

Council Report

Ward(s) affected: All

Report of Director of Finance

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Review of the Code of Conduct for Staff

Executive Summary

There are requirements under legislation for the Council to adopt a Code of Conduct for Councillors to provide local guidance about behaviour and conduct. There is no such requirement for a Code of Conduct for Staff, but it is good practice to have one and of benefit to offer guidance and signposting to relevant employment policies and protocols that govern officers in their day-to-day work.

The current Code of Conduct for Staff (see Appendix 1) sits in Part 5 of the Council's Constitution alongside the Councillors' Code of Conduct. However, the Constitution, as the Council's tool of governance, is not a day-to-day reference for many of the Council's employees. The Code of Conduct for Staff has been rewritten to be a more accessible document in terms of style and language and it will contain links to other key sources of online information for all employees.

Alongside a general modernisation, it is also proposed in this report that the Code of Conduct should become part of the line management process, including new employee induction and end of probation sign off. It is also proposed that the revised Code of Conduct should be provided to all staff (new and existing), who will be required to confirm that they understand the behaviours and conduct expected of them.

This matter was also considered by the Corporate Governance and Standards Committee at its meeting held on 13 June. The Committee made a number of comments and suggestions, and these have been incorporated where appropriate into the draft revised Code of Conduct for Staff set out in Appendix 2 to this report.

Recommendation to Council:

That the revised Staff Code of Conduct attached as Appendix 2 to this report be adopted.

Reason for Recommendation:

To provide up to date and fit for purpose guidance accessible to all staff.

1. Purpose of Report

- 1.1 The purpose of this report is to present to the Council a revised draft of the Code of Conduct for Staff for consideration of adoption.

2. Strategic Priorities

- 2.1 This Council has a set of organisational values that determine how we treat our customers and colleagues as we carry out our work. These values influence our day-to-day activities and help shape our culture.

3. Background

- 3.1 Local authorities are required to adopt a code of conduct, which sets out rules governing the behaviour of their councillors and satisfies the requirements of the Localism Act 2011. All elected and co-opted members of local authorities, including parish councils, are required to abide by their own, formally adopted, code. The Councillors' Code of Conduct seeks to ensure that members observe the highest standards of conduct in their role as councillors. It is not a requirement for local authorities to have a similar code of conduct for staff but it is considered good practice.
- 3.2 The Code of Conduct for Staff sits at Part 5 of the Council's Constitution alongside the Councillors' Code of Conduct and the Protocol on Councillor/ Officer Relations. It is the intention that these three documents are collectively reflective in providing guidance on the behaviour and conduct expected of those performing the public service role.
- 3.3 This Council has been undertaking an ongoing review of various elements of the Constitution over recent months and the Code of Conduct for Staff is the most recent section to be reviewed.
- 3.4 It is important that this document is revised and updated as and when necessary to cover changes in modern business practice, such as data protection matters and technology, such as social media use. These practices and technologies nurture new behaviours and expectations and should be reflected in the guidance.

4. Consultations

- 4.1 On 19 February 2019, service leaders from across the Council met to review the content of the existing Staff Code of Conduct and how it could be revised to become more pertinent to modern practices and accessible to all staff. The meeting was provided with the outcome of officer research into staff codes of conduct across a number of other councils in order to inform and advise what could be absent from the existing document. In particular, material from Norwich City Council, Glasgow City Council, Oxford County Council and Cornwall Council were found to be useful.
- 4.2 UNISON have been consulted on the proposed revised Code of Conduct for Staff and have no comments to add.
- 4.3 This matter was also considered by the Corporate Governance and Standards Committee at its meeting held on 13 June. The Committee made a number of comments and suggestions, and these have been incorporated where

appropriate into the draft revised Code of Conduct for Staff set out in Appendix 2 to this report.

5. Equality and Diversity Implications

5.1 There are no equality and diversity implications arising from this report.

6. Financial Implications

6.1 There are no financial implications arising from this report.

7. Legal Implications

7.1 It is important that members of staff and the Council itself remain safeguarded by clearly set out guidance regarding proper conduct and behaviour.

7.2 The Code of Conduct for Staff will be incorporated into employees' employment contracts and breach of its provisions will therefore be a breach of contract. The Code makes it clear that breach may result in disciplinary proceedings. Obtaining the employee's signature to the Code will be important to evidence the fact that they were made aware of its provisions.

8. Human Resource Implications

8.1 Consultation undertaken with senior managers has suggested that the Code of Conduct for Staff should be provided to all existing and newly recruited members of staff and signed by them to ensure the expected behaviours and conduct are understood. It is also proposed that line managers revisit the Code at the conclusion of the probation period for new staff.

8.2 The revised Code includes links and references (for guidance purposes) to relevant Human Resource and ICT policies.

9. Summary of Options

9.1 The Council may consider that the existing guidance is fit for purpose and make no changes.

9.2 The Council may agree with the revisions to the Code of Conduct for Staff proposed in Appendix 2 and agree to formally adopt the revised Code.

9.3 The Council may consider that the revisions do not go far enough and further research and consultation should be undertaken.

10. Conclusion

10.1 It is important for the Council to provide guidance to members of staff in terms of expected behaviour and conduct. This is in order to continue to provide a high standard of service to the public and to protect the interests of staff, councillors and the Council as an organisation.

11. Background Papers

- Norwich City Council Staff Code of Conduct
- Glasgow City Council Staff Code of Conduct

- Oxford County Council Staff Code of Conduct
- Cornwall Council Staff Code of Conduct

12. Appendices

Appendix 1: Existing Guildford Borough Council Staff Code of Conduct

Appendix 2: Revised draft of Guildford Borough Council Staff Code of Conduct 2019