

**MEETING: HUMAN RESOURCES COMMITTEE 3 OCTOBER 2022**

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**SUBJECT: NEW EMPLOYEE CODE OF CONDUCT AND ETHICS**

**JOINT REPORT OF THE CHIEF FIRE OFFICER AND THE PERSONNEL ADVISOR TO  
THE AUTHORITY**

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**1 PURPOSE OF REPORT**

- 1.1 The purpose of this report is for HR Committee to consider the new draft employee Code of Conduct and Ethics (the Code) that is attached to this report and to approve it in advance of its consideration by the Fire and Rescue Authority at its meeting on 10 October 2022.

**2 INTRODUCTION AND BACKGROUND**

- 2.1 The proposed draft Employee Code of Conduct and Ethics (attached as Appendix 1) will replace and expand upon the existing Employee Code of Conduct. The Code will, like its predecessor, embody both the many and varied legal requirements that apply to Service employees and also the existing organisational values of TWFRS. The new Code will, for the first time, also embody the requirements of the national Core Code of Ethics for Fire and Rescue Services (the core code). As the existing employee Code of Conduct forms part of the Standing Orders of Tyne and Wear Fire and Rescue Authority, the proposed new draft Employee Code of Conduct and Ethics will require the approval of the Authority prior to implementation.
- 2.2 As previously reported to the Committee at its meeting in July 2021, the National Code of Ethics (core code) was developed by the National Fire Chiefs Council (NFCC), Local Government Association (LGA), and the Association of Police and Crime Commissioners (APCC), in consultation with the sector. It was developed in response to Sir Tom Winsor's recommendation in the State of Fire report 2019 and is designed to help employees of the Fire and Rescue Service (FRS) act in the best way towards each other and while serving the public.

As a "Core" Code, the author organisations recognise there will be differing governance arrangements and is flexible enough to be adapted by every service, where any local values, behaviours and governance models can be added, for example where they are part of a county council and obliged to also comply with the council's code. It can be added to but not detracted from, thereby ensuring local values and expectations of behaviours can also be reflected.

Everyone in every FRS in England is expected to follow the Core Code, including those working with or on behalf of FRSs.

The Core Code sets out **five ethical principles**, based on the Seven Principles of Public Life, which provide a basis for promoting good behaviour and challenging inappropriate behaviour.

These include;

- **Putting our communities first** – we put the interest of the public, the community and service users first

- **Integrity** – we act with integrity including being open, honest and consistent in everything we do

- **Dignity and respect** - making decisions objectively based on evidence, without discrimination or bias

- **Leadership** – we are all positive role models, always demonstrating flexibility and resilient leadership. We are all accountable for everything we do and challenge all behaviour that falls short of the highest standards

- **Equality, diversity and inclusion (EDI)** – We continually recognise and promote the value of EDI both within the FRSs and the wider communities in which we serve. We stand against all forms of discrimination, create equal opportunities, promote equality, foster good relations and celebrate difference.

These ethical principles are designed to help to improve organisational culture and workforce diversity of FRSs, ensuring that communities are supported in the best way. They are intended to be embedded in everything FRSs and their employees do and be at the heart of day-to-day activity, guiding individual behaviours, in particular when faced with difficult, changing and unclear situations.

### **Fire Service White Paper**

2.3 Since the publication of the Core Code in 2021 we have seen the publication in May 2022 of the Fire White Paper '*Reforming Our Fire and Rescue Service*'. Two proposals in the White Paper are relevant; firstly the proposal to place a "national code of ethics" on a statutory basis, and secondly creating a fire and rescue services "oath" for services in England. Whilst the White Paper is currently subject to consultation, the paper can be taken as some indication of the potential direction of travel. It appears likely that if it goes ahead then a 'national code of ethics' would likely remove the discretion and flexibility that the current Core Code allows, and would likely require every FRS to subjugate its own organisational values to a national code.

2.4 For this reason it would be unwise to commence a review of TWFRS's values at the current time. Such a project would take a minimum of 18 months (plus implementation activities thereafter), and it is proposed that at this stage our implementation of the core code should proceed on the basis of retaining TWFRS's existing Values within the proposed employee Code of Conduct and Ethics.

## **Consultation - TWFRS Code of Conduct and Ethics**

- 2.5 The proposed TWFRS Code of Conduct and Ethics has already been subject to extensive consultation internally with subject matter experts for the different topics covered, including:
- 2.6 Governance, Information Governance, Safeguarding, Finance, Procurement, Payroll, ICT, Safety, Communications, ICT and HR.
- 2.7 It has also been considered by the Monitoring Officer and an employment lawyer, before being subject to full consultation with the trade unions. The final draft reflects their input.
- 2.8 The proposed Code will be able to be updated in the future to reflect any relevant changes to legislation or any relevant local changes to Service policies, values etc - unless it is replaced by a new national code as proposed by the White Paper.

## **3 PROPOSAL**

- 3.1 It is proposed that the Service adopts the Employee Code of Conduct and Ethics (attached as Appendix 1), subject to the approval of the Fire Authority.

## **4 IMPLEMENTATION PROPOSALS**

- 4.1 Once approved, the Code will be implemented through the Service, including training for all employees, cross references in other relevant policies as and when they are reviewed, revised recruitment materials, inductions etc. Implementation and compliance will be monitored through the internal Corporate Governance Board.
- 4.2 As the national core code applies to everyone who works in the Fire and Rescue sector, there will also be a review of the Elected Member Code of Conduct and the Volunteer Agreement that is used with the Service's volunteers.

## **5 RISK MANAGEMENT**

- 5.1 There are no direct risk implications arising from the content of this report. The implementation of the Code forms part of a wide range of strong governance controls across the Service, which contribute to good risk management.

## **6 FINANCIAL IMPLICATIONS**

- 6.1 There are no direct financial implications as a result of this report. It is anticipated that the implementation of the Code of Conduct and Ethics as proposed in this report will have no material financial implications, and that all implementation activities can be undertaken using existing resources and budgets.

## **7      EQUALITY AND FAIRNESS IMPLICATIONS**

- 7.1    An Equality Impact Assessment (EIA) has been completed, which identified numerous potential positive effects and no negative impacts. This was shared as part of the consultation with the unions.

## **8      HEALTH AND SAFETY IMPLICATIONS**

- 8.1    There are no health and safety implications in respect of this report.

## **9      RECOMMENDATIONS**

- 9.1    The Committee is recommended to consider the new draft employee Code of Conduct and Ethics that is attached to this report and to approve it in advance of its consideration by the Fire and Rescue Authority at its meeting on 10 October 2022.