

COUNCIL

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PROPOSAL TO INCLUDE THE SEVEN PRINCIPLES OF PUBLIC LIFE IN THE EMPLOYEE CODE OF CONDUCT

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Summary:

Following an Internal audit report on ethics the Employment Matters Committee has recommended that the Seven Principles of Public Life be included in the current Employee Code of Conduct policy. This will align the Employee Code of Conduct to the Member Code of Conduct.

The policy has also been brought up to date with some minor changes.

1. Budget and Policy Framework

- 1.1 This report covers a proposal to include the Seven Principles of Public Life as a preamble to the Council's Employee Code of Conduct. Some minor amendments to the Policy are also proposed to ensure it is up to date. Any changes to the Employee Code of Conduct are a matter for Full Council as the Code forms part of the Constitution.

2. Background

- 2.1 The Committee on Standards in Public Life advises the Prime Minister, national and local government and the public on trends, issues and concerns about standards in public life and is responsible for promoting the 7 principles of public life (the Nolan Principles). These Principles apply to anyone who works as a public office-holder. This includes people who are elected or appointed to public office, nationally and locally, and all people appointed to work in:

- the civil service
- local government
- the police

- the courts and probation services
- non-departmental public bodies
- health, education, social and care services

2.2 The Principles also apply to all those in other sectors that deliver public services. They were first set out by Lord Nolan in 1995 and they are included in the Ministerial code and also the Member Code of Conduct.

2.3 Medway Council appreciates the hard work and commitment to the provision of public services of all its employees and will continue to promote a positive working environment in which employees are both supported and developed.

2.4 Essential to creating a positive and constructive working environment is a mutual understanding of the standards of behaviour that are acceptable to each other and the public for whom we provide services. These standards can be found in the Employee Code of Conduct.

2.5 An Internal Audit Report on ethics recommended that the Nolan Seven Principles of Public Life descriptions be included in the Medway Council Employee Code of Conduct. The report noted that the Member Code of Conduct is based around the Seven Principles of Public Life and that, although these principles are as relevant to employees as they are to Members, there was no reference to them in the Employee Code. When the Members' Code was last reviewed in 2017 Council agreed that the Principles should be set out in a preamble to the Members' Code of Conduct and that Members are expected to have regard to them.

3. Proposal

3.1 To update the current Employee Code of Conduct to include The Seven Principles of Public Life.

3.2 The Seven Principles of Public Life

The Seven Principles of Public Life	
Selflessness	Holders of public office should act solely in terms of the public interest.
Integrity	Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
Objectivity	Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability	Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
Openness	Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there is clear and lawful reasons for doing so.
Honesty	Holders of public office should be truthful.
Leadership	Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

4. Advice and analysis

- 4.1 The Council's Employee Code of Conduct forms part of Medway's Council's Constitution and as such any changes to it are a matter for Full Council.
- 4.2 All Council employees have an opportunity to read the Code upon appointment through induction when joining Medway Council.
- 4.3 When the proposal to include the Seven Principles was considered by the Employment Matters Committee and the Joint Consultative Committee on 4 December 2019, Members asked for clarification whether the Principles applied to employees at all levels of the Council. It is clear from the Committee on Standards on Public Life's website that they do apply at all levels:

“Everyone in public office at all levels – Ministers, civil servants, NHS staff, the police, council officers – all who serve the public or deliver public services should uphold the principles of accountability, honesty, integrity, objectivity, selflessness, openness and leadership.”

- 4.4 The Employment Matters Committee has recommended that the Seven Principles be included as a preamble to the Code. Employees will be expected to have regard for them as they will help them comply with the Code.
- 4.5 A Diversity Impact Assessment (DIA) has been carried out on the proposals and is attached at Appendix 2 to the report. The DIA has not identified any impact on any of the protected characteristic groups.

5. Consultation

- 5.1 The Trade Unions were consulted on the proposed changes to the Employee Code of Conduct and no objections or comments were received.
- 5.2 In addition, the proposals were discussed at a meeting of the Joint Consultative Committee on 4 December 2019 (this Committee comprises

representatives from the Trade Unions and the Members of the Employment Matters Committee). Representatives from Unison and the GMB were present at the meeting and no objections were raised.

6. Financial and legal implications

6.1 There are no finance or legal implications.

7. Risk Management

7.1 There are no risk implications arising from this report. All decisions are made in accordance with the Council's procedures for reviewing policies.

8. Recommendation

8.1 That the Employee Code of Conduct is amended as set out in appendix 1, including adding the Seven Principles of Public Life as detailed at Paragraph 3.2 above.

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Appendices

Appendix 1 – Revised Employee Code of Conduct

Appendix 2 – Diversity Impact Assessment

Background papers

None