

Cheltenham Borough Council
Standards Committee – 11 March 2011
Revised Code of Conduct for all Employees at Cheltenham
Borough Council

Accountable member	Cabinet Member Corporate Services, Councillor Colin Hay
Accountable officer	HR Operations Manager, Julie McCarthy
Accountable scrutiny committee	N/a
Ward(s) affected	N/a
Executive summary	The public is entitled to expect the highest standards of conduct from all employees who work in local government. The existing Code of Conduct for Employees (The Code) has remained essentially unaltered since October 1994. The Code has been revised following the Review Working Group recommendation to Council, following the KPMG report, that Standards Committee/Council make an appropriate amendment to the Employees Code of Conduct to ensure that Officers who have an interest in any matter which would, in the case of any Member of the Council, amount to a “prejudicial interest”, should not participate in or seek to influence the outcome of that matter. While undertaking this work it was thought appropriate to also update the entire Code.
Recommendations	That the Committee approve the revised Code and recommend to Council that the revised Code be adopted.

Financial implications	<p>None arising directly from this report but by ensuring that all employees are familiar with its contents we will seek to minimise the Council’s risk in relation to fraud, corruption and misadministration at the hand of its employees.</p> <p>Contact officer: Paul Jones email paul.jones@cheltenham.gov.uk, Telephone contact number: 01242 775154</p>
Legal implications	<p>The Code has been amended to make clearer the requirements upon staff with regard to conduct. The Code will work in tandem with other codes and procedures that govern employees. This code has been amended in particular to make the guidance on conflicts of interests clearer.</p> <p>Contact officer: Sarah Farooqi, email: sarah.farooqi@tewkesbury.gov.uk, Telephone Contact number: 01684 272693</p>

HR implications (including learning and organisational development)	<p>The Code will form an important part of an employee's contract of employment with the Council. It will apply to all staff, regardless of employment status. The Code will provide a transparent framework against which appropriate behaviour can be measured. Consultation with the recognised trade unions has been undertaken and feedback received is that the revised document is very comprehensive and informative. The HR Advisors will work closely with managers and employees to ensure that the code is fully understood and adhered to at all times.</p> <p>Contact officer: Julie McCarthy email: julie.mccarthy@cheltenham.gov.uk, Telephone Contact number: 01242 264355</p>
Key risks	<p>The implications are positive ones. The Code is intended to ensure high standards from employees and ensure that there are no conflicts between employees' private interests and their duty to the Council, particularly where this could adversely affect the Council's interests or in any way weaken public confidence in the conduct of the Council's business.</p>
Corporate and community plan Implications	<p>Good governance means that we have the right systems, processes, cultures and values in place, to ensure that we account to, engage with and, where appropriate, lead our communities. It also means that our employees will conduct themselves in accordance with the highest standards of conduct.</p>
Environmental and climate change implications	<p>None</p>

1. Background

- 1.1 At the Council meeting on 22 March 2010 the Review Working Group recommended to Council, following the KPMG report, that Standards Committee/Council make an appropriate amendment to the Employees Code of Conduct to ensure that Officers who have an interest in any matter which would amount to a "prejudicial interest", should not participate in or seek to influence the outcome of that matter.
- 1.2 A review has taken place of the existing Code as well as examples of Codes from other local authorities and an amended Code of Conduct for Employees has been prepared.
- 1.3 Sound corporate governance demands that strategies are in place to ensure that we make our expectations of our employees clear, and have fair and transparent ways of dealing with instances where behaviour falls below expectations. The most appropriate way for this to occur is through the adoption of the Code.
- 1.4 The existing Code has remained essentially unaltered since October 1994. One of the recommendations from the Standards Committee Review Working Group agreed by Council on 22 March 2010 was to review the Code.
- 1.5 The refreshed Code is based on Cheltenham Borough Council's existing Code together with good practice and example policies from other authorities.
- 1.6 Implementation and ongoing application of this refreshed code of conduct will be monitored by the HR Manager Operations and will be reviewed in line with changes in legislative requirements.

2. Reasons for recommendations

- 2.1 The public is entitled to expect the highest standards of conduct from all employees who work

local government. The revised Code outlines existing laws, regulations and conditions of service and provides further guidance to assist employees in their day-to-day work. The Code is produced in the light of the challenges that employees face in the new and more commercially oriented environment.

- 2.2 To implement the decision of the Council on the 22 March 2010 that the Standards Committee be requested to review the Code of Conduct for Employees to ensure that Officers who have an interest in any matter which would, in the case of any Member of the Council, amount to a “prejudicial interest”, should not participate in or seek to influence the outcome of that matter.
- 2.3 This Code lays down minimum standards for employees which will help maintain and improve standards and protect employees from misunderstanding or criticism. Failure to meet such standards can result in adverse public comment to the detriment of the Council and the service and in certain circumstances can have serious consequences for the employee and put his/her job at risk.
- 2.4 Although the Code cannot be exhaustive it contains sufficient guidance to make employees aware of what is required. If circumstances arise which leave an employee in doubt as to what should be done, he or she should immediately arrange to obtain advice from his or her manager or an appropriate Senior Officer.

3. Alternative options considered

3.1 None

4. Consultation and feedback

4.1 Formal consultation has taken place through the Joint Consultative Committee which includes local and regional representatives from Unison and GMB, representatives from HR and two SLT representatives.

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Appendices	<ol style="list-style-type: none"> 1. Refreshed Code of Conduct for all Employees of Cheltenham Borough Council. 2. Existing Code of Conduct for all Employees of Cheltenham Borough Council
Background information	Not applicable