”

- Treat people equitably and fairly.
- Value individual differences and contribution.
- Take time to understand implications and impact of work requests on others’ workload and agree priorities.

### **Innovative**

Our principle “We look forward to finding solutions to problems”

- Be open and responsive to new ideas.
- Be prepared to pilot and ‘fail’ to learn and progress
- Have courage and insight to challenge historical approaches and influences and lead change.

### **Together**

Our principle “We are better together”

- Recognise value in working cross functionally and involving others.
- Believe more can be achieved by working effectively together.
- Understand the wider picture.

## **Appendix 2. Definitions of a family friend**

For the purposes of this policy, a family member or close friend includes your:

- Husband or Wife / Civil Partner or a partner you live with
- Parents and guardians, including in-laws / Civil Partners and step parents
- Children including in-laws / Civil Partners and step children
- Siblings including those from different parents or new, extended families
- Grandparents and grandchildren including new, extended families
- Aunts, uncles, cousins.

This is not an exhaustive list, as a close friend is defined as anyone who you may have a particularly close, intimate or significant relationship with.

## **Appendix 3. Relationships at Work- factors to consider.**

The following are a list of factors that you should and your manager should consider to determine if you believe a family or personal relationship may have an impact in the workplace. The list is not exhaustive, but is aimed as a guide.

- Whether you are at risk of having or being perceived as having conflict of interest in decision making or other matters
- Whether you could be perceived as having or be accused of bias, favouritism or prejudice
- Whether you are at risk of accusations of fraud or financial irregularities
- Open to bribery or blackmail
- Selection for appointment or promotion
- When undertaking an assessment of competence or skills including at appraisal which may have an effect on salary
- Selection for project work, prizes, awards, training or development
- Disciplinary matters
- Grievance matters
- Supervision/management of employees
- Determining access to resources
- Financial transactions including approving invoices, expenses, overtime and any other benefits/payments
- Access to confidential information.

In any of the above factors/situations where there may be a family/close personal relationship, the expectation would be that an independent manager would sign off/ approve the process.

## **Examples of a potential conflict of interest are as follows:**

- Using consultants, contractors etc. who work for the Group for your private purposes. If uncertain, discuss this with your line manager;
- Any relationship that could potentially result in compromising your ability to carry out your duties dispassionately, or could result in favourable or unfavourable levels of service to residents/tenants, consultants or partner organisations of the Group. This part of the policy seeks to prevent abuse of vulnerable staff or tenants, and not to interfere unacceptably in your private life. Examples where a conflict of interest could develop are: personal relationships between you and a resident/tenant of the Group; personal relationships between you and a person employed by, or in a position of influence with a consultant, contractor or partner organisation of the Group; personal relationships within the workforce;
- When a friend or relative becomes a tenant or employee or applies to become a tenant or employee of the Group;
- If you have responsibility for the appointment or supervision of consultants, suppliers or contractors have a personal or private relationship with these individuals or companies;
- Additional employment outside the Group or a business interest in an organisation operating within the housing sector (please refer to the Group's -Secondary Employment Procedure).
- Where such a conflict of interest does arise you must advise your line manager immediately as soon as you become aware of it. They may need to escalate the situation to a more senior manager. The situation will be assessed to identify the nature and extent of any conflict of interest. Where required for the Group's interests a course of action will be agreed to avoid, or bring to an end the situation.
- Upon appointment to the Group, if you are found to have knowingly failed to declare a relationship on your application form with an employee who was involved in the recruitment process this will be investigated under the Groups Conduct & Capability Management Policy and procedures and may lead to formal action which could include dismissal for both you as the existing and new employee.
- Wherever possible, you should not be involved in any formal procedures if you have a family or personal relationship with the other individual concerned. Formal procedures include recruitment, direct line management, attendance management, discipline, formal investigations, performance management, appraisals, review of banding or other similar matters.
- A close personal relationship between an employee and a contractor can create the potential for conflict of interests, and particularly concern about divulging confidential and/or commercial information.

## **Relationships conflicts/ issues**

Where the existence of personal relationships leads to difficulties in the workplace, the relevant manager will initially seek to deal with such situations informally. Issues should be dealt with promptly and sensitively by the relevant manager and not allowed to continue unchecked. Where action is necessary consideration should be given to re-arrangement of the work or working patterns if this is a viable first option. Sometimes relationships turn sour and working alongside each other may mean it becomes difficult and causes a conflict situation which affects the working environment and may cause personal distress and affect others working alongside you. In these situations the grievance procedure would be the relevant means to attempt to resolve the conflict.

Where a close personal relationship has been identified as adversely affecting the workplace (usually following a complaint and investigation) then options for resolution may include the re-deployment of one or both employees depending on the extent to which the functioning of the team has been affected. Consideration will also be given to the use of mediation if appropriate to the circumstances.

If it is not possible to transfer at least one of you (for example if no suitable vacancies exist, or if one of you refuses to transfer), and the relationship is deemed to have a detrimental effect on either the service, customer or working relationships within that department, the Group reserves the right to dismiss one or both of you. Dismissal would, however, be undertaken only as a last resort in circumstances where no other course of action was reasonably open to the Group.

### **Your responsibilities**

- Ensure that any close personal relationship at work does not interfere with or prejudice your employment
- If a close personal relationship at work does interfere with or prejudices your employment you must co-operate under this policy to resolve the situation.
- Keep your line manager informed of any close personal relationships which may fall within (or be viewed as falling within) the scope of this policy.
- Take all steps that are reasonably practicable to ensure that any close personal relationship at work does not interfere or prejudice your employment.
- Declare any personal relationships to your manager which might affect your ability to carry out your role properly or which otherwise could adversely affect the working of the team and/or service provision.

## Appendix 4. Anti- Bribery Procedures

The Group Board and the Executive are committed to avoiding bribery in connection with our business. If you think that you have been offered a bribe or that you may be offered a bribe, you should report the matter to your line manager and to the Group Company Secretary. You should take bribery very seriously and report any concerns you may have. Telling someone else is part of the process that will help us show that we are not hiding anything and that we are trying to take the right decision in any situation. If you think that someone else is offering or receiving bribes, you should inform your line manager and the Group Company Secretary. If you are worried about reporting something openly, you can always do so anonymously in accordance with the whistleblowing procedure.

**The Bribery Act of 2010** stipulates that the following will be in breach of the act.

1. Bribing another person i.e. offering, promising or giving a reward to induce a person to perform a relevant function or activity improperly
2. Being bribed, accepting or agreeing to accept or requesting a reward in return for performing a relevant function or activity improperly
3. Bribing a foreign public official i.e. trying to influence a foreign public official with the intention of obtaining or retaining business in a situation where the public official was not permitted or required by law to be influenced
4. Failure to prevent bribery; where an organisation fails to stop people, who are operating on its behalf from being involved in bribery. This is also to be known as 'corporate offence'.

### **Procedural process**

To ensure that the Group remains free of bribery or corruption, the Senior Management Team (SMT) will lead an anti-corruption culture and ensure adequate procedures prevent bribery. The SMT will be responsible for these procedures and the potential for bribery will be risk assessed and dealt with appropriately. The receipt of gifts and hospitality of up to a to any member must be reported to and approved by the SMT. It is likely that gifts and hospitality up to this level will be approved. Anything over £50 will be judged on its merits and proportionality and must be approved by the SMT and the Managing Director.

The Group confirm that any whistleblowing in relation to such matters will not receive any retaliatory behaviour from the employer or any of its members. Finance will also ensure that current financial controls are robust and minimise the possibility of corrupt activities.

The Group has an unequivocal anti-bribery stance and is responsible for all areas of policy and implementation and will regularly carry out risk assessments to ensure compliance. The SMT will give guidance as to how those business activities which give rise to bribery risk are to be conducted, and support members (and business partners as appropriate) in knowing what to do in cases of doubt; The senior management team will respond immediately should bribery be uncovered or suspected.

**Anti-bribery controls** will support effective implementation of policies and mitigate identified risks. These will:

- Focus on key risk areas
- Be risk-based and proportionate
- Be built into existing processes and controls for the sake of efficiency and quick user-acceptability; and make anti-bribery compliance part of the business strategy
- Inform the workforce that any acts of bribery by any member will be classed as gross misconduct and will be dealt with accordingly as well as being a criminal act.

## Appendix 5. Examples of Gross and Serious Misconduct

The following list provides examples of behaviour which fall under the definition of “gross misconduct”:

- Failure to carry out contractual duties without reasonable cause, or failure to carry out reasonable instruction from management/supervision.
- Theft or collusion with others in theft.
- Fraud.
- Fighting.
- Assault on another person.
- Willful damage to company property.
- Incapability through alcohol.
- Incapability through being under the influence of illegal drugs.
- Selling illegal drugs.
- Serious negligence causing unacceptable loss, damage or injury.
- Serious acts of insubordination, both verbal and written (including graffiti).
- Contravention of Health and Safety regulations.
- Fraudulent time and attendance record keeping i.e. falsifying timesheets, getting someone else to sign you in as present at work.
- Leaving your place of work without permission or authority.
- Gambling on company premises.
- Smoking on company premises in unauthorised place or outside allocated breaks and dinners. (2<sup>nd</sup> Occasion)
- Sleeping while at work, during normal working times.
- Undertaking of private work or business on the premises.
- Any action whatsoever which endangers others.
- The bringing on site or holding pornographic material in any media whatsoever.
- Deliberate and/or serious breach of any of our company policies.
- Harassment or deliberate discrimination.
- Serious breach of confidence.

This list is not exhaustive. If you are guilty of committing Gross Misconduct, the result may be summary dismissal and the loss of right to notice or pay in lieu of notice.