

# **Abuse of Privilege**

## **Guidance**

## CODE OF CONDUCT – SUPPLEMENTARY GUIDANCE

### ABUSE OF PRIVILEGE

In the course of your employment with West Lothian Council you may have access to personal or confidential information, or systems containing such information, relating to yourself, family members, friends or colleagues.

The processing and handling of such information is subject to Data Protection Laws and you have a personal responsibility to ensure that information held by the council is not communicated to any person not authorised to receive such information.

Access to council systems is for the sole purpose of fulfilling your duties. **You must have a legitimate business reason for accessing council systems and specific records.**

With the exception of accessing your own information through established self-service mechanisms **you must not access, browse, copy or share any personal or confidential information relating to yourself, family members, friends or colleagues.**

In line with the council's Code of Conduct, you must:

- declare any private interests that might affect your work with the council;
- not use your position to further your own interests or the interests of others who do not have a right to benefit under the council's policies;
- not involve yourself in any decision on allocation of council services or resources from which you or your family might benefit.

Any breach of the Code of Conduct will be considered seriously and may constitute Gross Misconduct as a 'wilful breach of confidentiality or abuse of authority vested in a post' as detailed in the council's Disciplinary Code. Such conduct will be investigated and dealt with under the council's Disciplinary Procedures.

If, in the course of your duties, you are asked to access a system, process an application, alter a record, book a service or appointment for a person known to you, **you must immediately refer the request to your line manager.** In the absence of your line manager you must refer the request to a colleague unrelated to the individual and thereafter advise your line manager of the matter. Persons known to you will include, but are not limited to, family members, friends, neighbours, colleagues or if you are a landlord, any tenants living in your West Lothian properties.

This guidance may be supplemented with service specific guidance in relation to systems and processes relevant to your position.

Further information on the Disciplinary Code or Code of Conduct including the duty to declare any private interest in the work of the council can be found on Mytoolkit at <https://www.westlothian.gov.uk/hr-policies>

If you have any concerns or questions regarding the above, please contact your Line Manager, Information Liaison Officer or Service Manager.

**Human Resources**  
**June 2024**