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Ombudsman**
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Staff Standards of Conduct Policy

Staff Standards of Conduct Policy

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1 Introduction

- 1.1 This policy sets out PSOW's standards of conduct for staff or those working for PSOW. All staff are expected to act in accordance with PSOW's values and with integrity, honesty, impartiality and objectivity and this policy provides the framework for acceptable conduct.
- 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, or have been engaged via an employment agency. This policy and procedure also applies to Professional Advisers directly contracted by PSOW.
- 1.3 This policy applies to all circumstances when working for PSOW (whether working in the office or away from the office including working at home). Some aspects of this policy also relate to actions when not acting in a work capacity e.g. comments or posts published online in a personal capacity.
- 1.4 This policy is subject to regular review may be amended at any time. PSOW may also vary this procedure, including any time limits, as appropriate in any case. Substantial changes to this policy will only be made following consultation with staff and the recognised Trades Unions.
- 1.5 No policy can set out the appropriate conduct or behaviour for every situation. Within the framework of this policy, PSOW relies on staff to make a reasoned judgement as to what is right and proper in any situation and to seek advice from a Manager or the HR Business Partner 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
 - not be discriminated against as a result of any 'protected characteristics' as laid out in the Equality Act 2010. These are: age, disability, gender reassignment, marriage and civil partnership,

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pregnancy and maternity, race, religion or belief, sex, and sexual orientation

- have their point of view listened to and given consideration
- have their efforts and achievements valued
- be treated fairly and without bullying, harassment or sexual harassment
- speak out if they are the victim of bullying, harassment, sexual harassment or discrimination and to expect their complaint to be taken seriously.

2.2 All staff are expected to:

- comply with a reasonable instruction or contractual requirement
- comply with PSOW's policies and procedures, with special reference to the PSOW Disciplinary Policy as this refers to examples of what is considered misconduct and gross misconduct.

2.3 All staff members have a responsibility to:

- work in accordance with PSOW's values
- have consideration for colleagues and others whilst at work
- express their point of view without being aggressive
- listen to what others say and respect their point of view
- act fairly and in a way that is not bullying, harassing, sexually harassing or discriminatory in any form
- take prompt action if they witness or are made aware of unreasonable behaviour, including bullying, harassment, sexual harassment or discrimination 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
- respect confidentiality and, as required by the PSOW Act 2019, comply with requirements for Crown servants under the Official Secrets Act 1989

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- ensure that all relevant interests are declared in accordance with the Staff Declarations of Interest Policy
- ensure that their conduct (both at work and outside) and their appearance during working hours and whilst representing PSOW, do not cause embarrassment, or reputational damage to PSOW or call into question PSOW's impartiality in any way.
- ensure that they comply with the requirements of the Social Media Policy and that their online conduct (both at work and outside) does not cause embarrassment, or reputational damage to PSOW or call into question PSOW's impartiality in any way.
- avoid behaviour which may result in other colleagues feeling excluded.

3 Confidentiality

- 3.1 All staff must be aware of the statutory requirements to keep confidential the information which is in PSOW's possession. These include the requirements of PSOW staff, as Crown servants, under the Official Secrets Act 1989. Staff must use their best endeavours at all times to prevent the publication or disclosure of any confidential information.
- 3.2 Staff must comply with all PSOW policies in relation to confidentiality, including the Information Security Policy. This applies both on site and off site.
- 3.3 Staff must continue to observe their duties of confidentiality after they have left PSOW.
- 3.4 Staff must also ensure that any PSOW data in any form is transported, used and stored safely in order to maintain confidentiality. Staff should also take every measure to ensure communications oral or written remain confidential.

4 Standards of propriety and behaviour

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

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- 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.
- 4.3 Staff should be aware that whilst attending social events, including those outside of normal working hours, any conduct that could potentially bring PSOW into disrepute could still constitute misconduct/gross misconduct and will be investigated accordingly.

5 Declarations of Interests and other employments and appointments

- 5.1 Staff are required to declare interests on appointment and to review and update then annually, or more frequently if their interests change. Staff should refer to the separate Declarations of Interest Policy. Staff must consider whether a member of the public with knowledge of the relevant facts might reasonably think that any interest could potentially affect their responsibilities to the Ombudsman or could influence actions and decision-making. Any such interest must be declared.
- 5.2 Staff must seek permission from the Ombudsman before **applying for** any proposed additional / secondary employment with a body in the Ombudsman's jurisdiction or any public appointment to a body in the Ombudsman's jurisdiction. Members of staff are encouraged to discuss with their manager any other proposed additional / secondary employment or any other proposed application for a public appointment, so that any concerns or conflicts of interest are understood at an early stage.
- 5.3 All staff must seek permission from the Ombudsman before **accepting or continuing** any paid outside employment or appointment, or any unpaid appointment of a public nature, including school governor roles. Particular care should be taken where a member of staff is considering undertaking paid or unpaid work that could, or could be perceived to, affect the independence and impartiality of the member of staff or the Ombudsman or could involve them in matters that could be referred to the Ombudsman. Advice may be sought from the Chief Legal Adviser and Director of Investigations on such issues.

6 Gifts and hospitality

- 6.1 Staff may not accept gifts, hospitality or benefits of any kind from a third party which might be seen to compromise their personal judgment or integrity.
- 6.2 Staff may accept gifts only where they are of trivial value – for example diaries, pens, chocolates, biscuits and promotional materials. These do not need to be recorded.
- 6.3 Staff may accept modest hospitality where this is provided in the normal course of business (such as modest refreshments at a meeting or complimentary training event). This does not need to be recorded.
- 6.4 Gifts and offers of hospitality beyond those outlined in paragraphs 6.2 and 6.3 will normally be refused, with an explanation of PSOW's policy given to explain that refusal.
- 6.5 If, exceptionally, there is a sound business reason for accepting gifts or hospitality beyond those outlined in paragraphs 6.2 and 6.3 above, the Ombudsman or Chief Operating Officer will be consulted. If, exceptionally, following consultation a gift or hospitality is accepted, that will be recorded in a register held by the Ombudsman's Executive Assistant.

7 Civil or criminal court action

- 7.1 Staff must inform their Line Manager or higher as soon as possible of known civil or criminal court action being taken against them where that action is considered by any reasonable person to likely impact upon their ability to perform their role or has the potential to cause reputational or other damage to PSOW.
- 7.2 If a member of staff is unsure as to whether any action being taken against them would require them to officially notify the Ombudsman, it is recommended that they discuss their concerns with their Line Manager or Human Resources Business Partner who will treat the matter in the strictest of confidence.

8 Personal and domestic relationships

- 8.1 Staff who have or develop a close personal / familial relationship (e.g. spouse, partner, sibling, child) with another member of staff must ensure that they:
- take steps to ensure that potential conflicts of interest in the workplace do not arise; in particular, staff members must not have line management responsibility for anyone with whom they have a close personal / familial relationship
 - behave in a businesslike manner and must not allow their personal relationship to affect their work performance, productivity or that of their colleagues
 - do not divulge confidential information inappropriately or improperly and will not do anything to bring PSOW into disrepute, or compromise its independence, integrity or professional relationships
 - will not engage in any offensive or inappropriate workplace behaviour or behaviour that is embarrassing to colleagues e.g. personal arguments or over intimate behaviour.
- 8.2 Staff must report any potential conflicts of interest which may arise from a personal relationship to their Line Manager. Where necessary, reasonable alternative arrangements will be made (by agreement where possible) to ensure that potential conflicts can be avoided or managed.
- 8.3 Failure to comply with this policy or to comply with PSOW's reasonable arrangements could result in disciplinary action.

9 Political activities

- 9.1 It is of paramount importance that PSOW staff should be, and be seen to be, impartial and non-partisan. Accordingly, members of 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 PSOW's jurisdiction e.g. a public campaign against the closure of a school or hospital.

- 9.2 **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 9.1 should seek advice from their manager, the Chief Operating Officer & Director of Improvement or the Chief Legal Adviser & Director of Investigations. They should not engage in that activity unless and until written agreement has been given by the Ombudsman or a Director.**
- 9.3 Members of staff are free to be members of a political party but are not permitted to have active participation within any political party. Staff may not stand for election for publicly elected office, nor may they hold office in a political party or act as agent for any candidate. Staff must not canvass at any elections or referendums nor speak, write or post with the intention of affecting support for, or opposition to, a political party.
- 9.4 Staff may not generate or post messages, letters, emails or social media posts that indicate support for, or opposition to, a political party in any group that may be viewed by the public or made public.
- 9.5 The Ombudsman and Directors are required to include, in their published Declarations of Interest, details of any membership of a political party. There is no requirement for other staff to declare such memberships.

10 Use of office premises and facilities

- 10.1 Smoking or vaping within PSOW's office premises or within the confines of the building is not permitted.
- 10.2 Members of staff may make occasional and reasonable personal use of photocopiers/printers and faxes, provided such use is not related to material that would be unacceptable under this policy. However, unless the cost of making personal use of the equipment is clearly negligible, staff should contact the Head of Corporate Services to arrange payment before doing so.
- 10.3 Staff can use PSOW's telephones for occasional and reasonable personal use, provided that they are sensitive to any possible impact on colleagues. Staff can receive occasional and reasonable personal phone calls on the PSOW's telephone system.

10.4 Where audio equipment is used in the office, care should be taken to minimise disruption to other staff.

11 Mobile/smartphones

11.1 To avoid disruption, use (both incoming and outgoing) of mobile phones (personal and PSOW issued) within the open office environment must be kept to a minimum and not disrupt your ability to undertake your work.

11.2 Mobile and smart phones should be kept on silent or at a volume that does not cause disruption to your colleagues or your own work whilst within the PSOW open office environment.

11.3 Mobile and smart phones should be kept on silent whilst in any meeting unless agreed otherwise by meeting chair prior to the meeting.

11.4 PSOW issued smartphones may be utilised for reasonable personal use. PSOW may seek re-imbursement for cost incurred which is deemed to be unreasonable.

11.5 PSOW supplied smartphones must be secured by the application of a PIN or a password and must automatically lock after a short duration.

11.6 Only installation of official and accepted applications ('apps') on PSOW issued smartphones are allowed. If users are unsure if an application would be acceptable then they should seek the approval of the Head of IT Services before installing or using.

12 Internet and Communications Systems

12.1 Whilst using PSOW devices or networks, staff must not, at any time (unless as part of a PSOW investigation), deliberately visit internet sites or send emails, messages or posts that contain or relate to content which may be considered:

- Abusive, obscene, indecent or use offensive language
- Defamatory, bullying or harassing

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- Hateful remarks or accusations against individuals or organisations
- Discriminatory on the basis of race, national or ethnic origin, age, religion, gender, marital status, socio-economic status, physical or mental disability or sexual orientation
- to contain or relate to sexual content.

12.2 Accidental access must be reported to the Head of IT Services as soon as possible. Breach of this rule may be regarded as gross misconduct leading to summary dismissal.

12.3 Staff must not at any time, whether using PSOW systems or not, publish defamatory and/or knowingly false material about PSOW, colleagues, complainants, public bodies or representatives of such organisations, online in any format including but not restricted to social networking sites, 'blogs' (online journals), etc.

12.4 Staff must not at any time, whether using PSOW systems or not, publish comments and/or other material that is deemed to bring the reputation of PSOW into disrepute online in any format, including but not restricted to social networking sites, 'blogs' (online journals) and any online publishing format. This includes comments that may not be directly related to PSOW but which can be associated via secondary link indicating that you are employed by PSOW e.g. social media and LinkedIn.

13 Email

13.1 PSOW's **email** system is intended for business purposes only. Staff may however send occasional internal emails for non-business purposes but should be aware of the need to avoid sending any messages that are critical of other members of staff or may be construed as bullying or cause colleagues to feel excluded. Email content must also abide by the stipulations set out in section 12 above.

13.2 Where staff need to send external emails that are not related to PSOW business, this should be done outside PSOW time and using the member of staff's personal email account (e.g. using webmail or mobile phones). **Under**

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no circumstances may staff send personal emails from PSOW email accounts where they may be wrongly interpreted as having been sent in an official capacity (for example emails to bodies in the Ombudsman's jurisdiction or the police).

13.3 Use of PSOW's email system for non work related purpose is permitted at any time for emergency/urgent situations e.g. urgent messages from schools, carers etc.

13.4 PSOW acknowledges that members of staff do not have total control of incoming emails and as such receipt of non work related emails are not considered a breach of this policy. However, members of staff are expected to minimise such emails by 'de-registering' or unsubscribing their work email address, where possible, with the sender. Email requests relating to such 'de-registering' is not a breach of this policy.

14 Internet

14.1 PSOW's **internet** provision is provided to staff for business purposes, although staff may make reasonable personal use of it, subject to the terms of this policy. Personal use should normally be made only during breaks. Personal use of PSOW's devices and networks is a privilege and not an entitlement, which may be withdrawn at any time for either specific individuals or for all staff. Staff will be informed prior to such privileges being withdrawn.

14.2 Even if access to a particular internet site/web page is not blocked, staff should not consider such access allowed or acceptable if the access would violate this policy, including content as set out in section 11 above. Staff must seek advice from the Head of IT Services if it is considered there is a business need to access any site which may contravene this policy.

14.3 Use of PSOW's internet provision or network for personal use will be considered unacceptable if:

- There is significant use of the internet for non business reasons during PSOW time;

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- Use of the internet for non business reasons impacts upon the work of colleagues;
- Staff do not take common sense precautions to avoid introducing viruses or malicious code into PSOW systems, or do not follow any office instructions in that regard;
- Staff play 'on-line' games at any time using a PSOW desktop, laptop PC or other PSOW device.

This list is illustrative and not exhaustive.

15 Access to PSOW Network

- 15.1 PSOW may allow staff to access the Guest Wi-Fi network using their mobile devices. This must not be used to access indecent, obscene, hateful, pornographic, offensive or otherwise illegal material.
- 15.2 Staff must NOT connect any non PSOW issued device to the PSOW network except via the PSOW Guest Wi-Fi network. Staff must not connect personal devices to the PSOW network via network cables or PSOW Wi-Fi (non-guest) without gaining permission for each instance from Head of IT Services.
- 15.3 PSOW recognises and accepts that personal devices connected to the PSOW Guest Wi-fi network may receive data during PSOW time. This is accepted but members of staff should seek to avoid being distracted by their personal mobile devices during PSOW time.

16 Social Media

- 16.1 There are restrictions on staff use of social media within and outside work, as such activity could damage the reputation of the organisation and/or call into question the impartiality of the office. Reputation and impartiality are fundamental to PSOW's work. There is a separate Social media policy setting out the requirements of staff in this area. Social media use that does not comply with the policy may be considered misconduct or gross misconduct.

17 Monitoring

17.1 PSOW reserves the right without notice to access records of websites visited, listen to or read any communication made or received by staff on computers, telephones or other office issued communications equipment 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 PSOW's systems
- to intercept for operational purposes, such as protecting against viruses and making routine interceptions such as forwarding emails to correct destinations.
- to conduct normal business operations e.g. when a member of staff is absent.

17.2 PSOW also reserves the right to make and keep copies of emails and data documentation use of email, for the purposes set out above. PSOW may bypass any password you set.

18 Sanctions

18.1 Where it is evidenced that a member of staff has failed to comply with any element of this policy, disciplinary action could result.

19 Review and publication

19.1 This policy will be reviewed every two years and will be published internally and externally.

Any enquiries about this policy can be directed to
policycontrol@ombudsman.wales