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<b>Report To:</b>	<b>Inverclyde Integration Joint Board</b>	<b>Date:</b>	<b>25 January 2021</b>
<b>Report By:</b>	<b>Louise Long, Corporate Director (Chief Officer), Inverclyde Health &amp; Social Care Partnership</b>	<b>Report No:</b>	<b>VP/LP/17/21</b>
<b>Contact Officer:</b>	<b>Vicky Pollock</b>	<b>Contact No:</b>	<b>01475 712180</b>
<b>Subject:</b>	<b>Model Code of Conduct – Scottish Government Consultation</b>		

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## **1.0 PURPOSE**

- 1.1 This report advises Members of the IJB that the Scottish Government on 19 October 2020 commenced a public consultation on a major review of the Model Code of Conduct for Members of Devolved Public Bodies and the views of all users and the public are invited by the closing date of 8 February 2021.

## **2.0 SUMMARY**

- 2.1 The Ethical Standards in Public Life etc. (Scotland) Act 2000 requires Scottish Ministers to issue a Model Code of Conduct for Members of Devolved Public Bodies (the Model Code). The current version of the Code was originally issued in 2010 and was reviewed in 2014. The aim of the Model Code is to set out clearly and openly the standards that IJB Members must comply with when carrying out their IJB duties. The Scottish Government has considered that many developments have taken place since the Model Code was last substantially reviewed and is seeking to: make the Model Code easier to understand; take account of developments such as the role of social media; and, strengthen and reinforce the importance of behaving in a respectful manner and making it clear that bullying and harassment are completely unacceptable.
- 2.2 The Scottish Government is inviting responses to the consultation by 8 February 2021 and all IJB Members have an opportunity to contribute any consultation responses as they may wish. Additionally, the IJB may wish to take the opportunity of providing a corporate response and the Standards Officer will take steps to respond on behalf of the IJB.

## **3.0 RECOMMENDATIONS**

- 3.1 It is recommended that the Inverclyde Integration Joint Board notes the consultation on the Model Code with the opportunity for individual responses to be made by the closing date of 8 February 2021.

## **4.0 BACKGROUND**

- 4.1 The Ethical Standards in Public Life etc. (Scotland) Act 2000 requires Scottish Ministers to issue a Model Code of Conduct for members of devolved public bodies (Model Code) which sets out clearly and openly the standards that such members must comply with when carrying out their duties. It is a requirement that all members of devolved public bodies in Scotland are obliged to comply with the Model Code and with any guidance that is issued by the Standards Commission for Scotland.
- 4.2 The current Model Code was originally issued in 2010 and was amended in 2014.
- 4.3 The Scottish Government recognises that a number of new developments have taken place since the Model Code was last reviewed in 2014 and it is important now to take account of such changes and to provide users with the opportunity to comment on the review.
- 4.4 The Scottish Government is seeking to make the Model Code easier to understand, to take account of developments such as the role of social media and to strengthen and reinforce the importance of behaving in a respectful manner and to make it clear that bullying and harassment are completely unacceptable and cannot be tolerated. It is the purpose of the Model Code to ensure the highest standards of conduct by all members of devolved public bodies are maintained.

## **5.0 PROPOSALS**

- 5.1 The proposal is to amend the Model Code to bring it up-to-date and to make it more user friendly. The Scottish Government has stated within its consultation paper that the key changes in the Code are:
  - a general rewrite to remove unnecessary information, rewrite in plain English and in the first person to encourage Board Members to take ownership of their behaviour;
  - a greater emphasis on addressing discrimination and unacceptable behaviour;
  - raising awareness of the need for careful consideration when a Board Member uses social media.
  - stronger rules around the accepting of gifts, both to protect Members and to build confidence in their impartiality amongst the general public;
  - a substantial re-write of the section on the declaration of interests to establish three clear and distinct stages: connection – interest – participation;
  - clarity on the rules on the access to and lobbying of Board Members; and,
  - amendments to outline how complaints about potential breaches of the Code are investigated and adjudicated upon, together with information about the sanctions available to the Standards Commission following a breach of the Code.
- 5.2 Responses on the public consultation are invited by 8 February 2021. All IJB Members have an individual opportunity to respond in any terms if they so wish.
- 5.3 Access to and responses for the consultation online are contained at the following address:

This consultation can be responded to by using the Scottish Government's consultation hub, Citizen Space:

<http://consult.gov.scot>

Access and response to the consultation can be done online at:

<https://consult.gov.scot/public-bodies-unit/ethical-standards-in-public-life/>

If anyone is unable to respond using the online consultation hub, the respondent information form can be also sent to:

Members Model Code of Conduct Consultation  
 Public Bodies Unit  
 The Scottish Government  
 Area 3F North  
 Victoria Quay  
 Edinburgh. EH6 6QQ

Please ensure that consultation responses are submitted before the closing date of 8 February 2021.

## 6.0 IMPLICATIONS

### Finance

6.1 None.

#### Financial Implications:

One Off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A	N/A	N/A	N/A	N/A	N/A

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A	N/A	N/A	N/A	N/A	N/A

### Legal

6.2 There are no legal implications within this report.

### Human Resources

6.3 None.

### Equalities

6.4 There are no equality issues within this report.

6.4.1 Has an Equality Impact Assessment been carried out?

	YES (see attached appendix)
X	NO – This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required.

6.4.2 How does this report address our Equality Outcomes

There are no Equalities Outcomes implications within this report.

Equalities Outcome	Implications
People, including individuals from the above protected	None

characteristic groups, can access HSCP services.	
Discrimination faced by people covered by the protected characteristics across HSCP services is reduced if not eliminated.	None
People with protected characteristics feel safe within their communities.	None
People with protected characteristics feel included in the planning and developing of services.	None
HSCP staff understand the needs of people with different protected characteristic and promote diversity in the work that they do.	None
Opportunities to support Learning Disability service users experiencing gender based violence are maximised.	None
Positive attitudes towards the resettled refugee community in Inverclyde are promoted.	None

### **Clinical or Care Governance**

6.5 There are no clinical or care governance issues within this report.

### **National Wellbeing Outcomes**

6.6 How does this report support delivery of the National Wellbeing Outcomes  
There are no National Wellbeing Outcomes implications within this report.

<b>National Wellbeing Outcome</b>	<b>Implications</b>
People are able to look after and improve their own health and wellbeing and live in good health for longer.	None
People, including those with disabilities or long term conditions or who are frail are able to live, as far as reasonably practicable, independently and at home or in a homely setting in their community	None
People who use health and social care services have positive experiences of those services, and have their dignity respected.	None
Health and social care services are centred on helping to maintain or improve the quality of life of people who use those services.	None
Health and social care services contribute to reducing health inequalities.	None
People who provide unpaid care are supported to look after their own health and wellbeing, including reducing any negative impact of their caring role on their own health and wellbeing.	None
People using health and social care services are safe from harm.	None
People who work in health and social care services feel engaged with the work they do and are supported to continuously improve the information, support, care and treatment they provide.	None
Resources are used effectively in the provision of health and social care services.	None

## **7.0 DIRECTIONS**

7.1

<b>Direction Required to Council, Health Board or Both</b>	Direction to:	
	1. No Direction Required	X
	2. Inverclyde Council	
	3. NHS Greater Glasgow & Clyde (GG&C)	
	4. Inverclyde Council and NHS GG&C	

## **8.0 CONSULTATIONS**

8.1 The Corporate Director (Chief Officer) has been consulted in the preparation of this report.

## **9.0 BACKGROUND PAPERS**

9.1 N/A