Agenda Item 9

Standards Committee

22 September 2025

Employee Code of Conduct

1. Aim

To provide the Standards Committee with an opportunity to review the Employee Code of Conduct and its role in defining and supporting the council's standards of conduct for employees.

2. Summary

2.1 At its meeting on 7 July 2025, the Standards Committee requested a report to review the Employee Code of Conduct, including consideration of whether a higher standard should apply to senior officers of the Council.

2.2 Strategic overview of the Employees' Code of Conduct is within the remit of the Standards Committee.

3. Recommendations

3.1 That Standards Committee note the report.

3.2 That Standards Committee note that the Employee Code of Conduct is a function of Cabinet.

4. Report Detail – Know

4.1 The purpose of the Code of Conduct is to provide a clear framework and guidance for all employees/workers of Walsall Council, which outlines acceptable standards of behaviour and aims to support the council's shared vision, purpose, values and behaviour.

4.2 The Employee Code of Conduct applies to all council employees and workers including those on a casual working agreement and on a temporary agency assignment and is set out in Part 5.2 of the Council's Constitution. The latest version was approved by the Personnel Committee at its meeting held on 24 January 2022 and is attached at **Appendix 1** to the report.

4.3 At its meeting held on 31 January 2023, the Standards Committee received a report which confirmed that the Code of Conduct applied to all officers, including Chief Officers.

4.4 Part 4 of the Code of Conduct for Employees sets out additional accountabilities for Executive Directors and Managers: -

Executive Directors are accountable for;

- Reviewing, signing, recording and maintaining a register of declarations of interest (financial and non-financial) that are submitted by all employees;
- Forwarding all declarations of interest to the council's Monitoring Officer for review and authorising as appropriate.

Managers are accountable for;

- Reviewing and signing any conflict of interest declarations made by employees;
- Ensuring signed conflict of interest forms are submitted to Executive Directors for review and recording.

4.5 The Code of Conduct Declaration of Interest Form is set out at **Appendix 2.** Where an employee who has any financial, private and personal interests with outside organisations or groups which may conflict with their duties, they must declare such involvement for formal recording.

4.6 A benchmarking exercise has been conducted against 16 Councils, and the comparative data is attached at **Appendix 3.**

4.7 Benchmarking against other councils indicates that all maintain a single comprehensive code that is applicable to all officers. Several councils note within their code that it would affect some employees such as senior or managerial, more than others.

4.8 Some Council's specifically include a requirement for senior officers to uphold and promote the Code of Conduct for Employees. A notable example was Derbyshire County Council where senior officers have a duty to implement the code, ensure complaints in relation to the code are investigated appropriately, and must be aware of their own conduct and behaviour and how this can impact on other employees.

4.9 The Monitoring Officer consulted the Council's Independent Persons who are of the view that consideration should be given to whether breaches of the Code of Conduct by senior officers should carry greater weight when determining any resulting determinations or sanctions. Their view is that a breach of the code by a junior officer may have less impact when compared to a breach by a senior officer.

5. Decide

Committee could decide to: -

1. Note the report and the current Code of Conduct for Employees
2. Submit recommendations for revisions to the Code of Conduct for Employees for consideration during the review cycle.

6. Respond

6.1 The Committee is asked to note the report. Should specific recommendations be made with regard to proposed amendments, these will be passed to officers responsible for reviewing the Code of Conduct for Employees. Any revisions to the Code of Conduct would require consideration by Cabinet and a change to the Constitution.

6.2 Any changes to the Constitution would be subject to approval by Council.

7. Review

Employment policies will usually be reviewed on a three yearly cycle, unless legislation or internal organisational prompt an earlier review.

8. Financial implications

There are no financial implications arising from this report.

9. Legal implications

The approval of the Employee Code of Conduct was a specific function of the Personnel Committee which was disestablished by Council at its meeting on 24 September 2024. As such, the default position set out in section 13(2) of the 2000 Act applies and the power to approve Human Resources Policies and Procedures rests with the Executive.

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Signed
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