
CAIRNGORMS NATIONAL PARK AUTHORITY

FOR DECISION

Title: REVISED MODEL CODE OF CONDUCT

Prepared by: David Cameron, Corporate Services Director

Purpose

To present the revised Code of Conduct for the Authority for approval.

Recommendations

The Board is requested to:

- a) Approve the Cairngorms National Park Authority's Revised Model Code of Conduct as set out in the Annex to this paper.**

REVISED MODEL CODE OF CONDUCT - FOR DECISION

Strategic Context

1. As a public body covered by the Ethical Standards in Public Life etc. (Scotland) Act 2000, CNPA is required to prepare and adopt a Code of Conduct. The aim of these Codes are to promote, and where necessary support enforcement, of high ethical standards in public life.
2. The Authority has adopted and been operating under a Code of Conduct agreed by the Board and approved by the Standards Commission for Scotland in 2006. The Commission revised their Model Code of Conduct for Public Bodies, which was published in February 2014. This revised model code was considered by the Board at its meeting in June 2014, with the Board agreeing that the Corporate Services Director should take forward development of an appropriate Code of Conduct for the Authority based on this model.
3. In discussion with Scottish Government teams, including the Public Bodies Unit, the Corporate Services Director has agreed that there is merit in incorporating aspects of the Councillors' Code of Conduct directly into the Authority's Code rather than making cross-references to the Councillors' Code. This explicitly recognises the responsibilities of the Authority and its members in dealing with quasi judicial and regulatory matters such as planning. Accordingly, section 7 of the proposed Cairngorms NPA Code of Conduct has been included in the draft presented with this paper.
4. The revised Model Code is presented at Annex 1 to this paper for consideration by members.
5. We have also used the additional time since the Board's previous consideration of this subject to draw together supporting guidance for members covering implementation of aspects of the Code of Conduct. Draft guidance presented at Annex 2 to this paper covers the relations between members and staff within the Authority (supporting paragraph 24 of the Draft Code of Conduct) and also covering member involvement in pre-application discussions (drawn from Guidance on the role of Councillors in pre-application discussions, published by Scottish Government February 2014). Advice received from the Public Bodies Unit highlights that the Code itself must be approved by Ministers, as must any changes made from time to time to the Code. Therefore, supplementary guidance on which the organisation may wish to retain more flexibility over content is better contained in separate, referenced guidance notes than in the Code document itself.

Strategic Policy Considerations

6. The Board is required to respond to the Scottish Government and Standards Commission following the publication of the revised Model Code of Conduct for Public Bodies. This work aims to discharge that responsibility.
7. This work also helps take forward related activity on the Authority's Leadership and good governance within the Organisational Development Strategy, and follows up both on recent training delivered to Board members on Codes of Conduct and governance standards, and on the Board's discussions on its own performance and effectiveness.

Strategic Risk Management

8. The review of the Code of Conduct and associated Board training and development activity helps manage and mitigate the strategic risk around Board and Governance (risks 20 to 22 adopted by the Board in September 2013).

Implications

9. There are no additional resources or other implications raised by this matter.

Success Measures

10. Agreement of the revised CNPA Code by the Standards Commission for Scotland will represent the most immediate success measure. We also continue to monitor levels of recommendations for action arising from complaints referred to the Standards Commission for Scotland as one of our key performance indicators within the Authority's balanced scorecard.

David Cameron

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