

## EAST AYRSHIRE COUNCIL

### PERSONNEL AND PROPERTY SUB-COMMITTEE OF THE POLICY AND RESOURCES COMMITTEE – 13 FEBRUARY 2001

#### CODE OF CONDUCT FOR EMPLOYEES

##### Report by Depute Chief Executive/Director of Corporate Resources

#### 1. PURPOSE

- 1.1 To recommend an amendment to the Council's Code of Conduct for Employees, subject to consultation with Trade Unions.

#### 2. BACKGROUND

- 2.1 The Personnel Sub-Committee at its meeting on 19 January 1999 approved a Code of Conduct for Employees.
- 2.2 The Code incorporates the "Seven Principles of Public Life" identified by the Nolan Committee on Standards in Public Life.

#### 3. PROPOSALS

- 3.1 The Council's existing Code of Conduct exceeded the minimum standards set down by COSLA in response to the Nolan Committee Standards. However, it is considered necessary at this time to strengthen guidance in relation to Conflicts of Interest, Openness and Disclosure of Information and Paid Employment Outside the Council. **The proposed strengthening will protect both our employees' interests as well as those of the Council.**

- 3.2 Members are asked to approve the following proposals:

- a) In terms of paid employment outside the Council, the Council's existing code provides "Activities which risk a perception of conflicts of interest with the Council's employment must be avoided. Consequently, no employee shall engage in work, including work for any individual firm or other body where the Council has been, or could be involved in the transaction or other business, or where the work in any other way impinges on the Council's interest.". It is proposed that this principle apply to paid or unpaid work and that employees be advised accordingly and also that where they are in any doubt about their position in such matters they should consult their head of department.
- b) It is recognised that some categories of employees may be asked by friends, colleagues or relatives to provide advice or assist them in preparing a business transaction with the Council. This is considered to be reasonable. However, in the interests of Openness and Transparency it is proposed that employees should formally declare in writing any such advice or assistance to their Head of Department and, where the advice or assistance relates to the work of another department, the Head of that department. This will ensure that the Head of Department is aware of the interest and that

arrangements are in place to also ensure objectivity within the decision making aspects of the business. It will be a fundamental requirement that in these circumstances the employee offering advice and assistance is not involved in any evaluation or approval of business submissions to the Council.

In this regard it is proposed that the Code of Conduct be amended to reflect this requirement.

c) The Council's existing Code provides:

As a Council employee you must not allow any private interest to influence your decisions.

You must not use your position in a paid or unpaid basis to further your own interests or the interests of others who do not have a right to benefit under the Council's policies.

It is proposed that employees be reminded that in the course of their normal business they should not promote personal business interest or those of others.

**3.3** It is further proposed that, in support of the three principles detailed in 3.2 above, each Director will issue guidance to appropriate posts within their department in accordance with this corporate guidance.

#### **4. POLICY IMPLICATIONS**

**4.1** These proposals will strengthen the interpretation of the existing Code of Conduct further protecting employees and the Council against allegations of misconduct.

#### **5. TRADE UNIONS**

**5.1** These proposals are subject to consultation with trade Unions.

#### **6. LEGAL/FINANCIAL IMPLICATIONS**

**6.1** Nil.

#### **7. RECOMMENDATIONS**

**7.1** The Sub-Committee is asked to

- a) agree the proposed amendments to the Council's Code of Conduct for Employees, subject to consultation with Trade Unions; and
- b) recommend to Council the proposed amendments to the Council's Code of Conduct for Employees.

Fiona Lees  
Depute Chief Executive/Director of Corporate Resources  
29.1.01

## **BACKGROUND PAPERS**

1. Employee Code of Conduct as detailed in Circular PER/9/99 dated 24 March 1999.

Anyone wishing further information should contact Graham Haugh, Head of Personnel, telephone (01563) 576092.

<b>AGENDA</b>
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