
To: Renfrewshire Integration Joint Board

On: 29 January 2021

Report by: The Clerk

Heading: Consultation - Review of the Model Code of Conduct for Devolved Public Bodies in Scotland

1. Summary

- 1.1. Renfrewshire Integration Joint Board is a “devolved public body” for the purposes of the Ethical Standards in Public Life etc (Scotland) Act 2000, which means that the IJB is required to adopt the Model Code of Conduct for Devolved Public Bodies and the IJB’s members are required to comply with the terms of the Code.
- 1.2. The Scottish Government has now started a consultation in relation to a review of the Model Code. The deadline for responding to the consultation is 8 February 2021.
- 1.3. The Model Code hasn’t been reviewed since 2014 and the Scottish Government have expressed the view that they want to make the Code easier to understand. The revised Code is also to take into account developments in society such as the role of social media and to make it clear that bullying and harassment is completely unacceptable and should not be tolerated. The revised code is to be fit for purpose and ensure that the highest standards of conduct are maintained.
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2. Recommendation

- 2.1. It is recommended that the IJB:
- Notes the terms of the consultation by the Scottish Government on the review of the Model Code of Conduct for Devolved Public Bodies,
 - Agrees to support the terms of the revised Model Code included in the consultation document.
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3. Background

- 3.1. Every devolved public body in terms of the Ethical Standards in Public Life etc. (Scotland) Act 2000 is required to produce a Code of Conduct governing the conduct of its members and how that conduct is regulated.
- 3.2. Renfrewshire IJB adopted the Model Code at its meeting on 24 June 2016 and all members of the IJB are required to comply with the Code.
- 3.3. The main areas covered by the Code are: a) General Conduct including such matters as conduct at meetings and regarding relationships with other IJB members and officers, b) declaring offers of gifts and hospitality and use of facilities provided by the IJB and its constituent authorities, c) Registration of Interests, d) declaration of Interests; and e) Lobbying.
- 3.4. The Scottish Government has now issued a consultation in relation to a review of the Model Code. This review is considered necessary because the Code has not been reviewed since 2014.
- 3.5. A link to the consultation document is attached.

<https://www.gov.scot/publications/consultation-paper-ethical-standards-public-life-proposals-amendments-made-model-code-conduct-members-devolved-public-bodies/>

- 3.6 The consultation includes a revised version of the Code for comment.

The main changes that have been made are:

- A general rewrite in first person to encourage Board Members to take ownership of their behaviour.
- Raising awareness of the need for careful consideration when a Board Member uses social media.
- Removing unnecessary information.
- Rewriting in plain English to make the Model Code easier to understand.
- Increased emphasis on addressing discrimination and unacceptable behaviour.
- Strengthening obligations regarding bullying and harassment.
- Strengthening rules around accepting gifts, both to protect Board Members and to build confidence in their impartiality.
- Section 5 has been redrafted to make it easier to follow and to apply the “objective” test.
- Section 6 has been amended to make the rules around access and lobbying clearer.

- Annexe A has been amended to outline how complaints about potential breaches of the Code are investigated and adjudicated upon. It contains information about the sanctions available to the Standards Commission following a breach of the Code.

3.7 It is recommended that the IJB responds to the consultation to support the revisions made to the Code of Conduct.

Implications of the Report

1. **Financial** – none
2. **HR & Organisational Development** – none
3. **Community Planning** – none
4. **Legal** – This report relates to a consultation which may result in a revised Code of Conduct for the IJB
5. **Property/Assets** – none
6. **Information Technology** – none
7. **Equality & Human Rights** – The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – none
9. **Procurement** – none.
10. **Risk** – none.
11. **Privacy Impact** – none.
12. **Climate Risk** - none

List of Background Papers – none

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