

METROPOLITAN BOROUGH OF WIRRAL

EMPLOYMENT AND APPOINTMENTS COMMITTEE - 26 OCTOBER 2004

MODEL CODE OF CONDUCT FOR LOCAL GOVERNMENT EMPLOYEES

REPORT OF THE DEPUTY CHIEF EXECUTIVE/DIRECTOR OF CORPORATE SERVICES

1. Summary

This report invites the committee to comment upon the Consultation Paper issued by the Office of the Deputy Prime Minister in August 2004 which provided a Model Code of Conduct for Local Government Employees. The deadline for return of comments is 19 November 2004.

2. Background

2.1 The Local Government Act 2000 provided the new statutory framework to govern the conduct of members and employees of relevant authorities in England and the Police Authorities in Wales. Under the Act, the Secretary of State may by order issue a code regarding the conduct which is expected of employees. Once issued, the Code would become part of the employee's terms and conditions of employment.

2.2 The Code when finalised will stand alongside the Code for Members and seek to establish a common core of fundamental values that should underpin standards of conduct in local government.

3. The Consultation Document

3.1 The Consultation Document is appended to this report as Appendix 1, and the summary of questions posed is to be found in Annex A.

3.2 Sections 3 to 5 of the Appendix detail the scope and coverage of the Model Code, which itself appears at section 6.

4. The Code

4.1 The Employer's Code of Conduct will apply to all local authority employees unless they are specifically excluded by regulations. The Government proposes to exclude fire fighters and teachers together with community support officers. It proposes that political assistants will be subject to the Code.

4.2 The Government further proposes that the Code should establish requirements in the following areas:-

- honesty, integrity, impartiality and objectivity

- accountability
- respect for others
- stewardship
- personal interests
- registration of interests
- reporting procedures
- openness
- appointment of staff
- duty of trust

Details of the proposals are contained in Appendix 1.

5. The Questions

- 5.1 The Model Code of Conduct contained in the consultation document appears to be broadly acceptable. However, consultees have been asked a number of questions on matters of detail.
- 5.2 I append as Appendix 2 a draft response to the questions from the Association of Council Secretaries and Solicitors. It should be stressed that that organisation is yet to finalise its position but it does appear that the draft replies are by and large eminently sensible.
- 5.3 Members may very well wish to frame their response to the consultation document along similar lines.

6. Next Steps

- 6.1 Once the consultation process has ended, the results will be collated and if necessary the Government will make amendments. An Order will be prepared setting out the Code. Should there be any fundamental changes proposed, a further full consultation will take place.
- 6.2 The Government proposes to discuss with the Local Government Association, the Local Government Employers' Organisation and the public sector unions the date on which the Order should be brought into force and the date on which it will become part of employees' terms and conditions of employment.
- 6.3 The Government also acknowledges that arrangements must be made for ensuring that all employees are properly informed about the content of the Code before it comes into force.

7. Financial and Staffing Implications

There are no direct financial implications arising from the report. The Government propose that the Code of Conduct for Local Government Employees becomes part of all contracts of employment.

8. Equal Opportunity Implications

There are no such direct implications arising from this report.

9. Human Rights Implications

There are no direct implications, but the Code of Conduct, when finalised, will form part of contracts of employment for all employees.

10. Local Agenda 21, Local Member Support, Community Safety and Planning Implications

There are none.

11. Background Papers

- (a) ODPM Consultation Paper - A Model Code of Conduct for Local Government Employees.
- (b) Draft response to questions from Association of Council Secretaries and Solicitors.

12. Recommendation

Members are recommended to broadly accept the Model Code of Conduct prepared by the ODPM and formally respond to the specific consultation questions along the lines proposed by the Association of Council Secretaries.

J. WILKIE

Deputy Chief Executive/Director of Corporate Services

14 October 2004
MER/LW.