

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **CONSTITUTION COMMITTEE**

DATE: **WEDNESDAY, 9 JULY 2014**

REPORT BY: **HEAD OF LEGAL & DEMOCRATIC SERVICES**

SUBJECT: **OFFICERS' CODE OF CONDUCT**

1.00 **PURPOSE OF REPORT**

1.01 To consider a revised and updated officers' code of conduct as part of the ongoing review of the Council's Constitution.

2.00 **BACKGROUND**

2.01 Section 37 of the Local Government Act 2000 requires local authorities such as Flintshire to keep up-to-date a Constitution containing information prescribed by the Welsh Government and for that to be available for inspection by members of the public.

2.02 At its meeting on the 24 July 2012 the committee considered a report recommending a programmed review of the Constitution over a 3 year period and resolved to endorse that programmed review. The third year of that programme includes reviewing the officers' code of conduct.

2.03 In reviewing the officers' code there has been consultation with the Chief Executive as Head of the Paid Service, the HR & OD department and with Trade Union representatives including a report to the Flintshire Joint Trade Union Committee meeting of the 29 May 2014. The draft revised officers' code is also being reported to the Standards Committee meeting on the 7 July 2014 and its views will be reported verbally at the meeting. The draft revised officers' code of conduct is attached as Appendix 1 showing tracked changes from the current wording.

3.00 **CONSIDERATIONS**

3.01 In undertaking the review of the Constitution the guiding principles have been to update to reflect current arrangements, avoid unnecessary bureaucracy and avoid ambiguity of wording. Consultation with HR & OD identified the last of these as currently being an issue with the existing code.

- 3.02 Parts of the officers' code are statutory provisions automatically incorporated into individual contracts of employment and these are shown in bold in Appendix 1. With the exception of paragraph 3 these statutory provisions remain unchanged. Paragraph 3 has been updated to reflect the change in legislation whereby salary is no longer a category of politically restricted post.
- 3.03 The main changes to the officers' code relate to personal interests, gifts & hospitality and employees outside work (sections 8 to 10 in Appendix 1). These replace paragraphs in section 8 of the existing code that were less clear as to the requirements placed on employees.
- 3.04 The draft revised code includes a new section on the disclosure of information (section 11). Whilst the Constitution contains access to information procedure rules explaining the legislation relating to information rights these requirements had not previously been expressly covered in the officers' code. In view of the importance and volume of information dealt with by officers in the course of their work this is regarded as a significant omission from the current code.
- 3.05 The draft revised code has been updated to reflect the Council's new senior management structure as currently implemented. Further updating changes will be made when the post of Head of Governance has been filled.
- 3.06 In consultation the Trade Unions have welcomed the proposed changes to the officers' code.

4.00 RECOMMENDATIONS

- 4.01 The committee is recommended to approve the draft revised officers' code of conduct shown in Appendix 1.

5.00 FINANCIAL IMPLICATIONS

- 5.01 None as a result of this report.

6.00 ANTI POVERTY IMPACT

- 6.01 None as a result of this report.

7.00 ENVIRONMENTAL IMPACT

- 7.01 None as a result of this report.

8.00 EQUALITIES IMPACT

- 8.01 Equality issues have been considered in reviewing the code.

9.00 PERSONNEL IMPLICATIONS

9.01 The proposed revisions to the code will not increase officer workload.

10.00 CONSULTATION REQUIRED

10.01 With the Chief Executive, HR & OD department and recognised Trade Unions.

11.00 CONSULTATION UNDERTAKEN

11.01 With the Chief Executive, HR & OD department and recognised Trade Unions.

12.00 APPENDICES

12.01 Appendix 1 - Draft revised officers' code of conduct.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

Existing Code of Conduct.

Contact Officer: Peter Evans
Telephone: 01352 702304
Email: peter.j.evans@flintshire.gov.uk