
Meeting of the Audit & Standards Committee 6th December 2021

Report of the Chief Executive

Review of the Employee Code of Conduct

Purpose

1. The purpose of this report is to update the committee of a number of amendments made to the Council's Code of Conduct following a review this year.

Recommendations

2. It is recommended that the Audit & Standards Committee:
 - a) Note and approve the amendments made to the Code of Conduct following the review; and
 - b) Approve the recommendation to change the frequency that staff accept the Code of Conduct to upon appointment and when requested to do so based upon major change.

Background

3. Dudley Council relies on the professionalism, reliability and loyalty of its employees and through the code of conduct sets out its expectations of everyone to maintain the highest standards of integrity and personal conduct when representing the Council in their work.
4. The Code of Conduct for Employees is an Audit and Standards Policy and is subject to an annual review. Due to the COVID pandemic no review was undertaken in 2020. Therefore, a number of changes have been required during this time, including the requirement to for the policy to be updated to reflect the council's position on antisemitism. Detailed below are the amendments that have been made as part of the 2021 review.

5. As there was no update in 2020 and following a review of mandatory policy acceptance more recently there has been a review of the frequency of when staff are asked to formally accept the Code of Conduct. The current practice is for staff to accept the policy on an annual basis, regardless of change or not. Taking 2020 as an example, there was no update and staff still had to accept the policy. It is therefore recommended to the committee that the Council removes the annual requirement to accept the Code of Conduct Policy and replace this with a requirement for staff to accept the policy only when there are major changes. This approach is fully supported by the Audit Service.

Changes and updates to the Code of Conduct

6. Reference and links to the Leadership Accountabilities have been included within the **Leadership Section, 3.1.1, Page 7.**
7. On **Page 9** under the Equality Section, a paragraph has been added to reflect the Council's position of a zero tolerance to racism, to include Antisemitism.
8. The Code of Conduct has been updated to reflect the revised corporate management structure including job title/positions; changes to the safeguarding boards; and updates to any legislation references, i.e., **the removal under section 3.2 of the 'Disqualification by Association for Children up to the age of 8 years**, which no longer applies.
9. Reference has been made to employees leaving the employment of Dudley MBC must return all of their equipment as detailed under **section 3.3.2, Use of Council Property, Facilities and Equipment, Page 11.**
10. Under the **Gifts and Hospitality Section, 3.3.10, Page 17** additional information is included regarding any offers of donations.

Finance

11. There are no direct financial implications resulting from this report.

Law

12. Section 37 of the Local Government Act 2000 requires the Council to keep its Constitution up to date. As part of that it is appropriate to ensure an up to date Code of Conduct. The code of conduct applies to all employees of the council it explains in practical terms the standards of behaviour required under the law, under terms and conditions of employment and under council policies and procedures and other rules of standards of expectations of behaviour.

Risk Management



13. Officers have reviewed the Council's Risk Management Framework and do not consider that there are any material risks arising from the findings, or recommendations of this report.

Equality Impact

14. The code of conduct will apply equally to all members of staff. An equality impact assessment will be undertaken to support the policy which equally applies for all protected characteristics regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Human Resources/Organisational Development

15. The code of conduct covers all employees (employees for the purposes of this code of conduct means any worker, contractor, interim, consultant, agency worker, apprentice, work experience, volunteer or partner whether permanent or temporary) who are either employed or are engaged to provide services to Dudley Council.

This includes all employees employed or are engaged to provide services in Community and Voluntary Controlled Schools.

The Code of Conduct forms part of the contract of employment with a requirement that every employee completes the Code of Conduct for Employees Policy Acceptance via the Policy and e-Learning Centre Page on Connect on an annual basis. Failure to comply or breaches of the code of conduct may be considered to be gross misconduct which will lead to disciplinary action being taken under the Council's Disciplinary Policy and Procedures, not excluding dismissal.

Commercial/Procurement

16. It is not considered that there are any impacts upon Commercial or Procurement legislation arising from this report.

Council Priorities

17. The code of conduct sets out the minimum standards that apply and lays down guidelines that will help improve standards and protect employees from misunderstanding or criticism. The code will be regularly reviewed and updated to ensure it is fit for purpose for our future aspirations, council priorities and future council programme of work.
18. Inevitably some of the issues covered by this code of conduct will affect senior, managerial and professional employees more than others. The code supplements, and does not replace, any code or recognise standards of conduct by any other professional body of which an employee is a member.

19. Local government employees are expected to give the highest possible standard of service to the public, and where it is part of their duties, to provide advice to counsellors and fellow employees with impartiality. Employees are expected to ensure quality and professional service to their customers and wider community bringing appropriate level of management of any deficiency in the provision of service to the attention of senior officers.
20. The Council workforce should all play their part in contributing to the Council's decision to declare a Climate and Environmental Emergency.



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Appendix 1 – Code of Conduct