



CORPORATE GOVERNANCE COMMITTEE
12 MAY 2014

JOINT REPORT OF THE COUNTY SOLICITOR AND DIRECTOR
OF CORPORATE RESOURCES

EMPLOYEE CODE OF CONDUCT

Purpose of Report

1. The purpose of this report is to present the draft revised Employee Code of Conduct for consideration and to advise the Committee of progress in revising a range of other employee related policies.

Background

2. The Employee Code of Conduct forms Part 5B of the County Council's Constitution. It was last revised in 2006. The current Code includes a set of principles and four appendices: the policies for the register of interests, register of gifts and hospitality, whistleblowing and close personal relationships in employment.
3. In light of the recent revisions to the Members' Code of Conduct and the requirements of the Bribery Act 2010, it was considered timely to update the Employee Code of Conduct.
4. The draft revised Code is attached as Appendix 1 to this report. In revising the Code, the aim was to ensure that, as well as addressing the updated principles of public life recommended by the Nolan Committee, it incorporated all County Council policies and procedures relating to the conduct of employees.
5. It was decided that the Code would not reproduce each policy in its entirety, but would set out a brief description of their requirement as these policies will change over time and it would not be appropriate for changes to the Constitution to be made whenever such changes are made. A Guide to the Employee Code of Conduct which will include weblinks to the relevant policies or procedures is being produced to support employees in understanding the requirements of the Code. The latest version of that Guide is attached as Appendix 2 to this report.

Consultations

6. The draft revised Employee Code of Conduct has been submitted to the Trade Unions, who are supportive of its contents.

Employment Committee

7. The following is an extract from the minutes of the meeting of the Employment Committee held on 12 March 2014:

“The Committee considered a report of the Director of Corporate Resources presenting a draft revised version of the Employee Code of Conduct. A copy of the report, marked “Agenda Item 7”, is filed with these minutes.

The County Solicitor explained that a revised Employee Code of Conduct had been developed as a result of a lack of awareness amongst staff for the previous version of the document. It was stressed that a guidance document was being developed in order to make the latest version of the Code more accessible for staff in order that they understood how it applied to their role at the Council.

Whilst the introduction of a revised version of the Code was welcomed, it was felt that it would be necessary to see the guidance document that it sat alongside before it was possible to approve the Code for submission to Council. In addition, some members felt that the Code was lacking in detail, particularly in respect of paragraph 6.2.1 and the rules around relationships between staff and elected members. It was subsequently explained that it was intended that the Code be a stand-alone document with cross-references to a number of other protocols in the County Council’s Constitution, such as the Protocol on Member/Officer Relations. This avoided the need to have repeated content.

It was noted that, were the Code of Conduct not to be approved for submission to the County Council meeting in May, it would be necessary to bring forward the next meeting of the Committee (currently scheduled for 26 June) in order for it tie in with the timescales for submission to the following County Council meeting in July.

RESOLVED:

- (a) That an amended draft of the Employee Code of Conduct be submitted to the next meeting of the Committee;
- (b) That a copy of the latest draft of the proposed supporting guidance document be circulated to Committee members as soon as it becomes available.”

Corporate Governance Committee

8. The Committee has a particular role to “monitor the effectiveness of officer arrangements for ensuring an adequate internal control environment and combatting fraud and corruption”. The Employee Code of Conduct contains provisions intended to cover these issues and for this reason, both this Committee and the Employment Committee are asked to consider its contents.
9. Policies on declarations of interest and gifts and hospitality will be brought to the Corporate Governance Committee at its next meeting, following consultation with Trade Unions. These policies will reflect the principles of the Employee Code of Conduct and provide the detail necessary to make the Code enforceable. The Whistleblowing Policy does not form part of the Employee Code of Conduct but, because of its strong links with combatting fraud and corruption and the principles of public accountability, will also be brought to the Committee for consideration.

Timetable for Decisions

10. The Employee Code of Conduct will be considered again by the Employment Committee on 12 June 2014. As it forms part of the Constitution it will then be considered by the County Council on 2 July 2014.

Recommendation

11. That:
 - (a) the Corporate Governance Committee recommends the County Council to approve the proposed Employee Code of Conduct as set out in Appendix 1 to this report;
 - (b) it be noted that a further report will be presented to the Corporate Governance Committee in relation to procedures on declarations of interest, gifts and hospitality and whistleblowing.

Background Papers

The Constitution of Leicestershire County Council.

Circulation under the Local Issues Alert Procedure

None

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List of Appendices

Appendix 1 – Employee Code of Conduct;

Appendix 2 – Guide to the Employee Code of Conduct