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## HR065 Employee Code of Conduct and Ethics

### 1. Introduction

- 1.1 In line with Tyne and Wear Fire and Rescue Service's, ("the Service"), vision, mission statement, values and culture, the Service commits to acting ethically and with integrity. The Service expects all employees to act similarly and in line with the principles set out in this Employee Code of Conduct and Ethics, ("the Code").
- 1.2 The public, service users and stakeholders are entitled to expect the highest standards of conduct and ethics from our employees. The aim of this Code is to assist employees achieve those standards by setting out clearly what is required of them. This should help employees protect their own integrity, the integrity of the Service and ensure the confidence of the public is retained. This Code applies to employees and workers; separate and parallel requirements exist for volunteers and for elected members of the Tyne and Wear Fire and Rescue Authority.
- 1.3 All employees need to have a clear understanding of the Service's core values and ethical principles. Employees are responsible for ensuring these values are implemented and upheld. Further information on these are available on the intranet, or from line managers.
- 1.4 The Service has developed a number of policies, procedures and guidelines, which should be read in conjunction with this Code. Attention is particularly drawn to the following important documents, :-
  - (a) Counter Fraud Framework;
  - (b) The Fire Authority's Constitution and Standing Orders;
  - (c) Financial Regulations; and
  - (d) Secondary Employment and Financial Interests Policy. Further information on Service policies, procedures and guidelines are available on the intranet, or from line managers.
- 1.5 Employees are required to read this Code and to confirm that they have done so and that they understand its content when they have completed the e-learning module. Any alleged breaches of the standards set out in this Code will be dealt with under the Service's Disciplinary Procedure. This could result in formal disciplinary action being taken against an employee, which could include, depending upon the circumstances of the case, dismissal. Alternatively, as appropriate, any alleged breaches may be considered under the Service's Capability Procedure.
- 1.6 The Code also reflects the requirements of Section 117 of the Local Government Act 1972. This is shown in **Appendix A**.
- 1.7 The Bribery Act 2010 sets out that employees must not offer inducements in breach of the provisions of this Act.

## 2. Our Values and Ethical Principles

2.1 All employees have a responsibility to uphold the Service's **core values**, which are:

We value service to the community by:

- Working with all groups to reduce risk
- Treating everyone fairly and with respect
- Being answerable to those we serve
- Striving for excellence

We value all our employees by practising and promoting:

- Fairness and respect
- Recognition of merit
- Honesty, integrity and mutual trust
- Personal development
- Co-operative and inclusive working

We value improvement at all levels of the service by:

- Accepting responsibility for our performance
- Being open minded
- Considering criticism thoughtfully
- Learning from our experience
- Consulting others

We value diversity in the service and community by:

- Treating everyone fairly and with respect
- Providing varying solutions for different needs and expectations
- Promoting equal opportunities in employment within the Service
- Challenging prejudice and discrimination

2.2 In addition to the Service's core values employees are also required to uphold the five ethical principles set out in the Core Code of Ethics for Fire and Rescue Services – England, ("the Ethics Code"). The Ethics Code, (which was specifically produced for fire and rescue services, ("FRSs"), by the National Fire Chiefs Council, the Local Government Association and the Association of Police and Crime Commissioners), sets out five ethical principles that provide the basis for "promoting good behaviour and challenging inappropriate behaviour" within FRSs. The following principles are embedded within everything the Service and its employees do:

- **Putting our communities first**  
We put the interests of the public, the community, and service users first.
- **Integrity**  
We act with integrity including being open, honest, and consistent in everything that we do.
- **Dignity and respect**  
We treat people with dignity and respect, making decisions objectively based on evidence, without discrimination or bias.

- **Leadership**

We are all positive role models, always demonstrating flexible 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, R

We stand against all forms of discrimination, create equal opportunities, promote equality, foster good relations, and celebrate difference.

A link to the Ethics Code is shown in **Appendix B**.

- 2.3 As holders of public office, all employees of the Service are also required to abide by the Seven Principles of Public Life, which are shown in **Appendix C**. These are the foundation of the Ethics Code.

### **3. General Principles**

- 3.1 Employees are required to deliver the highest possible standards of service at all times.
- 3.2 In addition, where it is part of their duties to advise, employees must provide any advice on an impartial basis. This includes advice to Councillors, colleagues, service users, contractors and the public.
- 3.3 Responsibility is placed on every employee to disclose to an appropriate manager any potential conflict of interest, which may affect them in their job role.
- 3.4 Employees must not misuse their position, Service information, or any Service resources, or equipment to further their own, or others' personal interests.
- 3.5 It is not enough for employees to actually avoid a breach of this Code. At all times, employees must act in such a way to avoid any occasion for suspicion and any appearance of improper conduct on their part. This includes activities both in and outside of their normal place of work. It also includes work related functions, which may include leaving/retirement celebrations, attendance at award ceremonies, training events and representative sporting events. It also includes occasions outside of work where an employee is identifiable as an employee of the Service. For example, via social media activities, or when wearing a Service uniform or when driving a Service vehicle.

### **4. Disclosure of Information**

- 4.1 The Service is required by law to provide certain information to Councillors, auditors, government departments, customers and the public. However, prior to the release of any data, or information an employee must consider and be confident that this is not in breach of data protection legislation, or any other legal, or Service requirements for confidentiality. If in any doubt, employees must check with their line manager or the Data Protection Officer prior to the release of the information.

- 4.2 Any information received from a Councillor that is personal to that Councillor and which does not belong to the Service should not be further shared without the explicit approval of that Councillor. The only exception to this is where such a disclosure is required by law. Again, if in any doubt, employees must check with their line manager or the Data Protection Officer prior to the release of any information.

## **5. Political Neutrality**

- 5.1 Employees serve the Tyne and Wear Fire and Rescue Authority as a whole. They must serve all Councillors equally and ensure that the individual rights of Councillors are respected.
- 5.2 Regardless of whether an employee holds a politically restricted post, or not, employees must not allow their personal, or political opinions to interfere with their work, or their behaviour at work.
- 5.3 Where an employee is requested to advise a full meeting of a political group, or its executive the Chief Fire Officer must be informed by the employee in advance of the meeting. In providing advice, political neutrality must be maintained. In addition, any advice given should be made available to all political groups, if requested.
- 5.4 Employees who are employed in a job role that is politically restricted are prevented from certain roles. For example, becoming members of a local authority (other than a parish council), an MP, from holding office in a political party and from canvassing, speaking in public, or writing on party political matters.

## **6. Relationships at Work**

- 6.1 Employees must declare to their line manager any situation where their impartiality, objectivity, or honesty may be compromised due to them being related to, or having a close personal relationship with someone at work. Employees must not make official, professional decisions on behalf of the Service about matters relating to other employees to whom they are related or have a close personal relationship.

### **Councillors**

- 6.2 Mutual respect between employees and Councillors is essential. Some employees work closely with Councillors. All communications involving Councillors should be dealt with in a polite, impartial and efficient manner. Close personal familiarity between employees and individual Councillors must be avoided at all times to prevent damage to the relationship and embarrassment to individuals and the Service.

### **The Local Community and Service Users**

- 6.3 Employees should always remember their responsibilities to the community and ensure a polite, impartial and efficient service delivery to all groups and individuals within that community.

### **Contractors/Suppliers/Procurement/Tendering**

- 6.4 All relationships of a business, or personal nature with external contractors, or suppliers must be declared to the Director of People Services, by email at the earliest opportunity. This information provided in the email will be considered by the Director of People Services. They will make arrangements for any appropriate steps to be taken to manage any conflict of interest. For more information, see section 20. This includes Employees whose work involves the procurement, appointment, or supervision of contractors who must disclose any former, or current private, or official relationships with contractors.

- 6.5 Orders and contracts must be awarded in accordance with the Service's procedures and no special favour must be shown to businesses, or individuals. Employees involved in a tender process must complete the Conflict of Interest and Confidentiality Agreement.
- 6.6 When a conflict of interest is disclosed, the Service reserves the right to remove the employee from any areas of direct, or indirect involvement in the matter concerned.

## **7. Recruitment, Selection and Other Employment Matters**

- 7.1 Recruitment, selection and employment decisions must be made in accordance with the Service's policies and procedures. It is imperative that appointments are made on merit.
- 7.2 To avoid accusations of bias, employees must not be involved in recruitment and selection processes where they are related to, or have a close personal relationship with an applicant.
- 7.3 Employees should not be involved in other employment related decisions for employees who are a relative, or with whom they have a close personal relationship, nor should they attempt to influence such decisions. This includes decisions on matters such as discipline, promotion, training, or pay adjustments.

## **8. Outside Commitments**

- 8.1 Employees must not allow their personal interests to conflict with, or be detrimental to their duties, or the interests of the Service.
- 8.2 All Grey Book employees and Green Book employees employed at Scale 6 and above are subject to the requirements of the Secondary Employment and Financial Interests Policy, which is available on the intranet, or from line managers.
- 8.3 The Service will not unreasonably prevent employees from taking additional employment. However, the Service will not approve any additional employment that, in the view of the Service, has the potential to conflict with, or be detrimental to the Service's interest, or in any way weaken public confidence in the conduct of its business.
- 8.4 Employees are not permitted to carry out private trading either directly, or indirectly in relation to goods, services, or any form of intellectual property whilst on the Service's premises, which includes the Service's physical premises and vehicles. Employees are not permitted to undertake additional employment at times when they are contractually required to undertake duties on behalf of the Service.
- 8.5 Employees must not use Service equipment, property, or resources for private, or personal purposes, or gain. This includes, but is not limited to, all Information and Communication Technologies, vehicles and buildings. (NB limited use of IT and internet access).
- 8.6 Employees must not sell, or promote goods, or services within the Service for personal purposes, or gain.

## 9. Personal Interests

- 9.1 All employees, regardless of their salary level, must declare to the Director of People Services, via email which they consider could bring conflict with the Service's interests. For those Green Book employees paid below grade 6, this could include agreement to take up additional employment, or a business opportunity where there could be a potential conflict of interest. When a conflict of interest is disclosed, this will be considered by the Director of People Services. The Service reserves the right to remove the employee from any areas of direct, or indirect involvement in the matter concerned.
- 9.2
- 9.3 It is a legal requirement for employees to formally declare any contracts with the Service in which they have a financial interest. Reference is made to **Appendix A** and Section 117 of the Local Government Act 1972. It is a criminal offence to fail to comply with these provisions, in line with section 6.4.
- 9.4 Employees must not make official, professional decisions on behalf of the Service about matters in which they have a personal involvement. This includes situations where an employee is asked to speak at a conference, give lectures, author papers/articles or provide consultancy or advice for external bodies, none of which should be done in a personal capacity unless specific approval has been obtained under the Secondary Employment and Financial Interest Policy. Giving lectures, authoring papers/articles or providing consultancy or advice for external bodies should normally be done on behalf of the Service, with any payment being made to the Service.

## 10. Equality, Dignity and Respect

- 10.1 The Service is committed to providing a supportive and inclusive working environment, one which is based on fairness and mutual respect, ensuring everyone reaches their full potential.
- 10.2 All members of the community, service users and employees have the right to be treated with fairness and equity regardless of age, disability, gender reassignment, marriage and civil, partnership, pregnancy and maternity, race, religion, or belief, sex and sexual orientation.
- 10.3 Employees are required to treat fellow workers, services users and stakeholders with courtesy and respect. From time to time, employees may have to deal with challenging situations, whereupon they are required to maintain the highest standards of professionalism and fairness.
- 10.4 Employees are required to promptly, conscientiously and respectfully observe and carry out the instructions given to them by their line manager, or a representative of management.
- 10.5 The Service will not tolerate any form of bullying, (including cyber bullying), discrimination, victimisation, or harassment at work. Any such allegations will be dealt with under the Service's Disciplinary Procedure. This could result in formal disciplinary action being taken against an employee, which could include, depending upon the circumstances of the case, dismissal.
- 10.6 All employees must behave in a way that supports equality, dignity and respect and they must observe the Service's various equality, diversity and inclusion policies.

- 10.7 Members of the public are able to identify employees as being associated with the Service if they wear, or use any item of equipment, or vehicles outside the workplace which bears the Service's branding. Disciplinary action may be taken against an employee where their alleged conduct outside of work brings the Service into disrepute. Any allegations will be dealt with under the Service's Disciplinary Procedure. This could result in formal disciplinary action being taken against an employee, which could include, depending upon the circumstances of the case, dismissal.

## **11. Health, Safety and Welfare**

- 11.1 All employees are entitled to work in environments where risks to their health, safety and welfare are properly controlled to prevent people getting hurt, or suffering work related ill-health conditions. Under health and safety law, the primary responsibility for this is down to employers. However, there are employee responsibilities also.
- 11.2 It is the duty of every Service employee while at work to:
- a) Take reasonable care for the health and safety of themselves and of other persons who may be affected by their acts, or omissions at work, i.e. employees are required to take reasonable care of their own and other people's health and safety; and
  - b) To co-operate with the Service so far as is necessary to enable the Service to comply with any of the relevant statutory duties under which the Service operates, i.e. to co-operate with the Service on health and safety.
- 11.3 Employees must not intentionally, or recklessly interfere with, or misuse anything provided in the interests of health, safety, or welfare.
- 11.4 Every employee is required to use machinery, equipment, dangerous substance, transport equipment, means of production, or safety devices provided to them by the Service in accordance with any information and/or training provided to them by the Service, i.e. employees are required to use such items in accordance with the training provided by the Service.
- 11.5 Every employee is required to inform the Service, their line manager, or the designated Health and Safety Representative of :
- a) Any work situation which they reasonably consider represents a serious and immediate danger to health and safety;
  - b) Any matter which they reasonably consider represents a shortcoming in the Service's health and safety arrangements; and
  - c) Any concerns that they may have regarding health, safety, or welfare in the work place work, or any inadequate precautions that they believe are putting anyone's health, safety, or welfare at serious risk.
- 11.6 All Service employees will receive and should work in accordance with the health and safety induction provided by the Service upon commencement of employment with the Service and any other health and safety related information, instruction and training provided to them during the course of their employment with the Service.
- 11.7 In addition to awareness and adherence to the above duties all employees are required to read and work in accordance with the Service's [Health and Safety Policy](#) and associated procedures.

## **12. Drugs and Alcohol**

- 12.1 The Service is committed to providing a safe working environment and will not tolerate the misuse of alcohol, drugs, or illegal substances by employees whilst at work. The Service reserves the right to implement relevant testing to support this commitment.
- 12.2 An employee must not:
- Report for work when impaired due to the use of drugs, (whether legal, or illegal), or alcohol;
  - Consume illegal drugs, misuse any drugs, or consume alcohol whilst at work; or
  - Attempt to sell, distribute, or supply drugs which contravene the Misuse of Drugs Act 1971, the Psychoactive Substance Act 2016, or the Medicines Act 1968 whilst at work. Any breach of this will, without exception, be reported to the Police.

## **13. Data Protection and Confidentiality**

- 13.1 The Service's ICT resources and systems are an asset and business tool and represent a significant investment made by the Service. Employees may require access to these systems to perform their job role. Access carries responsibilities and obligations, since the system holds confidential and business critical data.
- 13.2 Protecting data is vital and whilst the Service aim is to empower individuals to do their job, employees are trusted to use all hardware, software and information responsibility and lawfully.
- 13.3 Employees are responsible for any equipment issued to them whilst employed with the Service. When equipment is no longer required, it must be returned in an acceptable working condition. If equipment is returned in a damaged state an employee may be responsible for the repair, or replacement cost.
- 13.4 Employees must ensure that mobile devices allocated to them are adequately protected, such as locking screens when leaving a laptop unattended. Employees must not attempt to circumvent the existing security controls.
- 13.5 Employees must not:
- Disclose passwords to anyone;
  - Let anyone else use their account; or
  - Use anyone else's account.
- 13.6 Employees must not misuse any Service resource, or system to further their own or others personal interests.
- 13.7 Any alleged misuse of a Service resource, or system will be dealt with under the Service's Disciplinary Procedure. This could result in formal disciplinary action being taken against an employee, which could include, depending upon the circumstances of the case, dismissal. Alternatively, as appropriate, any alleged breaches may be considered under the Service's Capability Procedure.



## **14. Changes in Personal Data**

- 14.1 All personal information supplied is confidential to the Service. In the interests of accurate record keeping employees must advise HR as soon as possible of any changes to information previously supplied, such as telephone numbers, home address, qualifications and emergency contact details. These details can be kept up to date via the Core HR system.
- 14.2 Employees can submit changes directly using Core HR.

## **15. Information Communications Technology**

- 15.1 All employees are required to read and comply with the Services' ICT policies and procedures, in particular the ICT Acceptable Use Policy (ICT006) and the Information Security Policy (ICT001).

## **16. Service Property**

- 16.1 An employee is responsible for the care and maintenance of any Service property entrusted to them during their employment to enable them to undertake their employment duties.
- 16.2 Service property, vehicles, equipment, or facilities must not be used for private purposes.
- 16.3 Where negligence, misuse, or vandalism results in damage to Service property such items, the employee may be liable for reimbursing the Service for any expense incurred in respect of repairing, or replacing the property.
- 16.4 If an employee loses their identity badge, fob, access keys, or other property entrusted to them they must immediately report this to their line manager so that breaches of security can be avoided. Due to the cost of the replacement of fobs/keys etc. there will be a charge of £5 for each replacement.
- 16.5 Employees have a duty to report repairs /defects via the appropriate reporting mechanism.

## **17. Social Media**

- 17.1 All employees are required to read and comply with the Service's Social Media Policy (CC01).
- 17.2 When using social platforms employees must not conduct themselves in a way that is detrimental to the Service, or which brings the Service into disrepute. For example:
- By making defamatory comments about individuals, other organisations, or groups, or by posting images that are inappropriate, or links to inappropriate content; and
  - Breaching confidentiality by sharing confidential information about individuals, or organisations.
- 17.3 Employees must not misuse their position with the Service to further their own, or others' personal interests.

- 17.4 Any alleged breaches of the Service's Social Media Policy will be dealt with under the Service's Disciplinary Procedure. This could result in formal disciplinary action being taken against an employee, which could include, depending upon the circumstances of the case, dismissal.

## **18. Safeguarding**

- 18.1 All employees are required to read and comply with the Service's Safeguarding Policy.
- 18.2 During the course of employment, employees may work in an environment, or situation where there are children or adults at risk. The Service is committed to safeguarding these groups of people. Employees in relevant posts will be required to complete a Disclosure and Barring Service check before, or during their employment.
- 18.3 Employee are required to declare any relevant convictions as and when they arise.
- 18.4 Any suspicions, or allegations regarding harm to children, or adults at risk must be reported immediately to the Flexi Duty Officer via Control.

## **19. Modern Slavery**

- 19.1 Modern slavery is a crime and a violation of fundamental human rights that takes various forms, such as slavery, forced and compulsory labour and human trafficking.
- 19.2 The Service has a zero-tolerance approach to modern slavery. It is committed to acting ethically and with integrity in all business activities, including through supply chains.
- 19.3 The prevention, detection and reporting of modern slavery in any part of the Service's business, or supply chain is the responsibility of all employees.
- 19.4 Employees are encouraged to raise concerns with their line manager as soon as possible about any issues, or suspicion of modern slavery in any part of the Services' business or supply chain in accordance with the Service's Whistleblowing (Confidential Reporting) Policy.

## **20. Tendering / Contracting Arrangements**

- 20.1 Employees involved in a tendering process and/or dealing with contractors must ensure they carry out their duties in a clear, transparent and fair way.
- 20.2 There must be a clear separation of client and contractor roles. Senior employees who have both a client and contractor responsibility must ensure clear accountability, transparency and openness.
- 20.3 Employees in contractor, or client services must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and subcontractors.
- 20.4 Employees who have access to confidential information on tenders, or costs relating to either internal, or external contractors must not disclose that information, unless there is clear and specific authorisation to do so.
- 20.5 Employees must declare any relationship which may have the potential to conflict with the tendering process or could be perceived by others as a potential reason for bias.

## **21. Counter Fraud and Gifts and Hospitality**

- 21.1 All employees are required to read and comply with the Service's Gift and Hospitality Policy and the Service's Counter Fraud Framework
- 21.2 All employees must conduct all work transactions in an honest and ethical manner.
- 21.3 The Service takes a zero-tolerance approach to fraud, bribery and corruption and is committed to acting professionally, fairly and with integrity in all business dealings and relationships. The Service will implement and enforce effective systems to counter bribery.
- 21.4 In terms of offers of gifts and hospitality to employees, the policy about declining or accepting different categories of gifts is set out in section 23 of the Code.
- 21.5 All offers of hospitality to employees should be dealt with in accordance with section 23 of this Code.
- 21.6 It is a serious criminal offence for employees to corruptly receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.
- 21.7 Employees must strive to avoid any conflict of interest between the interests of the Service and personal interest. This includes avoiding the perception of conflicts of interest, as well as actual conflicts of interest.
- 21.8 Should any employee have any queries about potential fraud issues, or gifts, then any such queries should be raised in writing with the Director of People Services.

## **22. Use of Financial Resources**

- 22.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. Employees should always strive to ensure value for money to the local community and to avoid legal challenge to the Service. To support employees in this, the Service has developed financial rules and procedures, and information is also set out in the Financial Procedure Rules set out in the Constitution.

## **23. Gifts and Hospitality**

### **Introduction**

- 23.1 The Service's Gift and Hospitality Policy is important. All employees are required to maintain a high standard of conduct with regards to the acceptance of gifts, or hospitality of any kind from third parties, such as suppliers, or any other organisations, or individuals with which the Service has a working relationship.
- 23.2 It is important to ensure that no employee acts in any way that is inconsistent with the Service's aims, ethos, or integrity by accepting a gift, or hospitality in circumstances where it could influence, or could be seen to influence, that individual's actions, or decision making.
- 23.3 Employees should not use their official position to receive, agree to accept, or attempt to obtain any payment, or other consideration for doing, or not doing anything, or showing favour, or disfavour to any person.

- 23.4 The Gifts and Hospitality Register is maintained to record any gifts, or hospitality for employees. The register is reviewed quarterly by the Internal Governance Board.
- 23.5 The Service's Gift and Hospitality Policy is designed to protect them and the Service from accusations of showing favour to an organisation, or individual. It aims to ensure that conduct in relation to gifts and hospitality is compliant with the Bribery Act 2010, offenses under which can be punished by a prison term of up to 10 years. Similar policies exist across other parts of the public sector.

### **Guiding Principles**

- 23.6 The general principle of receiving gifts, or hospitality should be one of transparency and disclosure. The receipt of gifts and hospitality should always be unsolicited. Any alleged breach of the Service's Gift and Hospitality Policy will be dealt with under the Service's Disciplinary Procedure. This could result in formal disciplinary action being taken against an employee, which could include, depending upon the circumstances of the case, dismissal. Alternatively, as appropriate, any alleged breaches may be considered under the Service's Capability Procedure.
- 23.7 Gifts are defined as physical objects offered by a person, or organisation outside of the Service without the expectation of receiving anything in return. However, hospitality can be more difficult to define. This could include travel, accommodation, food, drink, entertainment, a cultural, or sporting event, (whether participating, or spectating), or anything similar which is offered by a person, or organisation outside of the Service. In some instances, gifts and hospitality may be combined, such as a commemorative item being provided as part of a hospitality event. If you are unsure, please contact the Director of People Services, who will advise you accordingly.
- 23.8 It is recognised that attendance at events form a necessary part of some employee's role. The Gift and Hospitality Policy is not intended to stop such individuals from receiving hospitality of this nature, so long as it is declared, it is entered in the Gifts and Hospitality Register and the timing of the hospitality is not inappropriate.

### **Gifts**

- 23.9 Gifts should not be accepted where they may appear to be disproportionately generous, or could reasonably be construed as an inducement to affect a business decision.
- 23.10 Gifts are categorised based on their value. In most circumstances, this will need to be estimated based on the approximate market value of equivalent goods. When considering the value of a gift, employees should consider all gifts received from one person, or organisation over a reasonable timescale as a single gift. For example, if an employee receives five items each worth £5.00, the employee should consider them as a single gift worth £25.00. The categories of gifts are as follows, :-
- 23.11 **Category A – Promotional gifts - of little, or no intrinsic value:**  
These are smaller gifts, such as those typically handed out at conferences, including pens, diaries etc. that display the log, or name of another organisation. These gifts are often primarily marketing tools and typically cost less than £5.00. These types of gifts can be accepted and kept by the individual. They do not need to be recorded in the Gift and Hospitality Register.

**23.12 Category B – trivial gift with estimated intrinsic value of £10.00, or under:**

These are typically gifts given in gratitude, or to mark an occasion, such as Christmas. Examples of gifts which may be received in this category are: alcohol, flowers, or foodstuffs. These types of gifts can be accepted, but should normally be raffled for the Firefighters' Charity, (or another charity), or shared. If a gift is not appropriate to be raffled, (such as where the gift is perishable, or unsuitable for storage until a raffle can be completed), the gift may, at the discretion of their manager, be consumed by recipient team, or department. When a gift is raffled the proceeds will be donated to charity. Gifts received in this category must be reported to the Director of People Services using the gifts and hospitality declaration form and recorded in the Gifts and Hospitality Register.

**23.13 Category C – High value gift with an estimated intrinsic value of over £10.00:**

These gifts should not be accepted, as accepting such gifts may look to people outside the Service as if they have been offered in order to compromise the judgement, or integrity of the Service, or in order to seek to influence a decision. It may be difficult to refuse a high value gift, such as where refusal could cause offence. In these circumstances, the gift can be accepted. If appropriate, the gift may then be raffled, or donated to charity. If that is not appropriate, the gift will always be held by the Service as a whole, rather than by the individual to whom it was offered.

Any gift offered in this category must be reported to the Director of People Services using the gifts and hospitality declaration form and recorded in the Gift and Hospitality Register. An employee should refuse any personal gift offered to them, or to any family member by any person, or organisation who has dealings with the Service. There is a limited number of exceptions to this, as set out below. An employee should show tact and courtesy when refusing a gift, including explaining why they are unable to accept the gift in question.

23.14 Under **no circumstances** must an employee accept personal gifts of cash, (or gifts capable of being converted into cash), even if the gift is below the £10.00 limit.

23.15 Any gifts falling outside the definition of "trivial" must not be accepted by an individual.

23.16 There may be occasions when to refuse a gift may cause offence, or if the gift is delivered to an employee's place of work there may be a problem returning it. In these circumstances, employees are required to explain that the receipt of gift is contrary to the Service's Gift and Hospitality Policy and they must report this to the Director of People Services using the gifts and hospitality declaration form. The employee should explain in the Form why they felt unable to refuse the gift. The gift should not be used, or retained by the recipient employee, unless specific authorisation is received.

23.17 Any employee who has received two gifts from any external organisation within a single financial year must not accept any further gifts during that financial year from the same organisation. This does not include unsolicited promotional gifts as outlined in Paragraph 23.11 above.

23.18 Any gifts offered, whether accepted, or not should be notified to the Director of People Services using the gifts and hospitality declaration form. This requirement is to protect employees by providing a record of which organisations, or individuals are offering gifts and where the gift has gone. This register is reviewed quarterly by the Governance Board.

Type of Gift	Rule	Required Action
Category A: <b>Promotional gift</b> (under £5)	Acceptable	<b>No declaration required.</b>
Category B: <b>Trivial gift</b> (under £10)	Acceptable if occasional	<b>Declaration required.</b> Complete the online gifts and hospitality declaration form.
Category C: <b>High value gift</b> (over £10)	Unacceptable	<b>Declaration required.</b>  Decline or if this is inadvisable or impossible, advise the Director of People Services straight away after receipt of the gift including why the gift could not be refused.  Complete the online gifts and hospitality declaration form
Category D: <b>Cash gift</b> (any amount)	Unacceptable	<b>Declaration required.</b> Under no circumstances accept a cash gift.  Complete the online gifts and hospitality declaration form

- 23.19 The guiding principle is that it is important not to create an appearance of improper influence which can then undermine public confidence. In general terms, it will often be more acceptable to join in hospitality offered to a group than to accept something on an individual basis.
- 23.20 Hospitality is sometimes offered and accepted by employees where it is reasonable in all the circumstances and there is a legitimate requirement to attend. Approval by an appropriate manager is required. Caution is needed where the host is seeking to do business with the Service or to obtain a decision from it. It is important to avoid any suggestion of improper influence.
- 23.21 Care must be taken when considering attending exhibitions, seminars, or visiting manufacturers etc. Such visits can be linked to a major sporting events, shows, concerts etc. and can be an attempt to legitimise offers of hospitality in the guise of business activities.
- 23.22 When a particular person, or body has a matter currently in issue with the Service, (such as an ongoing arbitration arising from a contractual dispute), then common sense dictates that such offers of hospitality be refused, even if in normal times it would be regarded as acceptable.
- 23.23 All offers of hospitality should be reported to the Director of People Services using the gifts and hospitality declaration form
- 23.24 The following questions may help to determine if an offer of hospitality, or gift should be accepted, or tactfully rejected:
- Is the donor, or event significant in the community, or in the Service's area?
  - Is there an expectation that a Service representative attends because of their role?

- Will the event be attended by others of a similar standing in the community, or in other communities?
- What is the motivation behind the invitation?
- Would acceptance of the invitation be, in anyway, inappropriate, or place an employee under pressure in relation to any current, or future issue?
- Could the decision to attend be justified to the Service, press and public?

23.25 Typically, offers of hospitality are made well in advance of the event in question. Consequently, an employee should have sufficient time to discuss the offer of hospitality with their line manager, or seek assistance from the Director of People Services.

23.26 Hospitality which is proportionate, for a clear business purpose and does not create a conflict of interest **can be accepted** and should be reported to the Director of People Services using the gifts and hospitality declaration form and recorded in the Gifts and Hospitality Register.

23.27 Hospitality which is disproportionate, without a clear business purpose, or may create a conflict of interest must be refused. The offer of hospitality should still be recorded gifts and hospitality declaration form and Gifts and Hospitality Register.

23.28 The Gifts and Hospitality Register is maintained by the Service's Human Resources Department.

23.29 Where appropriate, the Human Resources Department will store gifts which need to be kept. In addition, the Human Resources Department are responsible for providing a list of gifts and hospitality received each year to the Internal Governance Board. The Human Resources Department publishes the register annually on the Service's website.

23.30 Any alleged non-compliance with the Gift and Hospitality Policy will be dealt with under the Service's Disciplinary Procedure. This could result in formal disciplinary action being taken against an employee, which could include, depending upon the circumstances of the case, dismissal. Alternatively, as appropriate, any alleged breaches may be considered under the Service's Capability Procedure.

### **Training**

23.31 All employees will be made aware of the Gift and Hospitality Policy incorporated in this Code and its processes when they join the Service. Updates and reminders will be provided at regular intervals.

23.32 Responsibilities:

- Line managers will ensure that their direct reports are aware of the Gift and Hospitality Policy and the associated reporting obligations; and
- The Director of People Services is responsible for ensuring the declarations are properly recorded and reported to the Internal Governance Board, Executive Leadership Team, the Governance Committee and on the Service's website.

23.33 Monitoring and compliance:

- The Human Resources Department will maintain the Gift and Hospitality Register and will ensure that it is updated as and when required; and

- The Human Resources Department will use the Register to monitor compliance with the Gift and Hospitality Policy and updates will be shared with the Director of People Services, as required.

## **24. Whistleblowing**

- 24.1 All employees are required to read and comply with the Service's Whistleblowing (Confidential Reporting) Policy. Information about whistleblowing is also available on the intranet and from line managers.
- 24.2 If an employee becomes aware of activities which they consider to be illegal, improper, unethical, or otherwise inconsistent with this Code, they must report it to their line manager, (or the next appropriate manager, should their concern relate to their line manager), as soon as possible.
- 24.3 Alternatively, the Service engages SAFECALL as an independent, safe, accessible means for all stakeholders to report concerns in the workplace. SAFECALL operates 24 hours a day, 365 days a year and can be contacted either by telephone via 0800 915 1571, or by their website [www.safecall.co.uk](http://www.safecall.co.uk), where an online report can be completed. Employees can choose to remain anonymous should they wish.
- 24.4 The Service will not tolerate the victimisation, or harassment of anyone who raises a concern in good faith.

## **25. Implementation and Compliance with the Code**

- 25.1 As stated at Paragraph 1.5 above, employees are required to read this Code as part of their induction and by completing the mandatory training package on line to confirm understand its content. An employee who has any queries about the Code must raise them with their line manager.
- 25.2 Any alleged breaches of the standards set out in this Code will be dealt with under the Service's Disciplinary Procedure. This could result in formal disciplinary action being taken against an employee, which could include, depending upon the circumstances of the case, dismissal. Alternatively, as appropriate, any alleged breaches may be considered under the Service's Capability Procedure.
- 25.3 Employees must ensure that they complete the Employees' Code of Conduct and Ethics Declaration Form to make the declarations and / or request approval as set out in this Code. A response to each completed Form will be sent to the employee. Employees must not engage in any activity, (personal, or otherwise, including receipt of gifts), which requires declaration and / or approval until they have received written authorization.
- 25.4 If an employee becomes aware of activities which they consider to be illegal, improper, unethical, or otherwise inconsistent with this Code, they must report it to their line manager, (or the next appropriate manager, should their concern relate to their line manager), as soon as possible.
- 25.5 Information about whistleblowing is set out in Paragraph 24, including information about SAFECALL.



## **Appendix A – Section 117 of the Local Government Act 1972**

1. If it comes to the knowledge of an officer employed, whether under this Act or any other enactment, by a Local Authority that a contract in which she/he has any pecuniary interest, whether direct or indirect (not being a contract to which she/he is herself/himself a party), has been, or is proposed to be, entered into by the authority or any committee thereof, she/he shall as soon as practicable give notice in writing to the authority of the fact that she/he is interested therein. For the purposes of this section an officer shall be treated as having indirectly a pecuniary interest in a contract or proposed contract if he would have been so treated by virtue of section 95 above had he been a member of the authority.
2. An officer of a local authority shall not, under colour of her/his office or employment, accept any fee or reward whatsoever other than his proper remuneration.
3. Any person who contravenes the provisions of subsection (1) or (2) above shall be liable on summary conviction to a fine not exceeding [level 4 on the standard scale].
4. References in this section to a local authority shall include references to a joint committee appointed under Part VI of this Act or any other enactment.

## **Appendix B - Core Code of Ethics for Fire and Rescue Services – England**

[Core Code of Ethics Fire and Rescue Services England \(local.gov.uk\)](https://www.local.gov.uk/core-code-ethics-fire-and-rescue-services-england)

## Appendix C – The Seven 7 Principles of Public Life

The seven principles of public life apply to anyone who works as a public office-holder. This includes people who are elected, or appointed to public office, nationally and locally, and all people appointed to work in:-

- The civil service;
- Local government;
- The police;
- The courts and probation services;
- Non-departmental public bodies; and
- Health, education, social and care services.

The principles also apply to all those in other sectors that deliver public services. They were first set out by Lord Nolan in 1995 and are included in the Ministerial Code.

### The Seven Principles

#### 1. Selflessness

Holders of public office should act solely in terms of the public interest.

#### 2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

#### 3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### 4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### 5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

#### 6. Honesty

Holders of public office should be truthful.

#### 7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

<b>Policy</b>	Code of Conduct and Ethics		
<b>Classification:</b>	Official		
<b>Version Number:</b>	3		
<b>Version Date:</b>	July 2024		
<b>Author:</b>	Ken Corbett		
<b>EIA Completed</b>	Yes	<b>Date:</b>	August 2022
<b>Consultation:</b>	Staff	<b>Date:</b>	N/A
	Unions	<b>Date:</b>	August 2022
	SLT	<b>Date:</b>	N/A
	ELT	<b>Date:</b>	August 2022
	FA	<b>Date:</b>	October 2022
	Legal Services	<b>Date:</b>	N/A
	Other(s) HR Committee	<b>Date:</b>	October2022
<b>Authorisation:</b>	Director of People Services	<b>Date:</b>	October 2022
<b>Implementation:</b>	ELT	<b>Date:</b>	October 2022
<b>Review Cycle:</b>	Every 3 years	<b>Date:</b>	October 2025
<b>Link to Strategy:</b>	Inclusion & People		
<b>Links to other policies</b>	Discipline Procedure (HR033) Grievance Procedure (HR039) Sickness and Absence Management (Admin 2.1) Capability/Performance Policy (Admin 3.15) Dignity and Respect Policy (Admin 1.19) Equality and Diversity Policy (Admin 1.28) Anti Bullying and Harassment Policy (HR004)		

## INC002 RECORD OF EQUALITY IMPACT ASSESSMENT

<b>Title of Proposal : New Employee Code of Conduct and Ethics</b>							
<b>Completed By: K Corbett</b>				<b>Department: HR</b>			
<b>Contact Details:ken.corbett@twfire.gov.uk</b>				<b>Date of Submission: July 2024</b>			
<b>Is this Proposal:</b> New [ X ]      Updated      Other [ ] Specify:							
<b>ANALYSIS RATING (Please tick one)</b>				<b>*In the case of an Amber Rating, proportionate, objective justification must also be ticked.</b>			
<b>RED</b>		<b>AMBER</b>		<b>GREEN</b>	X	<b>Proportionate, Objective Justification</b>	

### Intended Outcomes

<b>Summary of intended outcomes and benefits of the proposal? These</b>	In line with Tyne and Wear Fire and Rescue Service's vision, mission statement, values and culture, the Service commits to acting ethically and with integrity. The Service expects all
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<b>should be linked to strategic or corporate outcomes where appropriate.</b>	<p>employees to act similarly and in line with the principles set out in the Employee Code of Conduct and Ethics ("the Code").</p> <p>The public, service users and stakeholders are entitled to expect the highest standards of conduct and ethics from our employees. The aim of the Code is to assist employees achieve those standards by setting out clearly what is required of them. This should help employees protect their own integrity, the integrity of the Service and ensure the confidence of the public is retained. This Code applies to employees and workers; separate and parallel requirements exist for volunteers and for elected members of the Tyne and Wear Fire and Rescue Authority.</p>
<b>Who will be affected by the proposal and in what way? (e.g. applicants, employees, local communities other services etc).</b>	<p>All employees of the Service will be required to learn about and comply with the Code, and thus will be affected by its provisions, requirements and protections.</p> <p>Residents of Tyne and Wear will benefit from knowing their FRS uses appropriate people management processes and has high standards of governance.</p>

### Data and evidence collection

<b>Please list sources of information have been used to inform this analysis.</b>	<p>Previous Code of Conduct (to be replaced by this Code of Conduct and Ethics)</p> <p>The <a href="#">Code of Ethics Fire Standard developed by the Fire Standards Board</a>. Both will be referred to by</p>
<b>Are there any gaps in the data or intelligence available? If so please describe what they are and what actions have been taken to obtain or improve the information.</b>	No.

## Establishing Relevance and Equality Analysis

- Demonstrate how you used the data and evidence listed above
- Demonstrate consideration of the actual and potential impact
- Demonstrate actions taken to reduce or eliminate negative impact
- Consider whether the proposal will or is likely to influence TWFRS's capacity to meet the PSED aims to:
  1. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act and other relevant legislation.
  2. Advance equality of opportunity between different groups of people.
  3. Foster good relations between people who share a protected characteristic and those who do not.

Protected Characteristic	Neutral Impact	Positive Impact	Negative Impact	Justification for rating (neutral/positive/negative) and actions taken to reduce negative impact and / or increase positive impact
Age		X		<p>The Code's emphasis on values, ethical principles, ethical conduct, dignity and respect and Equality Diversity and Inclusion (EDI) all have the potential to improve and protect the employee experience of all employees, but particularly who have one or more protected characteristics.</p> <p>The code sets on clear requirements of employee conduct and describes control measures and routes to remedy for breaches of the Code. Employees who are at risk of being disadvantaged due to one or more protected characteristics</p> <p>The code is aimed at all TWFRS employees who consist of working age adults. Therefore no additional consideration of older and younger populations is required.</p>
Disability		X		<p>The Code's emphasis on values, ethical principles, ethical conduct, dignity and respect and Equality Diversity and Inclusion (EDI) all have the potential to improve and protect the employee experience of all employees, but particularly who have one or more protected characteristics.</p> <p>The code consists of mostly black writing on a white background so that employees are able to change the colour and contrast if required. It can be accessed electronically to assist in computer based work. Electronic publication also means font size can be altered and other tools can be used. The code will be published on the intranet for ease of access.</p>
Gender Reassignment		X		<p>The Code's emphasis on values, ethical principles, ethical conduct, dignity and respect and Equality Diversity and Inclusion (EDI) all have the potential to improve and protect the employee experience of all employees, but particularly who have one or more protected characteristics.</p>

				<p>The code is written using gender neutral language.</p> <p>The code encourages employees to work together with colleagues to stimulate discussion and consider the proposal from different perspectives.</p>
<b>Pregnancy &amp; Maternity</b>		X		The Code's emphasis on values, ethical principles, ethical conduct, dignity and respect and Equality Diversity and Inclusion (EDI) all have the potential to improve and protect the employee experience of all employees, but particularly who have one or more protected characteristics.
<b>Race - this includes ethnic or national origins, colour or nationality</b>		X		<p>The Code's emphasis on values, ethical principles, ethical conduct, dignity and respect and Equality Diversity and Inclusion (EDI) all have the potential to improve and protect the employee experience of all employees, but particularly who have one or more protected characteristics.</p> <p>An electronic format means that employees who would prefer to work in an alternative language can do so using web based software.</p>
<b>Religion / Belief - this includes lack of belief</b>		X		The Code's emphasis on values, ethical principles, ethical conduct, dignity and respect and Equality Diversity and Inclusion (EDI) all have the potential to improve and protect the employee experience of all employees, but particularly who have one or more protected characteristics.
<b>Sex</b>		X		The Code's emphasis on values, ethical principles, ethical conduct, dignity and respect and Equality Diversity and Inclusion (EDI) all have the potential to improve and protect the employee experience of all employees, but particularly who have one or more protected characteristics.
<b>Sexual Orientation</b>		X		The Code's emphasis on values, ethical principles, ethical conduct, dignity and respect and Equality Diversity and Inclusion (EDI) all have the potential to improve and protect the employee experience of all employees, but particularly who have one or more protected characteristics. The code is written using gender neutral language.

**Will this proposal impact people who are marginalised as a result of other characteristics not protected by the Equality Act 2010? E.g. social economic factors (i.e. poverty and or isolation, caring responsibilities, unemployment, homelessness, urbanisation, rurality, health inequalities or any other disadvantage). It may also be relevant to consider whether all employees of the service are able to equally access your proposal, given the diversity of roles within the organisation.**

<b>Identified Characteristic</b>	<b>Neutral Impact</b>	<b>Positive Impact</b>	<b>Negative Impact</b>	<b>Justification for rating (neutral/positive/negative) and actions taken to reduce negative impact and / or increase positive impact</b>
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<b>Health inequalities</b>		X		We acknowledge the potential for employees with a health condition related to Health Inequalities to benefit from the implementation of the Code in the same ways as an employee with a disability or other protected characteristics.
<b>Caring responsibilities</b>		X		We acknowledge the potential for employees with caring responsibilities to benefit from the implementation of the Code in the same ways as an employee with one or more protected characteristics.

## Response to Analysis, Action Plan and Monitoring

### Recommendations

Decision	Rating	Statement of Justification
Continue as planned, no major change.	GREEN	Positive impacts of the Code have been identified; no negatives have been identified at this stage.
Continue as planned but some adjustment to the proposal may be required before proceeding. Ensure actions are completed before submitting proposal.	AMBER	
Stop the proposal.	RED	
Proportionate, Objective Justification		

### Monitoring and review

What procedures are in place to monitor the impacts outlined in the analysis?	The Code will be reviewed in accordance with the review programme and such reviews will include an examination of any impacts or other learning points that arise from any cases
How often will this take place?	Lessons Learned exercise as and when they arise; the Policy be reviewed in line with the Policy Review framework.
Date of next planned review?	August 2025

### Declaration: I believe that due regard has been paid to the aims of the Public Sector Equality Duty as it relates to the proposal.

Completed by:	Ken Corbett	Date:	July 2024
Head of Dept:		Date:	

Please follow section 6 of the BSI001 Policy & Procedure Writing Guidance in order to progress the proposal and accompanying Record of EIA through the consultation process. No proposals are to be published without an accompanying EIA.

If you require further assistance regarding the Equality Impact Assessment, please contact the Inclusion Manager.