

35417

I would like to see evidence of all TEC members and attendees' compliance with the Conflicts of Interests section of the Employee Code of Conduct.

The Employee Code of Conduct only applies to Council Employees. Elected Members are covered by the Councillors Code of Conduct which is published by the Standards Commission Scotland:

<https://www.standardscommissionscotland.org.uk/codes-of-conduct/councillors-code-of-conduct>

Paragraph 5.2 of the 2018 code confirmed that the responsibility for deciding whether a declared interest prevented an Elected Member from participating in a discussion or voting rested with the Elected Member. The 2018 Code can be found online here:

<https://www.standardscommissionscotland.org.uk/uploads/files/1531127491CllrsCodeofConductJuly2018.pdf>

The updated December 2021 code, at paragraph 5.6, now requires Elected Members to declare their interest as early as possible in meetings and confirms that they will not remain in the meeting nor participate in any way in those parts of meetings where they have declared an interest. There are caveats to this, which are also set out in the Code. The 2021 Code can be found online here:

<https://www.gov.scot/binaries/content/documents/govscot/publications/regulation-directive-order/2021/12/code-conduct-councillors-2/documents/code-conduct-councillors/code-conduct-councillors/govscot%3Adocument/code-conduct-councillors.pdf?forceDownload=true>

In respect of the City of Edinburgh Council's Transport and Environment Committee, Elected Members are expected to declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest at the beginning of each Committee meeting. This is recorded on the webcast and a link is available online:

<https://democracy.edinburgh.gov.uk/mgIssueHistoryHome.aspx?IId=17683>.

All Elected Members of the Council are required to complete register of interests' forms, the details of which are published annually. Registration of interests are publicly available and can be found within each Elected Member's page:

<https://democracy.edinburgh.gov.uk/mgMemberIndex.aspx?bcr=1>

The Council's Employee Code of Conduct requires employees to declare any actual or potential conflicts of interest. However, it is not a requirement of the Employee Code of Conduct for conflicts to be declared at Committee meetings. The current Employee Code was approved by Policy and Strategy Committee in August 2012, as below:

<https://democracy.edinburgh.gov.uk/ceListDocuments.aspx?MeetingId=3967&DF=07%2f08%2f2012>

Neither of these codes of conduct cover other attendees at Committee. From time to time, individuals or organisations will be invited to present to Committee. This will usually be in respect of a particular item or issue for which they have a confirmed interest. They are not expected to formally declare their interest in presenting to Committee or in responding to questions.

The arrangements for deputations are set out on the Council website:

<https://www.edinburgh.gov.uk/councillors-committees/speaking-committee-meeting/1>

In particular - how many Declaration Forms have been completed by TEC members and

attendees as outlined in section 12.13 “If you consider there may be a conflict of interest you should complete the Declaration Form – Conflict of Interest”.

The declaration form relates only to Council Employees. Only one conflict of interest declaration has been made in the past 12 months for matters relating to the agenda of the Council’s Transport and Environment Committee.

I would like to see any other evidence demonstrating that the Conflicts of Interest section is complied with.

Please see answer to Q1 above.