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Ask for: Loma Care
Your Ref:
Our Ref:
Date:

Dear Member

CABINET SCRUTINY COMMITTEE - WEDNESDAY, 9 DECEMBER 2009

I am now able to enclose, for consideration at next Wednesday, 9 December 2009 meeting of the Cabinet Scrutiny Committee, the following reports that were unavailable when the agenda was printed.

Agenda No Item

4. **Follow-up Items from Cabinet Scrutiny Committee (Pages 1 - 2)**

Yours sincerely



Peter Sass
Head of Democratic Services & Local Leadership

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Mr P Carter
Chairman of the Personnel Committee

Sessions House
County Hall
MAIDSTONE
ME14 1XQ

Fax: (01622) 694383
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Direct dial/Ext: (01622) 694764
Ask for: Anna Taylor

Date: 23 October 2009

Dear Mr Carter,

RE: Personnel Committee review of the Officer Code of Conduct

At the Cabinet Scrutiny Committee meeting on 23 September 2009 Members were asked by the Chairman, supported by the Vice-chairmen, whether they wished that the issue of a possible disparity between the Officer Code and the Member Code of Conduct be referred onto another Committee for further investigation.

Accordingly, the Committee considered the issue and all parties agreed that the Officers' Code should be re-considered by the Personnel Committee, with a view to strengthening it in the area of "perceived conflict of interest".

The following is taken from the Member Code of Conduct:

Prejudicial interest generally

"10. (1) Subject to sub-paragraph (2), where you have a personal interest in any business of the County Council you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest."

And from the Officer Code of Conduct:

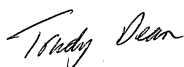
"H5. A register of financial and non-financial interest is maintained by each Directorate. Personnel & Development maintain a register for senior managers at Senior Manager level, who should ensure appropriate entries are made and the nature of any potential or perceived conflict of interest is recorded in the register."

“J1. If you are involved in the tendering process and dealing with contractors, you must be clear about the separation of client and contractor roles within KCC. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.”

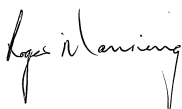
The Committee resolved to request that the Personnel Committee review the Officer Code of Conduct with regard to situations where a potential conflict of interest, real or perceived was encountered.

The Committee would ask that you respond formally to this request, I look forward to hearing from you.

Yours sincerely



Mrs T Dean
Chairman of the
Cabinet Scrutiny
Committee



Mr R F Manning
Joint Vice
Chairman of the
Cabinet Scrutiny
Committee



Mr L Christie
Joint Vice
Chairman of the
Cabinet Scrutiny
Committee



Mr R J Lees
Joint Vice
Chairman of the
Cabinet Scrutiny
Committee

- cc. Mr G Wild – Director of Law and Governance
Ms A Beer – Director of Personnel and Development
Mr G Mills – Democratic Services Management (Executive)