Memorandum



To: Cabinet Scrutiny Committee

Cc:

From: Peter Gilroy, Chief Executive Date: 09 December 2009

Subject: RE: Personnel Committee Review of Officer Code of Conduct

I have been asked to consider your request made in your letter to Paul Carter of 2 October for a review of the Officer Code of Conduct by Personnel Committee. The current officers' code was agreed by Personnel Committee in 2008 following a comprehensive review of its content. The Code was drafted in the Personnel and Development Employment Policy team and the Monitoring Officer, together with procurement and audit mangers, reviewed and approved the final document which, on their advice, was further amended to clarify and strengthen specific elements, particularly those concerning transparency; relationships with contractors; procurement; sponsorship; gifts and hospitality.

The Code is prefaced with the statement about public expectation of officer integrity which is reflected and reinforced throughout the Code - an expectation at least equivalent to s.10 (1) of the Member Code of Conduct relating to prejudicial interest. The requirement to declare potential and *actual* conflicts of interest in the name of transparency is also clear throughout as is officers' accountability to the Kent public. Declared conflicts of interest are held on a centrally-held register which can be accessed by request (eg FOI).

As such there is no discrepancy between the Member and Officer Codes, save the language since both compel individuals to heed the public (prejudicial) interest test in their professional or political duties. There would appear to be little merit in any review of the recently amended document since, it is my view, the messages present in the Member Code are replicated more than adequately in the officer code.

Chief Executive