

Code of Conduct



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Please think before printing this document.

Where printing is necessary, please ensure that it is printed double sided and in greyscale.

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Introduction

1.1 What is the code about?

Durham County Council expects high standards of conduct from its employees. This document sets out the minimum standards we expect of you, provides a framework to help you understand the protocols which apply to you and gives guidance to help you comply with them.

All employees of the council must maintain the standards and integrity of this Code and carry out their duties honestly and fairly.

1.2 Who does the code apply to?

This Code covers all employees of the council, except for school-based employees. Schools need to give consideration to their own procedures, and where schools are using this Code, suitable advice should be sought from Human Resources.

The Code is recommended as good practice to all other groups associated with the council who have the discretion in their employment to adopt our policies. Apart from schools, this will include such groups as voluntary sector organisations.

Where applicable this Code will also apply to agency workers, contractors, consultants or third parties providing work or services for, or on behalf of, the council.

1.3 Responsibilities

All employees of the council have a responsibility to ensure they comply with this Code along with any other policies or procedures referred to in this document. Employees are expected to give the highest possible standard of service to the public, and where it is part of their duties, to provide appropriate advice to councillors and fellow employees with impartiality.

A number of corporate Durham County Council policies are referenced throughout this policy document. This list is not exhaustive and there will be other service specific procedures and processes relevant to your contracted role within the council that you must also comply with. If you are in any doubt about your responsibilities you must seek clarification from your manager.

1.4 Equality

All employees must ensure that they treat colleagues, service users, members of the public and councillors fairly, impartially and with dignity and respect in accordance with the council's Equality Policy and the Equality Act 2010. Language and behaviour in the workplace must be conducive to productive and harmonious relationships.

1.5 Monitoring

All information will be handled sensitively and used only for its proper purpose. However confidentiality cannot be guaranteed as information might have to be disclosed where an issue results in formal proceedings. Under the Data Protection Act 1998 individuals have the right to see their own personal data held subject to the rights of confidentiality of any third parties involved in that information.

1.6 Publicising/distribution of the code

A copy of this Code is available from the intranet, or alternatively you can request a copy from your manager.

New employees will be informed of the existence of this Code in recruitment and induction information.

1.7 Reviewing the code

The operation of this Code will be kept under review and such changes will be made to the Code as deemed appropriate and in accordance with agreed consultation protocols.

2 Principles

This Code meets the recommendations of the Nolan Committee's Standards in Public Life, establishing the Seven Principles of Public Life, which are:

Selflessness - You must act solely in terms of the public interest and not in order to gain financial or other material benefits for yourself, family, or friends.

Integrity - You should not place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

Objectivity - You must make choices on merit when making decisions on appointments, contracts, or recommending rewards and benefits for individuals.

Accountability - You are accountable for your decisions and actions to the public and you must submit yourself to whatever scrutiny is appropriate.

Openness - You should be as open as possible about all the decisions and actions that you take. You should give reasons for your decisions and restrict information only when the wider public interest clearly demands.

Honesty - You have a duty to declare any private interests relating to your work and you need to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership - You should promote and support these principles by leadership and example.

When working on behalf of Durham County Council you must:

- act in the interests of the council when carrying out your duties, and in accordance with the principles of public life of selflessness, integrity, objectivity, accountability, openness, honesty and leadership;
- comply with the council's Constitution, service requirements, policies and standards, legislation and other professional standards which apply to your role;
- declare to your Head of Service any potential or actual conflicts of interest or relationships that may impact on your work, or that of the council;

- report any concerns or breaches of this Code, or any other council policies, to your manager;
- ask your manager if you are unsure what is required of you.

2.1 Breach of the code

Breaches of any element of this Code (inside or outside of work) are a serious matter, and could lead to an investigation under the council's Disciplinary Policy. Serious breaches may be considered gross misconduct which could result in dismissal without notice.

You must participate in any investigations, including those carried out by the council's Monitoring Officer, who is responsible for ensuring lawfulness and fairness of decision making, including reporting any actual or potential breaches of the law or maladministration of the council and/or cabinet.

3 Declaration forms

Declaration forms (CCE1 – CCE4) are to be completed as detailed in this Code. All declaration forms will be held by the Corporate Director of each service grouping and a copy must be forwarded to the Human Resources Operations and Data Team for the purpose of logging onto a central register. A copy of the completed declaration form will also be placed on an employee's personal file. All forms will be acknowledged and recorded whether approved or declined.

The following declaration forms can be downloaded from the intranet. These forms must be completed in full.

Form CCE1	Declaration of Relationships with External Contractor or Supplier
Form CCE2	Declaration of Personal Interests
Form CCE3	Request for Approval to Undertake Outside Work
Form CCE4	Declaration of Offers of Hospitality/Gifts

4 Procedure

4.1 Personal conduct

As an employee and representative of the council, you are expected to conduct yourself to the highest standards and act with honesty, integrity and professionalism.

You must:

- carry out the full requirements of your role, as detailed in your contract of employment (statement of particulars), job description and council policies and procedures;
- attend work in accordance with the terms of your contract of employment (statement of particulars) and comply with the council's Attendance Management Policy and other absence policies;
- act in an appropriate manner in any situation where you can be readily identified as a council employee, whether at work or otherwise;
- follow management guidance in regard to maintaining acceptable standards of appearance and personal hygiene;
- if it is provided for you, wear and maintain in a reasonable condition, corporate uniform, clothing and personal protective equipment as directed;
- report any shortfalls in the provision of council services to your manager;
- report any concerns / allegations / suspicions of fraud, corruption, bribery, theft or other irregularity, as a matter of urgency, to your manager, and/or to the Chief Internal Auditor and Corporate Fraud Manager;
- keep relationships with councillors, employees, contractors or partners, potential contractors and/or service users, on a professional basis.

You must not:

- engage in any conduct or behaviour that is harmful to the reputation of the council, its services or interests, or conduct which brings the council into disrepute, even when outside of work;
- be under the influence of alcohol, or use unprescribed drugs that may have an adverse impact on your work;
- misuse your official position or seek to use information obtained in the course of your work, for personal interests or the interests of others;
- criticise the council either through media, social media, verbal or written communication.

For further information please refer to the following council policies/procedures and strategies, available on the intranet or via your manager:

- **Additional Annual Leave Policy**
- **Anti Money Laundering Policy**
- **Attendance Management Policy**
- **Confidential Reporting Code**
- **Counter Fraud and Corruption Strategy**
- **Disciplinary Policy**
- **Drugs, Substance and Alcohol Misuse Policy**

- **Family Leave and Flexible Working Policy**
- **The Personal Use of Social Media Policy**

4.2 Protecting confidential information

Maintaining confidentiality of sensitive information is essential. Information must only be disclosed in accordance with the Data Protection Act 1998 which covers manual and computerised information, including emails.

You must:

- comply with the council's ICT security policies;
- comply with the council's **Secure Handling and Transit Guidance for Paper Records** and obtain manager approval prior to taking any paper records/hard copy material off site which contain personal or confidential information;
- report any suspected data losses or security breaches immediately to your manager and to the council's Information Management Team, in line with the council's **Data Protection Potential Breach Policy**;
- label and store information documents to allow access to authorised users and restrict unauthorised users;
- refer any media or press enquiries to the Corporate Communications and Policy Team immediately, and follow their instructions;
- check with your manager if you are in doubt about whether you can provide information to a third party.

You must not:

- disclose your passwords/your council login details to anyone;
- use council information, or facilities, for unauthorised personal use, improper or commercial gain, or for fraudulent or malicious activities;
- compromise the security of council information, for example by installing unauthorised software, inappropriately securing information or interfering with standard security settings;
- disclose any confidential information relating to the council, service users, employees or anyone else who has contact with the council, either whilst at work or outside of work, unless you have express permission to do so;
- release any information relating to an employee's private affairs unless their consent has first been obtained, or unless there is a statutory duty on the council to provide this information.
- under any circumstances access your own personal records, other than those available through the MyView system. If you wish to request a service or access additional information held, you must consult your manager.
- under any circumstances access or update records of friends, partners, relatives or any other person known to you. If you receive such a request you must consult your manager.

For further information please refer to the following council policies/procedures, available on the intranet or via your manager:

- **Corporate Records Management Policy**
- **Data Protection Potential Breach Policy**
- **Information Security Policy (ISP)**
- **Paper Records – Secure Handling and Transit Guidance**
- **Personal Information Security Policy (PISP)**
- **Press Release Guidelines**

4.3 Internet and social networking

The benefits of using the internet and social networking / social media are acknowledged by the council. Where the use of such media are required for business purposes employees must adhere to the council's Social Media Policy, Procedure and Guidance.

Internet access for personal use is at the council's discretion and must not affect an employee's performance or productivity at work.

The council may monitor the use of the internet for legitimate business reasons, including compliance with this Code. By using the internet employees are deemed to have consented to the monitoring, recording and auditing of internet use.

You must:

- adhere to the council's Personal Information Security Policy and The Personal Use of Social Media Policy when using social networking sites for personal use;
- make it clear when posting information or comments on social networking sites that any personal views expressed do not represent those of Durham County Council;
- inform your manager immediately if you have acted inappropriately when using social media, even if the mistake has since been resolved;
- report to your manager any instances where you believe another employee has posted inappropriate or offensive comments on social networking sites.

You must not:

- post information on social networking sites which is confidential to the council, its suppliers, customers or contractors;
- post entries on social networking sites about work colleagues, customers or any other person linked to the council which are derogatory, defamatory, discriminatory or offensive in any way or which could bring the council into disrepute.

For further information please refer to the following council policies/procedures, available on the intranet or via your manager:

- **Personal Information Security Policy**
- **Social Media Policy, Procedure and Guidance**
- **The Personal Use of Social Media Policy**

4.4 Political neutrality

Employees of the council are required to work with all councillors, not just those of the majority group.

You must:

- remain politically neutral and objective in your work role.

You must not:

- allow your personal or political opinions to interfere with your work;
- display political posters, including election material, in council buildings.

Certain posts within the council are deemed to be 'politically restricted' due to the nature of the job. Your job description will state whether your post is politically restricted. If you hold a politically restricted post you must not:

- stand as a candidate for public elected office (other than to a Parish/Town Council);
- hold office in a political party;
- canvass at elections or act as an election agent or sub-agent for a candidate for election;
- speak or write publicly, demonstrating support for a political party.

4.5 Working with councillors

Mutual respect, trust and courtesy between employees and councillors is essential to good local government. When working with councillors

You must:

- give appropriate and impartial advice to councillors when requested;
- ensure working relationships are kept on a professional basis;
- speak to your manager if you are unsure what information you are able to provide to councillors.

You must not:

- form close personal relationships with councillors which could damage your working relationship.

4.6 Working with the public, service users and colleagues

You must:

- be polite, courteous and helpful when dealing with all members of the local community, customers, councillors and fellow employees;
- treat all groups and individuals with respect, value their opinions and beliefs and behave in an appropriate manner;

- treat others in a fair and equitable manner in accordance with the council's **Equality Policy** and **Grievance Policy** and the wider requirements of the law;
- follow the council **Customer Services Charter and Standards** when dealing with service users;
- keep all service users' money, personal records, information and correspondence secure in accordance with the council policies and procedures, and the Data Protection Act;
- advise your manager if you have any concerns about the standard of service being provided to service user.

You must not:

- Unlawfully discriminate, harass or victimise on the basis of age, disability, race or ethnicity, gender reassignment, marriage or civil partnership, pregnancy and maternity, religion or belief, sex or sexual orientation in the provision of facilities, services, employment practices or any other area of council duties;
- form inappropriate close personal relationships with service users, their relatives or carers;
- give any service information to anyone except those authorised to receive it.

For further information please refer to the following council policies/procedures, available on the intranet or via your manager:

- **Counter Fraud and Corruption Strategy**
- **Customer Services Charter and Standards**
- **Equality Policy**
- **Grievance Policy**

4.7 Criminal convictions/loss of licence or qualification

You must inform your manager immediately if:

- you receive any criminal conviction, caution or are held on bail, or placed under bond during your employment with the council, either within or outside of your normal working hours;
- you receive any driving convictions that result in the loss of your driving licence;
- you are subject to medical restrictions or changes to category entitlements in your driving licence that may impact on your ability to carry out the duties of your contracted role;
- you have engaged in behaviour that has resulted in loss of licence, affiliation, accreditation or qualification that may impact on your ability to carry out the duties of your contracted role.

If your post is subject to a Disclosure and Barring Service (DBS) check, as well as the above, you must also inform your manager immediately if you are subject to a criminal investigation. If you are unsure about whether your post requires a DBS check, please seek clarification from your manager. All information you provide in this regard will be dealt with in strict confidence.

For further information please refer to the following council policies/procedures, available on the intranet or via your manager:

- **Driver and Operator Handbook**
- **DBS Disclosure Policy**

4.8 Procurement, administering or managing council contracts

Section 117 of the Local Government Act 1972 requires you to make a formal declaration about contracts in which you have a financial interest. It is a criminal offence to fail to comply with this. Where your role involves procuring, managing or administering council contracts or you have any other professional or personal relationship with contractors:

You must:

- comply with the Contract Procedure Rules and Financial Procedure Rules which are part of the council's Constitution, Financial Management Standards and any other relevant council procedures of orders and contracts;
- exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors;
- declare any current or previous private or personal relationships with contractors, sub-contractors or suppliers by completing form CCE1.

You must not:

- discriminate against anyone involved in the tendering and contracting process;
- disclose any confidential information relating to tenders or costs for internal or external tenders to any unauthorised person;
- use your influence or show any special favour to current or former employees or their partners, close relatives or associates when awarding contracts to businesses relating to them or employing them in any capacity;
- play any part in the selection of tenderers if you have any direct or indirect interest in the outcome.

For further information please refer to the following council policies/procedures, available on the intranet or via your manager:

- **Contract Procedure Rules**
- **Council Constitution**
- **Counter Fraud and Corruption Strategy**
- **Financial Management Standards**

4.9 Personal interests

Section 117 of the Local Government Act 1972 requires you to make a formal declaration about contracts in which you have a financial interest, that is any direct or indirect interest of monetary value, whether or not the value is readily ascertainable. It is a criminal offence to fail to comply with this.

Other financial interests include when money other than your salary is paid into your bank account by the council, or where your address is linked to a business receiving payment from the council.

Non-financial interests include governorship of a local school, membership of an NHS Trust Board or involvement with an organisation or pressure group which may seek to influence the council's policies.

You must:

- declare any financial or non-financial interests which could conflict or be seen to conflict with the council's interests to your Head of Service by completing form CCE2.

You must not:

- make or become involved with any professional decisions about matters in which you have a personal interest.

4.10 Handling council money or sponsorship

Sponsorship is defined as 'an agreement between the council and the sponsor, where the council receives either money or a benefit in kind for an event, campaign or initiative from an organisation or individual which in turn gains publicity or other benefits.'

Durham County Council is a publicly funded organisation and as such, all employees who are authorised to be involved in financial activities and transactions on behalf of the council must be familiar with its Financial Procedure Rules and Financial Management Standards.

If this applies to you, you must:

- use authorised council funds in a responsible, accountable and lawful way;
- comply with the council's financial regulations and take legal and financial advice where appropriate;
- seek value for money;
- comply with relevant policies and procedures when handling money;
- make sure that any sponsorship accepted is related to council business and is approved by your Head of Service;
- disclose any benefit you yourself, partners, relations or close friends relating to any sponsorship the council proposes to make;
- if you suspect financial irregularity, bribery, corruption, theft or fraud, contact your manager in the first instance. If for any reason this is not appropriate you should contact your Head of Service and the Chief Internal Auditor and Corporate Fraud Manager or take relevant advice from Legal Services on any possible legal or procurement issues which may be associated with securing sponsorship.

You must not:

- benefit from any contract or sponsorship that is given to or by the council, or show any favour to a partner, spouse, relative, friend or associate. For further information please refer to the following council policies/procedures, available on the intranet or via your manager:
 - **Financial Management Standards**
 - **Sponsorship and Advertising Policy**

4.11 Intellectual property

Some aspects of the work you carry out, or produce, on behalf of the council may be intellectual property. All creative designs, writings, reports, drawings and inventions produced by employees in the course of their duties are the property of the council.

You must not:

- disclose, publish or otherwise use the work you produce for the council for personal gain or benefit unless you have the express written permission of your Head of Service.

4.12 Recruitment and other employment matters

You must:

- follow the council's Recruitment and Selection Policy, including appropriate service grouping approval processes.

You must not:

- be involved in a selection process or interview if you are related to an applicant, or in a close personal relationship with them or a member of their immediate family;
- canvas on behalf of applicants for council posts, either directly or indirectly;
- be involved in, or try to influence, any employment decisions including those relating to discipline, promotion, pay adjustments, for any employee with whom you have a close personal relationship;
- ask a councillor to provide a reference for you in relation to a job within the council.

For further information please refer to the following council policies/procedures, available on the intranet or via your manager:

- **Recruitment and Selection Policy**

4.13 Commitments outside work

Outside work means any paid or unpaid work, including voluntary work, undertaken in addition to your council employment. Any requests to undertake outside work will be considered and will not be unreasonably refused, however the council must consider whether or not such outside working would be in conflict with council interests or weaken public confidence in the council, or adversely impact upon your ability to carry out your role with the council. Approvals will be reviewed should concerns arise as to the impact the outside commitment has on your ability to carry out your role within the council, or if the circumstances of the outside commitment, or your role within the council, changes.

If you wish to undertake any outside work:

You must:

- obtain permission from your Head of Service by completing form CCE3 prior to undertaking any outside work;
- inform your Head of Service by completing another CCE3 if there are any changes relating to your outside work, or if your role changes.

You must not:

- put yourself in a position where your duty and private interests conflict or could appear to conflict;
- seek to gain business in the course of carrying out your council duties;
- carry out any outside work or a private interest during working hours, including making/sending or receiving telephone calls, emails, correspondence/goods;
- use any council facilities or equipment or confidential information in relation to commitments outside of work.

4.14 Gifts and hospitality

Gifts, hospitality or benefits in kind offered to you must be treated with caution in order to avoid any suggestion of improper motives or conduct.

It is a serious criminal offence under the Bribery Act 2010 to corruptly receive or give any gift, loan, fee, reward or advantage for doing, or neglecting to do something, or showing favour or disfavour to any person in your official capacity. If an allegation is made against you, it will be for you to demonstrate that any such rewards have not been corruptly obtained. Offences can carry a maximum of 10 years imprisonment and/or an unlimited fine for an individual. For the avoidance of doubt, you must:

- declare to your Head of Service, by completing form CCE4, if you are offered, or you wish to offer, any gifts, hospitality or advantage, other than token gifts of a nominal value. Your Head of Service must give approval before you accept or give such items;
- use tact and courtesy if you need to refuse a gift or hospitality;
- report to your manager any gifts which are delivered to your place of work where you may have a problem returning it;
- under no circumstances should gifts or hospitality be accepted that include attendance at sporting events;
- report to your Head of Service any approaches made to you which could be viewed as being aimed at obtaining some form of preferential treatment.

It is not unusual for people receiving care or support at home from council employees, to wish to express their thanks and gratitude to care staff by offering gifts, money or even, exceptionally, by making an employee a beneficiary in their will. In order to protect the council and its employees from any suggestion of improper motives or conduct, members of staff and their families are not allowed to accept gifts or legacies from current or former clients. If you are made aware that a client is considering making a gift to you or including you in their will, or has actually done so, then you must inform your manager immediately, in order that appropriate contact can be made with

the client. Similarly, you must not become involved with making wills for clients nor act as an executor in a client's will. If you are unclear what is acceptable, ask your manager.

For further information please refer to the following council policies/procedures, available on the intranet or via your manager:

- **Counter Fraud and Corruption Strategy**

4.15 Using council equipment, materials and property

The facilities and equipment provided as part of your work belong to the council.

You must:

- comply with health and safety regulations and use personal protective equipment as required;
- take care of council property or equipment, keeping it secure and reporting any damages or breaches in security;
- use equipment and facilities for authorised purposes only;
- use equipment and facilities appropriately and only for the purposes provided.

You must not:

- use council equipment or property for personal gain or fraudulent activity;
- use council vehicles for unauthorised purposes.

For further information please refer to the following council policies/procedures, available on the intranet or via your manager:

- **Driver and Operators Handbook**
- **Health and Safety Handbook**

4.16 Reporting improper or illegal activities

In regard to all aspects of this Code, should you be concerned about any activities which you think may conflict with the Code of Conduct, carried out by yourself or other employees, you should raise the matter with your manager or Head of Service.

You must:

- report any activity which you believe is illegal, improper, unethical, dangerous or a breach of Code to your manager or Head of Service.

For further information please refer to the following council policies/procedures, available on the intranet or via your manager:

- **Confidential Reporting Code**
- **Counter Fraud and Corruption Strategy**

5 Further information

5.1 Equality and diversity

Durham County Council is committed to promoting equality of opportunity, valuing diversity and ensuring discrimination, harassment or victimisation is not tolerated. Our policy is to treat people fairly, with respect and dignity. We also comply with legal requirements in relation to age, disability, gender, pregnancy and maternity, marriage and civil partnership, gender reassignment, race, religion or belief and sexual orientation.

5.2 Confidentiality

Durham County Council complies with all relevant statutory obligations. Personal information processed by the Council will be handled in accordance with the Council's privacy statement, which can be accessed [here](#).

Human Resources privacy notice provides more specific information on the data collected and how it is handled, a copy of which can be accessed [here](#).

If you have any concerns about how your data is handled, please contact either the Data Protection Officer at dpo@durham.gov.uk or the [Information Commissioner's Office](#).

5.3 Dealing with abuses of the code

Employees who attempt to abuse this code may face disciplinary action. The council takes false or misleading accusations very seriously which may result in further action taken through the disciplinary procedure. This will not include ill-founded allegations that were made in good faith.

5.4 Monitoring compliance

Durham County Council is required by law to protect the public funds it administers and, as part of this duty, will carry out routine monitoring to ensure compliance with this and other council policies. This will include reviewing declarations made under this code against any information held on manual and / or electronic records and systems controlled or managed by the council. This may also include data matching of records containing personal data held on and / or across council systems. Any breaches of the Code of Conduct identified as part of these reviews will be brought to the attention of the relevant Corporate Director and the Head of Service for appropriate action to be taken. Where any criminal activity is suspected or detected details may also be referred to the police and/or any other relevant bodies.

5.5 Contact details

Managers should forward copies of any forms/letters required by the HR Operations and Data Team to: HR Operations and Data Team, Resources, Level 0 – Room 2/56-70, Council Offices, Spennymoor, Co., Durham DL16 6JQ or via email, according to service grouping as follows:

Service grouping	Email Address
Regeneration and Local Services	HRREAL@durham.gov.uk
Children and Young Peoples Services	HRCYPS@durham.gov.uk
Adult and Health Services	HRAHS@durham.gov.uk
Resources	HRRESOURCES@durham.gov.uk
Transformation and Partnerships	HRTAP@durham.gov.uk

If you would like any further advice or would like the document in an alternative format, please contact the HR Advice and Support Team using the contact details below.

Please ask us if you would like this document summarised in another language or format.

العربية (Arabic) (中文 (繁體字)) (Chinese) اردو (Urdu)
 polski (Polish) ਪੰਜਾਬੀ (Punjabi) Español (Spanish)
 বাংলা (Bengali) हिन्दी (Hindi) Deutsch (German)
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 Braille
  Audio
  Large Print