

Erratum Notice

Meeting of West Dunbartonshire Health and Social Care Partnership Board

Date: Tuesday, 16 August 2022

Time: 14:00

Venue: Hybrid Meeting

Contact: Lynn Straker, Committee Officer
Email: lynn.straker@west-dunbarton.gov.uk

Dear Member

ERRATUM NOTICE

I refer to the Supplementary Agenda issued on 12 August 2022 and now enclose an updated Item 12 report, which has been updated at Paragraphs 3.6 and 6.1, for your attention. This replaces the first Item 12 report enclosed.

Yours faithfully

BETH CULSHAW

Chief Officer of the Health & Social
Care Partnership

Distribution:-

Voting Members

Michelle McGinty (Chair)
Rona Sweeney (Vice Chair)
Martin Rooney
Lesley Rousselet
Clare Steel
Michelle Wailes

Non-Voting Members

Barbara Barnes
Beth Culshaw
John Kerr
Helen Little
Diana McCrone
Anne MacDougall
Kim McNab
Peter O'Neill
Saied Pourghazi
Selina Ross
Julie Slavin
Val Tierney

Senior Management Team – Health and Social Care Partnership
Chief Executive – West Dunbartonshire Council

Date of Issue: 16 August 2022

Note referred to:-

12 ADOPTION OF MODEL CODE OF CONDUCT

209 - 211

Submit report by the Principal Solicitor informing Members of amendments to the Model Code of Conduct produced by the Scottish Government. The Model Code of Conduct applies to members of devolved public bodies such as the HSCP Board. The Standards Commission has brought out guidance to reflect the changes made to the Model Code.

WEST DUNBARTONSHIRE HEALTH & SOCIAL CARE PARTNERSHIP BOARD

Report by Chief Officer – Regulatory and Regeneration

16 August 2022

Subject: Adoption of Proposed Amendments to the Model Code of Conduct

1. Purpose

- 1.1** The purpose of this report is to inform the Health and Social Care Partnership Board of the amendments to the Model Code of Conduct produced by the Scottish Government.
- 1.2** The Model Code of Conduct applies to members of devolved public bodies such as the HSCP Board. The Standards Commission has brought out guidance to reflect the changes made to the Model Code.

2. Recommendations

- 2.1** The HSCP Board is asked to consider and adopt the Model Code and the Guidance (Appendix Links 1 and 2)

3. Background

- 3.1** The HSCP Board currently has a Code of Conduct for Members which was based on a template produced by the Scottish Government. Now that the Model Code of Conduct has been amended, the Scottish Government will expect the HSCP Board to adopt the revised Model Code of Conduct and comply with its amendments.
- 3.2** An induction session for members of the HSCP Board held on 21st June 2022 addressed the code as a whole and identified changes from the previous Code. However, there is one potentially significant change which is specifically drawn to the Board's attention:
- 3.3** The introduction of the principle of collective decision making and corporate responsibility is not a principle which would normally apply to Councillors. Arguably, it is unreasonable to expect politically appointed representatives to sign up to collective responsibility.
- 3.4** Non-voting members also include representatives of staff, third sector bodies, service users and unpaid carers. These members may wish to seek a change to a decision where they believe it will have intolerable negative impacts on those they are appointed to represent.

3.5 The HSCP Board responded to the Model Code of Conduct during the Scottish Government's consultation by suggesting that paragraph 3.10 (now 3.11) be deleted. However, paragraph 3.10 has not been amended since the consultation.

3.6 Now that the Model Code has been amended, albeit with paragraph 3.10 intact, the Scottish Government will expect the HSCP Board to adopt the revised Model Code and comply with its amendments. The Board must either adopt the Model Code or submit its own Code. The Board's own Code may be refused and substituted and would then presumably have a direct effect.

4. People Implications

4.1 There are no personnel issues.

5. Finance and Procurement Implications

5.1 There are no financial and procurement implications

6. Risk Analysis

6.1 A failure to adopt the whole Model Code may lead to reputational damage and the imposition of a Code by the Scottish Government.

7 Equalities Impact Assessment

7.1 An equalities impact assessment is not required as there is no differential impact on any of the protected categories.

8. Consultation

8.1 A response to the consultation was submitted to the Scottish Government and their closing date was met.

9. Strategic Assessment

9.1 The recommendations contained in this report are in line with the strategic priority of open, accountable and accessible local government.

10. Directions

10.1 As this report concerns governance and not the delivery of services by the Council or the Health Board, no direction is required.

Peter Hessett

Chief Executive / Chief Officer -Regulatory and Regeneration

Date: 11 August 2022

Person to contact: Nigel Ettles, Principal Solicitor – West Dunbartonshire Council
Email: Nigel.Ettles@west-dunbarton.gov.uk

Appendices:

Appendix 1 - [Model Code of Conduct for Members of Devolved Public Bodies](#)

Appendix 2 - [Model Code of Conduct Guidance](#)