



Dumfries and Galloway
Integration Joint Board

10th March 2022

This Report relates to
Item 10 on the Agenda

Draft Revised Code of Conduct

Paper presented by Alison Warrick

For Approval

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Approved for Submission by:	Julie White, Chief Officer Julie.white2@nhs.scot
List of Background Papers:	Ethical Standards in Public Life etc (Scotland) Act 2000
Appendices:	Appendix 1 – Revised Model Code of Conduct for Members of Devolved Public Bodies Appendix 2 – Standards Commission Model Code of Conduct Guidance Appendix 3 – Draft IJB Code of Conduct

Direction Required to Council, Health Board or Both	Direction to:	
	1. No Direction Required	X
	2. Dumfries and Galloway Council	

	3. NHS Dumfries and Galloway	
	4. Dumfries and Galloway Council and NHS Dumfries and Galloway	

<p>1. Introduction</p> <p>1.1 Following approval by the Scottish Government on the 7th December 2021, public bodies were asked to adopt the revised Code of Conduct within six months of this date.</p>														
<p>2. Recommendations</p> <p>2.1 The Integration Joint Board is asked to:</p> <ul style="list-style-type: none"> • Approve the adoption of the Revised Code of Conduct • Agree to sign the Code of Conduct ensuring compliance 														
<p>3. Background and Main Report</p> <p>3.1 The Model Code of Conduct for Members of Devolved Public Bodies (the Code), which is required by the Ethical Standards in Public Life etc. (Scotland) Act 2000, came into effect on 7th December 2021, and sets out the principles and rules governing the conduct of its members.</p> <p>3.2 The code is for all members of devolved public bodies, be they voting, advisory or co-opted, who sit on or attend any meetings (including Committees) of the Dumfries and Galloway Integration Joint Board (IJB).</p> <p>3.3 Upon acceptance of appointment as an IJB member, members agree to comply with the Code.</p> <p>3.4 Brief summary of changes to the 2021 Code:</p>														
	<table border="1"> <thead> <tr> <th></th> <th>Code of Conduct 2018</th> <th>Code of Conduct 2021</th> </tr> </thead> <tbody> <tr> <td>Section 1</td> <td> Introduction to the Code <ul style="list-style-type: none"> ➤ Appointments to the Boards of Public Bodies ➤ Guidance on the Code of Conduct ➤ Enforcement </td> <td> Introduction to the Code <ul style="list-style-type: none"> ➤ My Responsibilities ➤ Enforcement </td> </tr> <tr> <td>Section 2</td> <td>Key Principles of the Model Code</td> <td>Key Principles of the Model Code of Conduct</td> </tr> <tr> <td>Section 3</td> <td> General Conduct <ul style="list-style-type: none"> ➤ Conduct at Meetings ➤ Relationship with IJB Members and Employees of Related Organisations ➤ Remuneration, Allowances and </td> <td> General Conduct <ul style="list-style-type: none"> ➤ Respect and Courtesy ➤ Remuneration, Allowances and Expenses ➤ Gifts and Hospitality ➤ Confidentiality ➤ Use of Public Body </td> </tr> </tbody> </table>		Code of Conduct 2018	Code of Conduct 2021	Section 1	Introduction to the Code <ul style="list-style-type: none"> ➤ Appointments to the Boards of Public Bodies ➤ Guidance on the Code of Conduct ➤ Enforcement 	Introduction to the Code <ul style="list-style-type: none"> ➤ My Responsibilities ➤ Enforcement 	Section 2	Key Principles of the Model Code	Key Principles of the Model Code of Conduct	Section 3	General Conduct <ul style="list-style-type: none"> ➤ Conduct at Meetings ➤ Relationship with IJB Members and Employees of Related Organisations ➤ Remuneration, Allowances and 	General Conduct <ul style="list-style-type: none"> ➤ Respect and Courtesy ➤ Remuneration, Allowances and Expenses ➤ Gifts and Hospitality ➤ Confidentiality ➤ Use of Public Body 	
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	<ul style="list-style-type: none"> ➤ Expenses ➤ Gifts and Hospitality ➤ Confidentiality Requirements ➤ Use of Health Board or Local Authority Facilities by Members of the Integration Joint Board ➤ Appointment to Partner Organisations 	<ul style="list-style-type: none"> ➤ Resources ➤ Dealing with my Public Body and Preferential Treatment Appointments to Outside Organisations
Section 4	<p>Registration of Members Interest</p> <ul style="list-style-type: none"> ➤ Remuneration ➤ Related Undertakings ➤ Contracts ➤ Houses, Land and Buildings ➤ Interest in Shares and Securities ➤ Gifts and Hospitality ➤ Non Financial Interests 	<p>Registration of Members Interest</p> <ul style="list-style-type: none"> ➤ Remuneration ➤ Other roles ➤ Contracts ➤ Election Expenses ➤ Houses, Land and Buildings ➤ Interest in Shares and Securities ➤ Gifts and Hospitality ➤ Non Financial Interests ➤ Close Family Members
Section 5	<p>Declaration of Interest</p> <ul style="list-style-type: none"> ➤ Interests which Require Declaration ➤ Your Financial Interests ➤ Your Non-Financial Interests ➤ The Financial Interests of Other Persons ➤ The Non-Financial Interests of Other Persons ➤ Making a Declaration ➤ Frequent Declaration of Interests ➤ Dispensations 	<p>Declaration of Interest</p> <ul style="list-style-type: none"> ➤ Connection ➤ Interest ➤ Participation
Section 6	<p>Lobbying and Accessing to Members of Public Bodies</p> <ul style="list-style-type: none"> ➤ Introduction ➤ Rules and Guidance 	<p>Lobbying and Access</p>
Annex A	<p>Sanctions Available to the Standards Commission for Breach of Code</p>	<p>Breaches of the Code</p>
Annex B	<p>Definitions and Explanatory Notes</p>	<p>Definitions</p>

3.5 Members should note that there is a specific inclusion in Section 3 General 0 Respect and Courtesy regarding the inclusion of social media. This is further

explained within the section 'When the Code Applies' sections 7 - 12 and the specific Social Media 35 – 38 of the Standards Commission Model Code of Conduct Guidance.

3.6 The Code will apply when Members are engaging in online activity, if you could reasonably be considered or perceived to be acting as a member of the Integration Joint Board. The Code does not prevent you from expressing views provided you do so in a way that is compatible with the substantive provisions of the Code.

3.7 It may be helpful to state that you are expressing your own personal view, rather than the view of a public body.

3.8 Sections 3.28 - 3.30 Dealing with my Public Body and Preferential Treatment is a new section of the Code of Conduct which is designed to ensure there is transparency in your dealings with employees (working on behalf of the IJB) and outlines that Members should avoid conduct which seeks to further your own personal interests or others you are connected to.

3.9 This can include what you are asking employees to undertake and includes acting in a way that suggests you are seeking preferential treatment for yourself and others or undertaking them to do a task that is outwith their normal duties (unless prior approval has been given with the employees line manager).

3.10 Within Section 4 Registration of Interests most of the sections have been refreshed however there has been specific inclusion of a further category entitled Close Family Members. This has been included to help ensure that the IJB complies with accounting standards that require the accounts to disclose the possibility that its financial position may have been affected by any related party transactions. For members this is done to ensure there is transparency in respect of any potential influence that anyone close to you, in your capacity as a member of the IJB, may have over a transaction that the IJB may be involved in that in turn had an impact on its overall financial position.

3.11 The Code does not define what is mean by a close family member but it is likely that a spouse, cohabite, partner, parent and child would be considered within this category. You do not need to disclose the family member's name or any other personal data on your register entry.

3.12 In Section 5 Declaration of Interests again many of the sections have been refreshed or amalgamated into fewer sections.

3.13 Stage 3 Participation states that members should not remain in the meeting nor participate in any way in those parts of meetings where a declaration of interest has been made. In terms of an online meeting you must leave the meeting and rejoin when asked to do so.

3.14 All other sections of the Code have had a general update.

4. Conclusions

4.1 Based on the information it is anticipated that Members will be content to approve their compliance with the revised Code of Conduct.

5. Resource Implications

5.1	There will be no resource implications as a result of the Revision to the Model Code of Conduct.				
6.	Impact on Integration Joint Board Outcomes, Priorities and Policy				
6.1	The content of this report and its appendices comply with the national health and wellbeing outcomes for health and social care.				
7.	Legal and Risk Implications				
7.1	In line with the Ethical Standards in Public Life etc (Scotland) Act 2000 IJB Members, upon appointment, agree to comply with the standards outlined in the contents of this report, it's appendices and the aforementioned Act.				
8.	Consultation				
8.1	The Revised Model Code of Conduct was shared with the Chief Officer, all Integration Joint Board members (as at 9 th February 2022) and with the Health and Social Care Governance and Performance Group.				
9.	Equality and Human Rights Impact Assessment				
9.1	This report and its appendices do not require an EQIA.				
10.	Glossary				
10.1	All acronyms must be set out in full the first time they appear in a paper with the acronym following in brackets.				
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Dumfries and Galloway Integration Joint Board



DIRECTION

(ISSUED UNDER SECTIONS 26-28 OF THE PUBLIC BODIES (JOINT WORKING) (SCOTLAND) ACT 2014)

1.	Title of Direction and Reference Number	
2.	Date Direction Issued by Integration Joint Board	
3.	Date from which Direction takes effect	
4.	Direction to	
5.	Does this direction supersede, amend or cancel a previous Direction? If yes, include the reference number(s)	
6.	Functions covered by Direction	
7.	Full text of Direction	
8.	Budget allocated by Integration Joint Board to carry out Direction	
9.	Desired Outcomes	
10.	Performance Monitoring Arrangements	
11.	Date Direction will be Reviewed	