

WEST DUNBARTONSHIRE COUNCIL**Report by Strategic Lead – People & Technology****Corporate Services Committee: 13 November 2019**

Subject: Review of Code of Conduct and Guidance on Gifts, Hospitality and Register of Interests**1. Purpose**

- 1.1** To provide the committee with a summary of the changes made to the Code of Conduct and the associated guidance on gifts, hospitality and register of interests.

2. Recommendations

- 2.1** The Committee is asked to note the changes made as a result of the review and approve same.

3. Background

- 3.1** The Code of Conduct was last updated in March 2018 although as the changes made were of a technical nature, in accordance with our agreed policy framework, the policy did not require committee approval. The previous version, agreed by Corporate Services Committee in August 2016 was superseded.
- 3.2** The Code provides clarity to employees on the expected standards of behaviour extending both to professional and personal conduct. In March 2018, additional guidance was deemed to be required on the offer and acceptance/refusal of gifts and hospitality. In addition, information on the registering of interests was expanded.
- 3.3** Following the Internal Audit Investigation into Contracting within Roads and Greenspace and the subsequent review by Audit Scotland, an action to further review the code and guidance was allocated to the Strategic Leads People and Regulatory.

4. Main Issues

- 4.1** The review focused on the requirement to register interests, be they of a personal or financial nature. The main changes are set out below:

Code of Conduct

- 4.1.1 At paragraph 6.2, a reminder of employees responsibility to comply with policies, frameworks and legislative provisions at committee and council (public forums).
- 4.1.2 Section 8 covers the expectations in respect of any conflict of interest. At paragraph 8.2, a specific addition regarding personal interest and what this means, i.e. any financial interest with suppliers or the contract itself or if a close personal relationship exists with supplier/owner of company etc.
- 4.1.3 There is additional guidance to cover instances where a disclosure is made; in which case, the manager will agree alternative arrangements to avoid perceived or actual conflict. Those actions should be recorded and held by each Strategic Lead.

Supplementary Guidance

- 4.1.4 Section 7 of this document again covers conflict of interest. At 7.3, a new paragraph explaining responsibilities of manager to make alternative arrangement and to record same to avoid involvement where a relevant disclosure is made.
- 4.1.5 At Appendix 2, the form for recording any interests has been adjusted to make the requirement for disclosure explicit and a more distinct section for recording actions taken.

5. People Implications

- 5.1 The Code of Conduct is a vital Council Policy as it provides employees with clear parameters of acceptable and unacceptable behaviour. This ensures that all employees act in a manner that is dignified and courteous as is expected of a public servant.
- 5.2 The code and guidance reflect the Council's revised leadership structure.

6. Financial and Procurement Implications

- 6.1 There are no financial and/or procurement implications associated with these changes.

7. Risk Analysis

- 7.1 There was no requirement to carry out a risk assessment on the proposed changes.

8. Equalities Impact Assessment (EIA)

- 8.1 There was no requirement to undertake a further EIA in relation to these changes.

9. Consultation

- 9.1** Consultation has taken place on the proposed changes with the Joint Trades Union in May and again in August 2019. They have now confirmed agreement with changes. However, all unions felt that the recommendation from Audit Scotland was unnecessary given the changes made and agreed in October 2018.
- 9.2** Given the importance of the changes, the Senior Leadership Group also considered and is aware of these changes.

10. Strategic Assessment

- 10.1** The changes support the Council Strategic Priority 'Open, accountable and accessible local government'.

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1st October 2019

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Appendices: Code of Conduct; Guidance on Gifts, Hospitality and Register of Interests and related forms

Background Papers: Audit Scotland Review of Contracting in Roads and Greenspace

Wards Affected: N/A.