

AMENDMENTS TO THE CONSTITUTION – Part 5

Officers Code of Conduct

Report of Angela Lax, Cabinet Member for Legal & Regulatory Services

Date: 10 December 2019

Officer Title: Agenda Item 15(ii)

Officer Title: Christie Tims – Head of Corporate Services and Interim
Monitoring Officer

Local Ward
Members N/A

**Full Council
(Addendum)**

1. Executive Summary

- 1.1 The Lichfield District Council Constitution is constantly reviewed and updated to ensure it remains fit for purpose, reflects changes in legislation, and provides appropriate advice.
- 1.2 Following a review it was noted that an incorrect version of the Officer's Code of Conduct had been adopted in error as part of the fundamental review in May 2018.
- 1.3 Under Part 1 article 15, the Head of Paid Service (in conjunction with the Monitoring Officer) made an immediate change to the constitution to remove any ambiguity or inconsistency.

2. Recommendations

- 2.1 To note the update to the constitution Part 5 – Codes and Protocols, Officer's Code of Conduct.

3. Background

- 3.1 In 2017 a new Officer's Code of Conduct was developed and introduced. In 2018 the operation of the code was reviewed and following consultation with UNISON, the current version was approved by our Employee Liaison Group and then formally adopted by Employment Committee in February 2018.
- 3.2 At the same time a fundamental review of the constitution was undertaken and in the drafting process a standard Officer Code of Conduct was included in Part 5 in error and contradiction to the agreed code.
- 3.3 Following appointment of the current Monitoring Officer all parts of the constitution are being reviewed to ensure consistency or operation and compliance. During a review of Part 5 it was noted that the approved Officer's Code of Conduct had not been inserted.
- 3.4 Under Part 1 article 15 of the constitution, the Head of Paid Service (in conjunction with the Monitoring Officer) can make immediate changes to the constitution where there is a need to remove ambiguity or inconsistency. This was clearly the case as two distinct codes of conduct for officers could not operate.
- 3.5 This report is to advise members of the issue and the steps taken to ensure the effectiveness of the Constitution going forward.

Alternative Options

Not to update the Code of conduct. To not do so could lead to ambiguity and confusion and contravene our collective agreement with UNISON that requires all employee policies be effectively consulted and agreed.

Consultation	The changes were notified to the Leader of the Council and Leader of Opposition.
Financial Implications	None; there are no implications for the changes themselves.
Contribution to the Delivery of the Strategic Plan	Proposals will assist with compliance with the legal requirements and efficiency thus the Council's ability to deliver the services required.
Equality, Diversity and Human Rights Implications	None
Crime & Safety Issues	None
GDPR/Privacy Impact Assessment	Yes – all data collected and collated in the preparation and operation of the constitution has been impact assessed with the appropriate controls in place.

	Risk Description	How We Manage It	Severity of Risk (RYG)
1	Legal challenge as constitution is not up to date	Update Constitution	Green

Background documents
Current and revised draft Constitution

Relevant web links
<https://democracy.lichfielddc.gov.uk/ieListDocuments.aspx?CId=190&MIId=304&Ver=4&info=1>