



Finance and Resources

Overview and Scrutiny Committee

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| Report for: | Finance and Resources Overview and Scrutiny Committee |
| Title of report: | Employee Code of Conduct |
| Date: | 7 th March 2023 |
| Report on behalf of: | Councillor Graeme Elliot, Portfolio Holder for Corporate Services |
| Part: | I |
| If Part II, reason: | N/A |
| Appendices: | New Code of Conduct for Employees (Appendix 1) Existing Code of Conduct for Employees (Appendix 2) |
| Background papers: | None |
| Glossary of acronyms and any other abbreviations used in this report: | None |

Report Author / Responsible Officer

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| Corporate Priorities | A clean, safe and enjoyable environment Building strong and vibrant communities Ensuring economic growth and prosperity Providing good quality affordable homes, in particular for those most in need Ensuring efficient, effective and modern service delivery |
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| | Climate and ecological emergency |
| Wards affected | All |
| Purpose of the report: | To seek comments on a new Employee Code of Conduct |
| Recommendation (s) to the decision maker (s): | That Finance and Resources Scrutiny Committee recommend the Employee Code of Conduct to Cabinet and Council for adoption. |
| Period for post policy/project review: | Annual |

1 Introduction/Background:

- 1.1 The Council has a Code of Conduct for Employees (the Code) which has been in place for a number of years and was last formally reviewed in 2014. The Code sets out the standards expected of employees whilst they are employed by the Council.
- 1.2 The main areas covered in the Code are:
- Impartiality, Conflicts of Interest
 - Political Neutrality
 - Gifts and Hospitality
 - Employment & Recruitment
- 1.3 A review has been carried, which considered changes in legislation, guidance, other codes of conduct in place at nearby district councils, and a number of sections have been identified where the Code could benefit from review and development.

2. New Code of Conduct of Conduct

- 2.1 A new Code of Conduct is therefore proposed which builds on the key principles in the current code, but develops additional and more detailed sections regarding:
- Disclosure of Information & Confidentiality
 - Bribery, Corruption and Fraud
 - Sponsorship
 - Employment & Recruitment
 - Equality issues
 - Information Security
 - Criminal offences
 - Whistleblowing
- 2.2 The new Code of Conduct is different in format and it has not been possible to show in a tracked changes version against the current code. Therefore both the new Code of Conduct and old are attached for consideration by Members.
- 2.4 There is one area of the new Code of Conduct which members should note in particular and this is a new requirement for officers to complete a Register of Interest Form on commencement of employment and to update within 28 days if any change of interest. This is similar in form to the Members Declaration of Interests and will cover interests such as land owned in the borough, any

outside employment undertaken, whether the employee has a beneficiary interest in securities in a company which has a place of business in the borough, membership or positions in outside bodies and relationships with other employees or councillors at the Council. The overriding purpose of this provision is to ensure the employee does not put themselves in a position where their private interests could conflict with those of the Council. The Interest Form is contained at appendix 3 of the new Code of Conduct.

An on-line version of the form will be developed to make submission and updating a simple process for employees.

3. Training

A new on-line training module is currently being developed with SkillGate which will ensure that all new and existing employees are trained on the new Code of Conduct once it is finally adopted by Council.

4 Options and alternatives considered

It is appropriate to review the Code as it has been in place since 2014. The Code has become outdated and therefore no other options other than reviewing the Code are appropriate.

5 Consultation

The Council's Strategic Leadership Team has been consulted and agreed to the recommended adoption of the new Code of Conduct.

The two employee unions, Unite and Unison have been consulted on the new Code of Conduct and provided no negative feedback or suggested amendments.

6 Financial and value for money implications:

There are no direct financial or value for money implications resulting from the new Code of Conduct but compliance with the code should ensure that officers maintain appropriate standards and levels of transparency and probity which will assist the council achieve value for money from all of its services.

7 Legal Implications

The new Code of Conduct will provide guidance and obligations on employees in various different areas of employment law and best practice and should help to ensure that employees avoid conflicts of interest and comply with relevant council policies, guidance and the law.

Failure to comply with the code may render the employee liable to disciplinary proceedings.

8 Risk implications:

Failure to have an appropriate code of conduct in place could mean that employees are unclear of their legal and statutory responsibilities, which could lead to inappropriate or unlawful conduct and risk of challenge to the Council's decisions and actions.

9 Equalities, Community Impact and Human Rights:

A Community Impact Assessment has been carried out which confirms that there are no negative impacts as a result of the new Code of Conduct. The code includes a specific section 6.2.2 which encourages community engagement and includes a new section 12 regarding Equality issues which makes it clear that discrimination in any form would be a breach of the code.

There are no Human Rights implications arising from this report.

10 Sustainability implications

There are no direct sustainability implications arising from this report.

11 Council infrastructure

There are no direct implications arising from this report.

12 Conclusions:

The new Code of Conduct provides an effective framework to guide appropriate conduct from Council employees. Members are requested to consider the Code of Conduct before reporting to Cabinet and Council for adoption.