

Report to: Governance Committee

Date of meeting: 25 June 2024

By: Chief Operating Officer

Title: Amendment to the Constitution – Employee Code of Conduct

Purpose: For the Governance Committee to recommend to Full Council amendments to the Constitution in relation to the Employee Code of Conduct

RECOMMENDATIONS

The Governance Committee is recommended to recommend to Full Council to agree the following amendments to the Constitution, which relate to the Employee Code of Conduct:

- 1) additional wording to formally confirm that employees must not access the records of relatives or friends who receive services from the council; and**
 - 2) minor amendments and clarifications as set out at Appendix 1 of the report.**
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1. Background

1.1. The Employee Code of Conduct (ECoC) forms part of the Council's Constitution, as well as being reproduced as a standalone document provided to employees via the staff intranet and Webshop for school employees. The ECoC sets out the minimum standards of conduct that employees will be expected to observe when carrying out their duties. The document is maintained by the Human Resources Team and is periodically reviewed to reflect any changes in best practice, legislation, or the Council's operational context.

1.2. Following a recent review of the ECoC, it's proposed that it is updated to include additional wording that formally confirms employees must not access the records of relatives or friends who receive services from the Council. Various minor amendments and clarifications are also proposed, as described below. An amended copy of the ECoC is attached as Appendix 1, with the proposed amendments shown as tracked changes.

2. Access to records

2.1. As the Governance Committee will be aware, the Council provides employees with comprehensive training on data protection, confidentiality, and information security, and restricts access to sensitive data only to those employees who need to access it in the course of their work. However, there have been isolated cases where employees have accessed the records of relatives or friends who are accessing services from the Council. To help mitigate the risk of future incidents, it's proposed that the ECoC is amended to:

- State that employees should declare any potential conflict of interest between their job role and council services received by relatives or friends;
- Actively state that employees must not access records relating to relatives or friends;
- Amend the paragraph giving examples of where a conflict of interest declaration should be submitted, to clarify that conflicts may relate to personal or business connections to the Council.

3. Other minor amendments

3.1. As part of the most recent review of the ECoC, the following minor amendments are also proposed:

- Updating the wording regarding conflict of interest declaration to confirm that employees are responsible for submitting a declaration annually, or sooner if a potential conflict arises;
- Clarifying the circumstances under which an 'offline' declaration form should be used and updating the list of departmental coordinators for offline forms. It's also proposed that for confidentiality purposes, the names of individual coordinators be removed from the version of the ECoC included in the externally published constitution; and
- Updating where employees can access further guidance on politically restricted posts and removing a reference to defunct guidance on intellectual property.
- Changes to the formatting of the ECoC in line with best practice and house style.

4. Conclusions

4.1. These proposed amendments will help strengthen the ECoC and ensure it remains fit for purpose. The Governance Committee is therefore recommended to recommend to Full Council to agree the proposed amendments to the Constitution relating to the ECoC.

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Local Member: All

Background Documents: None