

Meeting Council
Portfolio Area Resources
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EMPLOYEE CODE OF CONDUCT

NON-KEY DECISION

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1 PURPOSE

- 1.1 In the Corporate Governance audit 2020/21 a recommendation was made to review the Employee Code of Conduct with particular reference to the arrangements for the management of gifts and hospitality. A similar recommendation was made for the review of the Code of Conduct for Members.
- 1.2 The purpose of this report is to present the revised and updated Employee Code of Conduct for approval.

2 RECOMMENDATIONS

- 2.1 That the revised Employee Code of Conduct, as attached at Appendix A to the report, be approved.
- 2.2 That the revised Employee Code of Conduct be adopted for immediate implementation.
- 2.3 That the proposed measure that every employee must complete a declaration, confirming they have read the revised Employee Code of Conduct, be approved.

3 BACKGROUND

- 3.1 The current Employee Code of Conduct (Code) was approved in 2011 and has been issued to all employees of the Council since that date (Background Document 1).
- 3.2 Since then, there have been a number of legislative changes as well as technological advances in the world of work. This includes the implementation of the provisions of the Equality Act 2010, the General Data Protection Regulation (GDPR) 2016, the Data Protection Act 2018 and the Bribery Act 2010.
- 3.3 These legislative changes coupled with the growth in the use of social media have resulted in the Council and its employees attracting greater scrutiny than ever before.
- 3.4 Globally, there is greater interconnectedness and concerns about the role of Councils and their employees in supporting safeguarding of the vulnerable, removing discrimination and paying greater attention to the wellbeing of its employees.
- 3.5 Members will note that the Member Code of Conduct was approved in 2012; the Monitoring Officer is in the process of reviewing and updating the Member Code of Conduct (following the publication of the Local Government Association Model Code in December 2020). A report setting proposals to update the Member Code of Conduct will be brought forward to the Standards Committee and to Council for approval during the course of this year.

4 REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS

- 4.1 Consultation on the proposed revised code (Appendix A) was undertaken with selected stakeholders. The Human Resources team are often the first port of call for guidance and expert advice on matters relating to working arrangements and employee conduct. The team provided input on procedural points, reflecting the issues about which they are frequently consulted.
- 4.2 Feedback was also sought and received from managers on the practical challenges of correctly interpreting policy and guidance relating to conduct.

- 4.3 The revised Code was also shared with trade union colleagues and the proposals received a positive response.
- 4.4 The revised Code seeks to reflect the changing operational environment and the consequent standards of behaviour expected from all employees, while also simplifying some of the language used, to make it more accessible to all employees.
- 4.5 The Employee Code of Conduct applies in all circumstances, whether work is carried out remotely, in the community or on Council premises.
- 4.6 A summary of the revised Code is intended to drive further accessibility and to encourage easy discussion of the required standards, within operational teams and on an individual level between managers and their direct reports. This can be found in Appendix B.
- 4.7 The revised Code provides clear guidance on how offers of gifts and hospitality are to be treated, to ensure propriety and protection of the Council's officers.
- 4.8 It also introduces an employee responsibility for safeguarding vulnerable people and this aligns with the Council's commitment to draw attention to this duty.
- 4.9 In response to increasing scrutiny from the Health and Safety Executive, the revised Code emphasises an individual employee's responsibility for their own health and safety and for colleagues in their work environment, in accordance with the Council's General Statement of Health and Safety 2019 (Background Document 2).
- 4.10 While the current Code is an integral part of employment contractual terms and conditions of service, there is no requirement for employees to specifically acknowledge its contents and obligations. By completing a declaration in the revised Code, it is envisaged that each employee commits fully to upholding the Council's standards of behaviour.
- 4.11 In light of these significant changes to the work environment, it is important that the Council sets out its expectations for all employees. Members are asked to approve the revised Code.

5 IMPLICATIONS

Financial Implications

- 5.1 The revised Code aligns with duties under the Bribery Act 2010 and the Council Financial Regulations 2020.

Legal Implications

- 5.2 Revision of the Code was undertaken with guidance from Legal Services. Alignment with legal provisions is outlined in the body of the report.

Risk Implications

- 5.3 None identified

Equalities and Diversity Implications

- 5.4 Revision to the Code has been undertaken with due regard to the guidance and practice of the Equality Act 2010 and supports all efforts to avoid discrimination against protected characteristics as outlined in the Act.
- 5.5 An Equalities Impact Assessment was conducted and the potential for a negative impact from using difficult language identified. This has been mitigated by the development of a summary of the Code in simpler language, to aid accessibility and understanding. This aligns with the Council's choice to implement the socio-economic duty arising from the Act (Appendix C).

Safeguarding Children Implications

- 5.6 The revised Code introduces a specific safeguarding responsibility on each employee as a standard part of day to day work.

BACKGROUND DOCUMENTS

- 1.1 All documents that have been used in compiling this report, that may be available to the public, i.e. they do not contain exempt information, should be listed here:**

- BD1 Employee Code of Conduct 2011
- BD2 General Statement of Health and Safety Policy 2019

APPENDICES

- A Revised Employee Code of Conduct 2021
- B Summary of Employee Code of Conduct
- C Equalities Impact Assessment