

EAST HERTS COUNCIL

HUMAN RESOURCES COMMITTEE - 25 OCTOBER 2007

REPORT BY INTERIM HEAD OF PEOPLE AND ORGANISATIONAL SERVICES

5. CODE OF CONDUCT FOR OFFICERS

WARD(S) AFFECTED: All

'D' RECOMMENDATION - that (A) the revised Code of Conduct for Officers, attached as Appendix to the report now submitted, be approved subject to the outcome of consultation with staff, and

(B) training be provided for all employees on the revised Code of Conduct for Officers as part of the implementation plan.

1.0 Purpose/Summary of Report

1.1 The report seeks the approval of the Committee for the revised Code of Conduct for Officers which has been brought up to date in line with current legislative requirements. The report is urgent in that management of any breach in the required standards of conduct would be rendered difficult without the Code of Conduct being in place.

2.0 Contribution to the Council's Corporate Priorities/Objectives

2.1 **Promoting prosperity and well-being; providing access and opportunities**

Enhance the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.

Making explicit the requirements for Officers to adhere to the highest standards of conduct, including compliance with the Council's Equal Opportunity Policy, assists the Council to safeguard the interests of all sections of the community, including those who are vulnerable.

Fit for purpose, services fit for you

Deliver customer focused services by maintaining and developing a well managed and publicly accountable organisation.

The Code of Conduct for Officers assists the Council to ensure the highest standards of conduct and accountability in the management and delivery of public services.

Pride in East Herts

Improve standards of the neighbourhood and environmental management in our towns and villages.

The Code of Conduct for Officers assists the Council to ensure the highest standards of conduct and accountability in the management and delivery of public services. This in turn facilitates employees having pride in the organisation they work for and helps engender confidence in the organisation by residents and other stakeholders.

Leading the way, working together

Deliver responsible community leadership that engages with our partners and the public.

Adherence to a high standard of conduct and accountability is essential for effective community leadership.

3.0 Background

- 3.1 The (draft) Code of Conduct for Officers attached as Appendix A5 (pages 5.5 – 5.18) has been revised to take account of current legislative requirements e.g. Age Discrimination legislation. The draft Code was discussed at the Corporate Management Team on 28 August 2007 and forms an important part of the corporate governance framework for the Council.
- 3.2 The draft Code was also discussed at the Local Joint Panel on 10 October when initial feedback from consultation with staff was considered. Points raised at the Local Joint Panel have been conveyed to the Council's Monitoring Officer for his further consideration and an oral report will be made to the Committee incorporating the Monitoring Officer's response to these points.

4.0 Report

4.1 The revised draft Code of Conduct for Officers is an essential part of the corporate governance framework for the Council and it is vital that staff are aware of the standards with which they are expected to comply.

5.0 Consultation

5.1 The draft revised Code of Conduct for Officers is published on the Intranet for consultation with employees and any further feedback received by 25 October will be reported orally to the Committee.

5.2 Feedback received by 10 October was considered by the Local Joint Panel and the following points have been referred to the Council's Monitoring Officer for his consideration:

- There is a reference in paragraph 4.4 of the Code of Conduct to employees having a duty to declare ownership of shares in any company involved in Council business. Clarification is sought as to whether this would apply to shares in utilities companies like British Gas or whether a distinction can be drawn between a situation where an employee owns a significant number of shares in a smaller company and a situation where an employee owns a small number of shares in a very large company such as British Gas.
- Clarification was sought on how the Council would handle a request by a Member of the Public seeking information (under the Freedom of Information legislation) about any interests disclosed by an employee.
- In relation to paragraphs 5.1 to 5.3 of the Draft Code of Conduct, clarification was sought regarding the inclusion of employment rules in the Authority's Constitution.

6.0 Legal Implications

6.1 It is essential that the Council can provide evidence that it has an agreed Code of Conduct in place for Officers that makes explicit what standards are to be complied with. In the absence of such a code there could be legal difficulties arising from the management of conduct cases.

7.0 Financial Implications

7.1 None specifically identified.

8.0 Human Resource Implications

8.1 The promulgation of the revised draft Code of Conduct for Officers is an essential aspect of good practice in people management. Employees will need to be made aware of the Code and training in the form of short briefings will be provided by HR. Managers are expected to ensure that employees in their teams are fully aware of the existence and importance of the Code. Breaches of the Code will be dealt with in accordance with the Council's Disciplinary Policy and Procedure.

9.0 Risk Management Implications

9.1 Promulgation of the revised Code of Conduct for Officers is part of effective risk management within the organisation as it mitigates against the possibility of employees breaching the Council's policies and claiming as a defence that they were not made aware of the standards of conduct expected.

Background Papers

None

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