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**Report to:** Cabinet  
Council

**Date of Meeting** 19<sup>th</sup> January 2012  
16<sup>th</sup> February 2012

**Subject:** Revision of Employee Code of Conduct

**Report of:** Director of Corporate Support Services

**Wards Affected:** All

**Is this a Key Decision?** Yes                      **Is it included in the Forward Plan?** Yes

**Exempt/Confidential**                      No

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**Purpose/Summary**

To inform the Cabinet of a change to the Employee Code of Conduct which forms part of the Council's Constitution.

**Recommendation(s)**

That Cabinet recommend to Council that the change in the wording of the Constitution (as set out in paragraph (3) below) be approved.

**How does the decision contribute to the Council's Corporate Objectives?**

	<b><u>Corporate Objective</u></b>	<b><u>Positive Impact</u></b>	<b><u>Neutral Impact</u></b>	<b><u>Negative Impact</u></b>
1	Creating a Learning Community		√	
2	Jobs and Prosperity	√		
3	Environmental Sustainability		√	
4	Health and Well-Being		√	
5	Children and Young People		√	
6	Creating Safe Communities		√	
7	Creating Inclusive Communities		√	
8	Improving the Quality of Council Services and Strengthening Local Democracy		√	

**Reasons for the Recommendation:**

There have been changes to the legislation governing Politically Restricted Posts. The Code of Conduct has been updated to reflect this change.

**What will it cost and how will it be financed?**

There are no financial costs associated with the proposals in this report.

**Implications:**

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

<b>Legal</b> See below		
<b>Human Resources</b>  None		
<b>Equality</b>		
1.	No Equality Implication	<input checked="" type="checkbox"/>
2.	Equality Implications identified and mitigated	<input type="checkbox"/>
3.	Equality Implication identified and risk remains	<input type="checkbox"/>

**Impact on Service Delivery:**

Not applicable

**What consultations have taken place on the proposals and when?**

The Head of Corporate Finance and ICT has no comments on this report because the contents of the report have no financial implications (FD1213/11). The Head of Corporate Legal Services (LD 559/11) has been consulted and any comments have been incorporated into the report.

**Are there any other options available for consideration?**

No

## **Implementation Date for the Decision**

Immediately following the Council meeting.

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## **Background Papers:**

There are no background papers available for inspection.

### **1. Introduction/Background**

1. The Employee Code of Conduct is contained within Part 5 of the Constitution. Section 10 of the Code of Conduct concerns Political Neutrality and specifically politically restricted posts.
2. The Local Government and Housing Act, 1989 imposed political restrictions on employees remunerated at or above Spinal Column Point SCP 44 or below this level if their posts are “politically sensitive”. The Local Democracy, Economic Development and Construction Act 2009 (effective from 12 January 2010) removed the concept of political restriction by salary level.
3. The reference to the SCP has been removed and has been replaced by the new information as follows:

“10.1 Some jobs within the Authority are politically restricted. This means that the employees in these posts are not allowed to take part in political activities, such as standing as a candidate for election to a public body, canvassing at elections or being a non-executive Director of a Health Trust, etc. The posts concerned are those of Chief Officers and Deputy Chief Officers and certain other politically sensitive posts. All the posts are listed in a central register maintained by the Legal Department.”