

TRANSPORT FOR LONDON

AUDIT COMMITTEE

SUBJECT: REVISED TfL CODE OF CONDUCT

MEETING DATE: 11 JUNE 2008

1. PURPOSE AND DECISION REQUIRED

- 1.1 To present the revised Code of Conduct for TfL and to invite the Committee to approve the revised Code.

2. BACKGROUND

- 2.1 At its meeting in October 2004, the Audit Committee approved the draft of TfL's Code of Conduct. This was issued in the form of a booklet to all employees in February 2005. A copy of the Code of Conduct is given to all new employees and is available on Source.
- 2.2 Given that it is now over three years since the Code was drafted it is appropriate to review the content to ensure that it continues to be relevant and up to date.

3. CODE OF CONDUCT

- 3.1 The pan TfL Code of Conduct is designed to sit above all the HR and other relevant policies together with key compliance obligations. It acts as a road map to enable employees to easily find and understand issues.
- 3.2 The Code sets the tone for how TfL does business and forms a key part of the compliance framework since it ensures that people across the Group understand the key issues and it explains where to seek further advice and guidance.
- 3.3 The Code includes the application of the principles laid out in the Nolan report on standards of behaviour in public life to demonstrate TfL's ethical approach to conducting its activities.
- 3.4 Details are provided of the internal and external helplines that are in place and widely publicised. Individuals can contact either of the helplines with their concerns if they feel that they cannot take them to their Line Manager

- 3.5 On its introduction the format and content of the Code of Conduct was well received. Consultation with Chief Officers and other TfL staff involved indicate that it continues to be a well regarded and useful document.
- 3.6 In preparing the revised draft attached as an Appendix to this report there has been widespread consultation within TfL and comments have been taken on board.
- 3.7 The content of the Code remains essentially the same as previously. There have been a number of textual and format changes which made it difficult to provide a tracked changes version. The main changes are –
- a) the removal of the explanatory notes concerning policies;
 - b) the inclusion of a paragraph to raise awareness of the need to comply with the restrictions on politically restricted posts; and
 - c) the inclusion of a reminder that disciplinary action could result if employees fail to adhere to the principles contained in the Code.
- 3.8 Consideration has been given as to how it can be ensured that the Code is communicated, understood and complied with across TfL. A Communications Plan has been drawn up with Internal Communications and it is anticipated that the revised Code will be launched in July.

4 IMPLICATIONS FOR EQUALITIES AND INCLUSION, CRIME AND DISORDER AND SUSTAINABILITY

- 4.1 A Code of Conduct that provides a concise statement of TfL's values and states the expectation of how all staff will behave is an essential pre-requisite for the successful delivery of TfL's aspirations in relation to equality and inclusion, crime and disorder and sustainability.

5. RECOMMENDATION

- 5.1 The Committee is asked to APPROVE the revised TfL Code of Conduct.

CODE OF CONDUCT

INTRODUCTION

Transport for London (TfL) strives to conduct all its activities efficiently, to the highest ethical standards and in compliance with its legal obligations.

TfL can only realise this ambition through its employees and it is therefore essential that all personnel conduct themselves according to the highest standards of behaviour, in the most professional manner and with a commitment to perform their work to the best of their ability.

This Code of Conduct describes TfL's ethical values and vision, sets out the behaviour that is expected of all employees and summarises policies that are relevant to the conduct of business.

SCOPE

The requirements of this Code apply to all Board Members and Advisers, employees of TfL and its subsidiary companies and employees of agencies and consultancies contracted to carry out work for TfL. Throughout this Code, unless otherwise explicitly stated, the terms "TfL", "employee(s)" and "TfL employee(s)" include all those covered by the Code.

TfL'S ETHICAL VALUES AND VISION

TfL aims to conduct its business with honesty and integrity and expects employees to maintain the highest ethical standards. TfL recognises the obligations it has towards the community as a whole, employees, partners, suppliers and all others with whom TfL interacts.

TfL seeks to discharge those obligations according to the principles laid out in the Nolan Report on standards of behaviour in public life. These principles apply to all employees, and it is expected that employees will uphold these principles in their roles.

The Nolan Principles

- Selflessness

Employees of TfL should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.

- Integrity

Employees of TfL should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

- Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, employees of TfL should make choices on merit.

- Accountability

Employees of TfL are ultimately accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

- Openness

Employees of TfL should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

- Honesty

Employees of TfL have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest. Any conflict must be notified in writing to TfL and updated as appropriate.

- Leadership

Employees of TfL should promote and support these principles by leadership and example.

BUSINESS CONDUCT

TfL's Commitment

TfL will manage its business according to its ethical values, to the highest standards of integrity, behaviour and business practice. TfL will work with others in a spirit of co-operation and will develop relationships based on honesty, fairness and mutual trust.

TfL is committed to developing and implementing world class transport facilities for the public. In pursuit of this goal TfL commits to treating all those who use London's transport facilities equally and with due consideration. TfL will ensure that the public's health and safety is its first priority. TfL believes in sustainable development and seeks to meet the needs of the present without compromising the ability of future generations to meet their own needs.

The behaviour of TfL's employees is central to how it conducts its business. TfL will ensure the resources are in place to enable employees to realise the delivery of services in line with its ethical values and vision. In particular TfL will aim to be an employer of choice through the creation of a positive, responsible, innovative,

open and challenging working environment in which ability and delivery is valued, encouraged, developed, recognised and rewarded.

TfL is committed to equality and inclusion in all its employment practices, policies and procedures. TfL employs a talented and diverse workforce and will help all employees to develop their potential both personally and professionally and to learn from shared experience. TfL will provide a safe and healthy environment for its workforce.

The Employees' Commitment

All employees must respect and encourage TfL's ethical values and vision set out above, the principles in this document and all TfL policies. It is the personal responsibility of every TfL employee, and anyone else who is conducting business on TfL's behalf, to act in accordance with this Code and the policies which underlie its content. This Code, an employee's own contract of employment, and TfL's policies and guidance set out the standards expected.

EMPLOYEES' GENERAL CONDUCT

Employees are required to behave with a high standard of integrity in business and commercial relationships and treat colleagues and anyone with whom TfL has dealings fairly, with respect and with dignity.

All employees must comply with all TfL policies, standards and supporting guidelines, working procedures and safety instructions relevant to their job. By way of example, TfL operates policies covering the following key matters:

- Discipline;
- Grievance;
- Bullying and Harassment;
- Attendance at Work; and
- Performance Improvement.

This list is not exhaustive. All policies can be found on Source, and are updated regularly but policies and procedures are not of contractual force. Employees have a responsibility to ensure that they understand the objectives incumbent upon them.

All employees are required to take responsibility for their own work and the proper performance of anyone they manage. Learning and development are personal responsibilities and individuals are required to take full advantage of the opportunities provided and to keep up to date with best practice in their own field.

All employees must perform their duties diligently and as directed by their manager. When dealing with the public employees must conform to any Customer Services Delivery Standards or equivalent standards issued to them.

All employees must comply with the terms and conditions of their contract of employment. All employees must avoid engaging in activities that are likely to breach that contract or bring disrepute or damage upon TfL, even where such

conduct occurs outside of work. Employees must not do anything whilst on or off duty which could damage TfL's reputation and/or lead to criminal charges against them.

RESPONSIBILITIES

All Employees must:

- Comply with this Code and the policies underlying its provisions as part of their terms and conditions of employment and/or terms of engagement.
- Recognise the importance of complying with this Code in terms of the provision of an excellent service to TfL's customers.

Employees must also comply with any statutory requirements of their role e.g. staff in politically restricted posts cannot engage in activities which are prohibited by the statutory rules for such posts. TfL staff who earn over the statutorily prescribed amount (currently £35,852 per annum full time (or part-time pro rata)) hold 'politically restricted posts'. Staff who earn less than this hold 'politically restricted posts' if they act in an advisory capacity to TfL or speak on behalf of TfL to the media on a regular basis. Staff of TfL's subsidiary companies do not hold 'politically restricted posts'.

Employees should be aware that failure to adhere to the principles contained in this Code, and/ or any policy applicable to their employment could be considered a disciplinary matter.

Additionally All Managers must:

- Ensure that the requirements outlined in this Code are met including ensuring that employees are aware of them.
- Ensure that appropriate, fair and consistent action is taken to deal with any failure to conform to them, in accordance with the appropriate procedures.

RAISING CONCERNS

In order to maintain high standards, it is essential that everyone working for TfL feels able to raise any concerns they have about the way business is being conducted in a manner that is simple, effective and confidential. TfL will ensure employees feel able to raise concerns without fear of any reprisals being taken against them. This commitment is underpinned by the fact that employees have protection in law under the Public Interest Disclosure Act 1998. Certain kinds of disclosure qualify for protection such as those regarding -

- 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;

- Serious financial irregularities; and
- Deliberate covering up of information relating to any of the above matters.

Concerns can be raised about any aspect of TfL's activities, e.g. safety of the public and/or employees, fraud or financial impropriety, harassment, bullying, discrimination; decisions, actions, conduct or communications that are unlawful, in breach of TfL's policies or in significant breach of TfL's ethical values and vision. If any of the answers to the questions below is "no", an employee should raise the matter:

- Is the action legal?
- Is the action within the terms or the spirit of this Code and TfL Policies?
- Can I justify this to myself, my manager, senior management and to my family?
- Is it right? Is it honest? Can I say it is not deceitful or misleading?
- Does it conform to the professional standards set by your professional body?

TfL will protect anyone who raises such matters, provided the disclosures are made through appropriate channels, without malice and in good faith, regardless of whether the concern raised is upheld.

Where to get help and advice

Any concern that an employee has should be discussed in the first instance with their manager or someone else with authority in the area.

- Grievance

Grievances are concerns, problems or complaints that employees raise with their employers about their work, working conditions or relationships with colleagues or managers. Grievances may be raised informally or formally with employees' immediate manager.

- Independent Reporting Lines

If an employee feels unable, for whatever reason, to raise the matter through the grievance channel, or that their concerns have not been satisfactorily dealt with, they can contact Safecall. Safecall is an independent company which provides an externally based reporting line. Alternatively they can contact TfL's Corporate Governance Advisor in General Counsel. All reports are dealt with on a confidential basis.

Safecall can be contacted by

Telephone: 0870 2410762

The Corporate Governance Adviser can be contacted as follows;

Transport for London
6th Floor, Windsor House
42-50 Victoria Street
London
SW1H 0TL
Telephone: 020 7126 4429
Fax: 020 7126 4598
Email: jeffpipe@tfl.gov.uk

Ownership and Review

The TfL Board owns this Code of Conduct. It will be regularly reviewed jointly by General Counsel and Group HR Policy.