

ANGUS COUNCIL

PERSONNEL AND PROPERTY SERVICES COMMITTEE - 1 FEBRUARY 2000

REPORT BY DIRECTOR OF PERSONNEL

CODE OF CONDUCT FOR LOCAL GOVERNMENT EMPLOYEES

**ABSTRACT**

This report recommends adoption in principle of the National Code of Conduct for Local Government employees as prepared by COSLA and asks Committee to note that an officer working group has been established to develop the Code within the Council and to put it into an Angus Council context.

**1 RECOMMENDATION**

The Committee note and approve the terms of this report.

**2 DEVELOPMENT OF CODE OF CONDUCT FOR EMPLOYEES**

The Nolan Committee which published a Report on Standards in Public Life in 1997 concluded that there was in local government a profusion of roles resulting in a growing lack of clarity over standards of conduct. Consequently one of the recommendations in the Nolan Report was that each Council draw up a Code of Conduct for its employees.

At a national level, and in response to Nolan, COSLA adopted and circulated a National Code of Conduct for Local Government Employees in November 1997. All Councils in Scotland have subsequently been asked to adopt this Code or develop their own, this latter course being with the proviso that it should have at least the same effect; the standards cannot be less.

The Scottish Executive is currently considering whether a statutory duty should be placed on each Council to adopt a Code for Employees.

Included within the Personnel Department's Service Plan for 1999/2000 is a commitment to develop a Code of Conduct for employees within Angus Council.

A copy of the National Code of Conduct for Local Government Employees is attached. As indicated above the Council could simply choose to adopt the National Code or it could develop its own Code - but in doing so that Code must have the same effect as the National Code and the standards cannot be less.

Accordingly, and irrespective of whether the Council decides to adopt the National Code or develop its own Code, perusal of the National Code shows that certain policies and procedures need to be in place. For ease of reference these are listed below:

- procedures about tenders and contracts
- policy on information to be made available to the public

- policy on paid employment outside the Council
- policy on fees received for publications, broadcasts, speeches or lectures
- policy on assistance to voluntary or charitable organisations
- policy on declaration of offers of hospitality
- policy on use of Council equipment and resources
- policy on recruitment and selection
- policy on contact with the media
- policy on access by political groups to advice of employees
- procedure on expressing concerns outwith line management - "whistleblowing"

The Council has procedures about tenders and contracts and policies on paid employment outside the Council, recruitment and selection and on declaration of offers of hospitality. A whistleblowing procedure is currently being drafted. No formal policies appear to exist in relation to the other areas albeit in some areas guidelines have been issued.

The remit for developing policies for the outstanding issues lies outwith the direct remit of the Personnel Department and accordingly to take the development of a Code forward the Chief Officers' Management Team has agreed that a short life working group be established chaired by the Personnel Department and comprising representatives from the Chief Executive's, Law and Administration, Finance and Education Departments.

The Committee is asked to approve that the working group take the development of a Code forward on the basis that the National Code of Conduct be adopted in principle albeit it is recognised that some amendment will be required to put it into an Angus Council context and some amendment may be required to reflect the outcomes of the working group. The Committee is asked to note that the Code in its draft version would also need to be subject to consultation with the trade unions.

### **3 CONSULTATION**

The Chief Officers' Management Team has been consulted on the terms of this report.

**Janice Torbet**  
**Director of Personnel**  
**December 1999**  
**HMR**

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to any material extent in preparing this report.