

<b>Meeting:</b>	<b>NHS Grampian Board meeting</b>
<b>Meeting date:</b>	<b>2 June 2022</b>
<b>Item Number:</b>	<b>11</b>
<b>Title:</b>	<b>Adoption of Revised Model Code of Conduct for Members of Devolved Public Bodies</b>
<b>Responsible Executive/Non-Executive:</b>	<b>Caroline Hiscox, Chief Executive</b>
<b>Report Author:</b>	<b>Sarah Duncan, Board Secretary</b>

## 1 Purpose

This is presented to the Board for:

- A decision to adopt the revised Model Code of Conduct

**This report relates to a:**

- Legal requirement

**This aligns to the following NHS Scotland quality ambition(s):**

- Safe
- Effective

## 2 Report summary

### 2.1 Situation

The new Model Code of Conduct for members of Public Bodies was published on 7 December 2021, following Parliamentary approval on 27 October 2021.

NHS Scotland has adopted a Once for Scotland approach to the Code, has consulted with Board Chairs and Board Secretaries to obtain comments and requires all NHS Boards to adopt the same Code. Each Board is required to publish their Code of Conduct on their website by 10 June 2022. The Board is

required to formally approve the Code of Conduct before it can be published on the website.

## **2.2 Background**

The Ethical Standards in Public Life etc. (Scotland) Act 2000 introduced an ethical framework which required Scottish Ministers to issue a Model Code of Conduct for members of the devolved public bodies listed in schedule 3 of the Act, which includes NHS Boards.

The Model Code for Members of Devolved Public bodies was first introduced in 2002, and has since been revised on a number of occasions, most recently in 2021. The new version was issued on 7 December 2021.

The Model Code of Conduct for NHS Boards reflects the functions and characteristics of an NHS Board and has been approved by Scottish Ministers. It sets out, openly and clearly, the standards of conduct that must be adhered to by those in public office, including members of NHS Boards, which helps reinforce and strengthen public confidence in members of such boards.

## **2.3 Assessment**

The amendments to the Code from the previous version are substantial, and are summarised in the information provided by the Standards Commission document 'Key Changes to the Code', attached as Appendix 2.

NHS Boards have been asked by the Scottish Government to adopt the same Code of Conduct, and there has been a consultation exercise with Board Secretaries and Board Chairs to agree any minor amendments to the Model Code which are required to adapt if for NHS Boards. The amendments to the Model Code adopted for devolved bodies by Scottish Ministers in December 2021 to align with NHS Boards have been agreed with the Standards Commission.

Board members have a personal responsibility to familiarise themselves with the provisions of the Code of Conduct and the advice notes and guidance that

accompany it, as stated in clause 1.7 of the Code. The advice notes and guidance are available on the Standards Commission website: [Advice Notes | The Standards Commission for Scotland \(standardscommissionscotland.org.uk\)](https://standardscommissionscotland.org.uk) Board members can also obtain advice and guidance on the Code in the first instance from the Board Secretary.

### **2.3.1 Quality/ Patient Care**

There is no direct or indirect impact on patient care by adopting the Model Code of Conduct.

### **2.3.2 Workforce**

There are no direct or indirect impacts on the workforce by adopting the Model Code of Conduct.

### **2.3.3 Financial**

There are no financial impacts by adopting the Model Code of Conduct.

### **2.3.4 Risk Assessment/Management**

Adopting the Model Code of Conduct reduces the risk of bringing the organisation into disrepute by having an open and transparent system, and set of rules for conduct in public office, including adhering to the principles of conduct in public life, declaring and managing conflicts of interest and standards of behaviour expected.

### **2.3.5 Equality and Diversity, including health inequalities**

An impact assessment has not been completed because there are no service delivery changes affected by adoption of the Model Code of Conduct.

### **2.3.7 Communication, involvement, engagement and consultation**

All stakeholder consultation and engagement on adaptations to the Model Code of Conduct for NHS Boards has been carried out by the Scottish Government, and Board Chairs and Board Secretaries have been included in the consultation. The Model Code of Conduct attached as Appendix 1 has been agreed as suitable for NHS Boards to adopt.

## **2.4 Recommendation**

The Board is asked to:

- Note the key changes to the Code of Conduct as described in Appendix 2
- Agree to adopt the Model Code of Conduct attached as Appendix 1 as the NHS Grampian Code of Conduct, inform the Scottish Government that the Model Code has been adopted and publish it on the NHS Grampian website by 10 June 2022.

## **3 List of appendices**

The following appendices are included with this report:

- Appendix 1 – Model Code of Conduct for NHS Boards
- Appendix 2 – Standards Commission Key Changes to the Code