

Subject:	Code of Conduct for Employees
Date of Meeting:	28 March 2019 12 March 2019 – Audit & Standards Committee
Report of:	Executive Lead Officer – Strategy, Governance & Law
Contact Officers:	Victoria Simpson, Senior Lawyer – Corporate Law Liz Boswell, Lead Consultant – Reward & Policy
Email:	Victoria.simpson@brighton-hove.gov.uk
Ward(s) affected:	All

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The purpose of this report is to seek member approval for an updated version of the council's Code of Conduct for Employees.
- 1.2 These amendments have been made following a review of the above Code. They aim to update the Code to reflect current processes for declaring officer interests and to ensure that the organisation's expectations of officers involved in the process of procuring, managing or administering a contract on behalf of the Council are made as clear and as robust as possible.

2. RECOMMENDATIONS:

That the Audit & Standards Committee:

- 2.1 Recommend the council's revised Code of Conduct for Employees set out in Appendix 1 to full Council for approval.

That full Council:

- 2.2 Approve the revised Code of Conduct for Employees set out in Appendix 1 with immediate effect and authorise the Monitoring Officer to publish the revised Code in the Council's Constitution.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The council's Code of Conduct for Employees forms part of the council's Constitution and is a key part of the organisation's corporate governance arrangements. It is periodically reviewed to ensure it remains up-to-date and fit for purpose and was last substantively amended in September 2017.

- 3.2 This most recent review was prompted principally by a recent Internal Audit review, which highlighted a need to improve some of the council's internal control measures which have been put in place to minimise the risk of error and/or fraud.
- 3.3 As a result of that review, prompt action is proposed to reinforce and strengthen relevant sections of the current Code of Conduct for Employees.
- 3.4 The main changes are summarised below:
- more prominent referencing to the council's Contract Standing Orders and Financial Regulations and the likely consequences for employees if they fail to comply with these
 - a strengthening of the provisions relating to tendering for work/services and/or dealing with contractors, particularly with regard to:
 - the requirement for officers to declare any conflicts of interests which may arise where they are involved in the procurement of a council contract
 - the requirement for officers to safeguard any confidential, commercially sensitive and/or personal information they have access to in relation to the procurement, management or administration of a contract
 - the commissioning of work and the authorisation of any transactions relating to a contract
 - minor updates to the Council's processes whereby officers declare interests
 - removal of references to data protection legislation which is no longer in force
- 3.5 The proposed revised Code of Conduct for Employees is attached as Appendix 1.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 There are no alternative options for the Committee to consider. Members of the public are entitled to expect the highest standards of conduct from all employees who work for the council. However, this can only be ensured if the organisation has a Code of Conduct for staff that is relevant and fit for purpose.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The council's recognised trade unions, Unison and GMB, have been consulted with and have had the opportunity to input regarding the proposed changes to the Code.

6. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 6.1 It is not expected that the revised Code of Conduct will have any financial implications for the council.

Finance Officer Consulted: Nigel Manvell

Date: 20/02/19

Legal Implications:

- 6.2 The changes to the council's Constitution outlined in this report must first be considered by Audit & Standards Committee (in accordance with the terms of its delegated powers) and then referred to full Council for approval (in accordance with article 13.03 of the Constitution). These requirements are reflected in the recommendations of this report.

Lawyer Consulted: Victoria Simpson

Date: 11/02/2019

Equalities Implications:

- 6.3 There are no specific equalities implications arising from this report.

Sustainability Implications:

- 6.4 None

Any Other Significant Implications:

- 6.5 There are no other significant implications arising from this report.

SUPPORTING DOCUMENTATION

Appendices:

Appendix 1 – revised Code of Conduct for Employees

Documents in Members' Rooms

None

Background Documents

None

