

The Model Code of Conduct


VENUE

NAME
&
NAME

Standards Commission
Members

DATE

AGENDA

- Role & Remit
 - Introduction to the Code
 - General Conduct
 - Case study – respect
 - Case study - confidentiality
 - Appointments to Partner Organisations
 - Registering & Declaring Interests
 - Case study – applying the objective test
 - Breach Cases
 - Questions / Further Information
- 

ROLE & REMIT

What do we do?

- Proactive educational role
- Adjudicatory role



Sanctions:

- Censure
- Suspend (up to 1 year)
- Disqualify (up to 5 years)

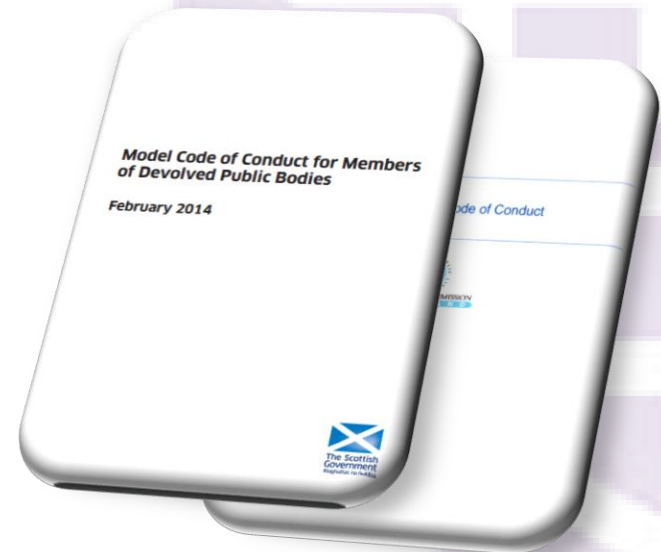
Introduction to the Code

It is a Member's **PERSONAL RESPONSIBILITY** to comply with the public body's Code of Conduct

“You must not, at any time, advocate or encourage any action contrary to the Code of Conduct.”

Key principles

1. Duty
2. Selflessness
3. Integrity
4. Objectivity
5. Accountability & Stewardship
6. Openness
7. Honesty
8. Leadership
9. Respect



General Conduct

- Respect – colleagues, officers, members of the public

Applies at all times when acting, or could be perceived as acting, in official capacity

- Social Media
- Confidentiality
- Gifts & Hospitality
- Use of Public Body Facilities
- Appointments to Partner Organisations



Case Study 1: Respect

Scenario.....

You have received papers for a meeting, which includes a report by an officer regarding the continuing funding by the public body of a service. You do not agree with the officer's recommendation and consider the risk impact assessment is inadequate.

What can / should you do?

Case Study 1: Confidentiality

Scenario.....

A staff member provides you with information that you consider is of public interest. You wish to refer to the information in a social media posting.

What factors should you be considering / taking into account when deciding whether you can refer to the information?

Appointments to Partner Organisations

Issues that can arise

- Understanding different roles and responsibilities in respect of each body and requirement to act in interests of each
- Understanding capacity in which they are appointed
- Compliance with more than one Code
- Duty of collective responsibility
- Conflicts of interest
- Confidentiality



Registering and Declaring Interests

Personal responsibility

May feel able to state truthfully that an interest would not influence discussion or decision-making. Must, however, always comply with the objective test:

whether a member of public, with knowledge of relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your discussion or decision making in your role as a member of a public body.

Case Study 3: Applying the Objective Test

Scenario.....

You are a member of a devolved public body that allocates funding to community organisations. A relative of yours is employed by a youth club which may be the beneficiary of a funding allocation.

Should you make a declaration?

Breach Cases

| Case | Situation | Outcome |
|-----------------|--|---------------------|
| NHS/Lo/1872 | Failure to declare interest arising from remunerated employment and non-financial interest of his employer | Breach & censure |
| NPA/LLT/1781 | Failure to declare a financial interest and withdraw | Breach & censure* |
| LA/DG/1929 | Posting of discriminatory and derogatory comment on social media | Breach & censure* |
| LA/R/1946 &1973 | Making gratuitous, personal and offensive remarks at meeting and failing to respect Chair. | Breach & suspension |
| LA/C/1640 | Inappropriately involved in operational matters & disrespectful towards officers | Breach & suspension |

Lobbying & Access

Further information...

www.standardscommissionscotland.org.uk

- Cases and Decisions
- Codes of Conduct
- Guidance & Advice Notes
- Professional Briefings
- How to make an enquiry / make a complaint



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