

MERSEYSIDE FIRE AND RESCUE AUTHORITY

EMPLOYEE CODE OF CONDUCT

DRAFT

EMPLOYEE CODE OF CONDUCT

1 INTRODUCTION

- 1.1 Merseyside Fire and Rescue Authority and the general public have the right to expect high standards from all its employees and representatives, requiring them to conduct themselves in a way that ensures the high standards of services are maintained and that reputation of the Authority is protected.
- 1.2 Making a positive difference to our community, providing excellent and affordable response, respecting our environment, ensuring that everyone matters and our people being the best they can be is the way of Merseyside Fire and Rescue Authority and this is expressed through this Code of Conduct.
- 1.3 The Authority's core values as expressed above, are underpinned by the following values that shape how the Authority delivers its services:
- Responsibility
 - Social Empathy
 - Constructive Challenge
 - Mutuality
 - Pragmatism
 - Openness to experience
- 1.4 The Authority's policies and service instructions remind employees of the way in which they must conduct themselves including, but not limited to:
- The Equality and Diversity Scheme
 - The Anti Fraud and Corruption Policy:
 - The Code of Corporate Governance
 - The Authority's Constitution
 - The Whistleblowing Policy
- 1.5 This Code of Conduct (hereinafter called the "Employee Code") has been produced in light of the challenges that are faced today by employees and is intended to protect employees and representatives of the Authority from misunderstanding or criticism by setting minimum standards for employees to adhere to. Every employee has an obligation to understand this Code and the values by which they are bound.

APPENDIX A (CFO/069/11)

- 1.6 Employees are the Authority's most important asset and the vast majority of employees will adhere to this Employee Code. Whilst an Employee Code provides a broad range of guidance on conduct and integrity, it cannot address every situation that employees are likely to encounter. This Code therefore, is not a substitute for individual responsibility and accountability to exercise good judgment or where necessary to seek additional guidance.
- 1.7 Adherence to this Code is essential if the Authority is to maintain the reputation and trust it has with the community of Merseyside. It is this reputation and trust that allows the Authority to deliver its services in the most efficient and effective way. Therefore, if an employee does not adhere to this Code, disciplinary action may follow.

2 SCOPE

- 2.1 The use of the word "Employee" within this Code includes all employees under a contract of employment, whether permanent, temporary or casual or agency staff.
- 2.2 In addition to this Employee Code, there also statutory provisions, disciplinary rules, the Authority's Constitution, policies, service instructions and procedures which dictate the way that the Authority operates. Management may issue further rules from time to time either in writing or by oral instruction (oral instructions should be recorded by management).
- 2.3 A copy of this Employee Code will be issued by the People and Organisational Development Directorate ("POD") to all employees and they will be asked to confirm receipt of this document in writing. Managers are required to take such steps as are necessary to ensure that their employees understand the rules and standards in respect of work performance and the observance of working procedures, operational regulations, safety rules and regulations and provisions in the Authority's Constitution.
- 2.4 Where clarification is required on matters contained within this Employee Code or other related regulations, policies or service instructions, advice can be sought from the Director of POD or the Monitoring Officer.

3 GENERAL CONDUCT

- 3.1 The community's trust in and the reputation of Merseyside Fire and Rescue Authority is based upon professionalism and care. Employees are therefore expected to conduct themselves at all times (both inside and outside of work) in a manner which will maintain public confidence in their integrity and the services provided by the Authority.
- 3.2 An employee shall at all times, while at work, observe the requirements of the law, the Values of the Authority, the Authority's Constitution and all policies, procedures and service instructions.
- 3.2 In general what an employee does while not at work is his or her personal concern, unless those actions or behaviour would cause a breakdown in the employment relationship or bring the Authority into disrepute. Misconduct outside of work may result in disciplinary action if it directly affects the performance of their work, or the reputation of the Authority.

- 3.3 It must be remembered that our effectiveness in the community, particularly in the area of community safety, is dependent on the trust of that community in its fire service and its employees. Fire and Rescue Service staff in the 21st century have a unique access to the homes of individuals in the community that is born out of that trust. It is for that reason, therefore, that behaviour outside of work is not easily separated from that in work and an employee must be aware that anything that threatens the reputation of the Service whether in or outside of work will be taken very seriously.
- 3.4 This Code also reflects changing attitudes in society to behaviour. For instance although not exclusively, attitudes towards such things as drink/drug driving, domestic violence and abusive/loutish behaviour have changed and the approach of the Authority today reflects those changes. Historical approaches by the Service to such behaviours should not be taken as a precedent for how they would be viewed today.
- 3.5 When speaking at any forum where an audience may reasonably expect, believe or understand that an individual is speaking on behalf of the Authority, employees are expected to give the views of the Authority rather than their personal views. Any views that are personal must be expressed as so.

4 MAINTENANCE OF STANDARDS

- 4.1 To ensure that the highest standards of customer service are achieved, employees are expected to bring to the attention of the appropriate manager any deficiency in the provision of service by another employee, or breach of this Employee Code.
- 4.2 Employees are expected (see the Whistleblowing Policy) to report and express any concerns fairly, honestly and respectfully. The Authority will protect such employees from any retaliation arising from this.

5 CONFIDENTIALITY/DISCLOSURE OF INFORMATION

- 5.1 The law requires that certain types of information must be available to Members, auditors, government departments, service users and the public. In addition the Authority may decide to make available other types of information. Employees must ensure that they are clear about any information that they are privy to, and maintain that confidentiality. Employees in any doubt about whether they should release information must consult with their line manager before any decision is made. Line managers may further consult the Director of Knowledge and Information Management at any time.
- 5.2 Any information or advice given by a solicitor is subject to Legal Privilege and must not be disclosed to anyone other than the person directly in receipt of such information or legal advice.
- 5.3 Employees are forbidden from using any information obtained in the course of their employment (whether this is written, verbal, or in electronic, audio CCTV/DVD format) for personal gain or benefit, either directly or indirectly.

- 5.4 Information given in the course of duty must be true to the best of an employee's knowledge, fair and not designed to mislead.

6 POLITICAL NEUTRALITY

- 6.1 All employees must serve all the Councillors not just those of the controlling group, ensuring that the individual rights of Councillors are respected.
- 6.2 Where employees are required to advise political groups they must do so in ways that do not compromise their political neutrality.
- 6.3 Employees whether or not they are politically restricted (political restriction applies to holders of senior posts), must not allow their own political opinions to influence or interfere with their work.

7 RELATIONSHIPS

- 7.1 Relationships, regardless of whether these are with Councillors, other employees or the public be conducted in observance of the Authority statement of Core Values - a copy of which is appended to this Employee Code.

7.2 Councillors

- 7.2.1 Mutual respect between employees and Councillors is essential to local government. Close personal relationships between employees and individual Councillors can damage working relationships and prove embarrassing to other employees and should therefore be avoided.
- 7.2.2 There is a Member/Officer Protocol within the Authority's Constitution, which should be read in conjunction with this Employee Code.

7.3 The Local Communities and Service Users

- 7.3.1 Employees must maintain courteous, efficient and impartial service delivery to all groups and individuals within the communities of Merseyside and treat such people with respect.

7.4 Other Employees

- 7.4.1 Employees must treat their colleagues with respect, dignity, fairness and courtesy in accordance with the Authority's values.
- 7.4.2 The Authority takes pride in the diversity of its workforce and views this as a means to improve the services it provides. The Authority is committed to maintaining a working environment that is free from discrimination, harassment and retaliation. The Authority provides a safe working environment and invests in the professional development for all its employees. It is committed to respect for the environment and reducing any environmental impacts of its activities.
- 7.4.3 The Authority expects to see the same commitment demonstrated by its employees.

7.5 Contractors

- 7.5.1 All relationships of a business or private nature with external contractors or potential contractors must be made known to the appropriate manager who should record the information and notify the Monitoring Officer as detailed in Section 11.1. Orders and contracts must be awarded by merit, by fair competition against other tenders and without discrimination. All orders and contracts must be made in compliance with the Authority Contract Standing Orders (which is to be found within the Constitution).
- 7.5.2 Employees who engage or supervise contractors or have any other relationships with contractors or have previously had or currently have a relationship in a private or domestic capacity, with a contractor should declare that relationship to their line manager, who should record this information and take action accordingly (as 11.1 referred to above) to protect the Authority's and the employee's integrity.

8 APPOINTMENT AND EMPLOYMENT MATTERS

- 8.1 Employees involved in decisions related to discipline, recruitment, grading or promotion should not be involved where they are related to an applicant or have a close personal relationship, outside of work, with him or her.
- 8.2 All employees involved in recruitment and selection on behalf of the Authority must be familiar with and abide by the relevant recruitment and selection procedure a copy of which is available form POD.
- 8.3 Canvassing of Members of the Authority relating to any employment matter including appointment, is strictly prohibited, will disqualify the candidate concerned for that appointment and may result in disciplinary action.

9 OUTSIDE COMMITMENTS

- 9.1 Employees should seek written approval from the Director of POD (via the form attached to Service Instruction 0660 on the POD Portal page) to undertake additional employment (paid or unpaid) or other business activities. Approval will normally be given where such employment or other business activities do not, in the view of the Authority, conflict with or react detrimentally to the Authority's interest or in any way weaken public confidence in the conduct Authority's business.
- 9.2 Any employee who is in doubt as to the taking up of additional employment elsewhere. Must seek the approval of their line manager, who, in dealing with this should consult the Director of POD.
- 9.3 Employees are strictly prohibited from using their position within the Authority to seek preferential treatment for friends or relatives or any company with which they are personally connected.

10 INTELLECTUAL PROPERTY/COPYRIGHT/TEACHING FEES ETC

- 10.1 All creative designs, writings and drawings produced by an employee in the course of their duties are the property of the Authority.
- 10.2 All inventions made by employees remain the property of the Authority if made during the course of normal duties. Normal duties are those described in an employee's terms of employment, job description/role map and those arising from an instruction from a manager or other representative of the Authority.
- 10.3 Fees from giving lectures or teaching/giving presentations or writing articles may only be retained by employees where these are not integral to their employment or position with the Authority and they are conducted in the employee's own time. Notwithstanding this, employees should seek approval from their line manager in these situations and the line manager should in turn request advice from the Assistant Chief Executive and Treasurer.

11 PERSONAL INTERESTS

- 11.1 Employees should declare to their line manager (who should record this information) any financial or non financial interests that a reasonable person would consider could conflict with the interests of the Authority. Any such declaration should be sent to the Monitoring Officer (Director of Legal Services) who will maintain it upon a Register of Interests as required by law.

12. EQUALITY AND DIVERSITY

- 12.1 Employees must ensure that they treat other employees, Members, service users and other people with whom they come into contact during their work in a way that complies fully with the Equality Act 2010.
- 12.2 Employees must not behave in any way that discriminates either directly or indirectly against people with a protected characteristic namely in respect of:
- Age
 - Disability
 - Gender reassignment
 - Marriage and civil partnership
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual orientation
- 12.3 Employees should read carefully the booklet "Equality and Diversity: What you Need to Know", which can be obtained from the Diversity Team.

- 12.4 Employees must comply with the Authority's "Ground Rules" which can be found within the booklet referred to 12.3 above.

13. SUSTAINABILITY ISSUES

- 13.1 Employees must be aware of their obligation to work towards improving the environment and in particular ensure that the wider long term implications of their own actions are in accordance with Authority policy.
- 13.2 Employees are required to consider sustainability issues when undertaking their duties, including in the procurement of goods and services. In particular they should seek opportunities to improve and promote energy conservation, advocate recycling and waste minimisation, reduce pollution and support positive Authority initiatives to improve the environment.

14 CORRUPTION

- 14.1 Employees must be aware that it is a serious criminal offence for them to corruptly receive or give any gift, loan, fee, reward or disfavour to any person in their official capacity. In the event that any such allegation should be made it will be for the employee to demonstrate that any such rewards have not been corruptly obtained.

15 HOSPITALITY AND GIFTS

- 15.1 Employees should only accept offers of hospitality if there is a genuine need for them to impart information or represent the Authority in the community. Offers to attend purely social or sporting functions should only be accepted when these are part of the life of the community or where the Authority should be seen to be represented. Acceptance of hospitality should be authorised by management and recorded with the Monitoring Officer.
- 15.2 Where a gift is offered it may be accepted if:
- (i) It is offered during official authorised hospitality
 - (ii) it is of nominal value and, in either case:
 - (iii) no ulterior motive is apparent nor is there any danger of misinterpretation by the public (for example, because the offer comes from a person or Company tendering for work) and
 - (iv) they have not become a frequent occurrence
- 15.3 Employees must refuse an offer of a gift from any person engaged in negotiating a contract or other matter with the Authority, or who has negotiated such a matter and the employee is directly responsible for formulating recommendations to the Authority or for monitoring the service received from the person concerned.
- 15.4 Gifts of money cannot be accepted under any circumstances.
- 15.5 Any gifts outside the scope of these guidelines must be refused.

APPENDIX A (CFO/069/11)

- 15.6 Any employee who is pestered or harassed into accepting gifts or other incentives must inform their line manager and the Monitoring Officer immediately.
- 15.7 Employees should actively discourage any service user from bequeathing property, money or other items to them. Where an employee becomes aware of a bequest to them, they must inform their line manager immediately. Wherever possible bequests should be politely and sensitively declined, either directly to the person themselves or the solicitor responsible for the will.
- 15.8 Where it is too late to decline a bequest or to do so would cause undue offence, the employees must submit all relevant details to their line manager who will authorise the employee to accept/retain the bequest only if they are completely satisfied that no undue influence has been brought to bear upon the person concerned. Any allegation of undue influence will be investigated and if proven, will be treated as gross misconduct under the Authority's disciplinary procedure.

16 USE OF THE AUTHORITY'S RESOURCES

- 16.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the community and to avoid any legal challenge to the Authority.
- 16.2 The Authority's resources should be used solely in respect of its business. No improper use, or use for anything other than Authority business, should be made of any Authority facility such as premises, vehicles, equipment, stationery or services subject to lease car agreements or where specifically authorised by a senior manager (Director or above).

17. SPONSORSHIP - GIVING AND RECEIVING

- 17.1 Where an outside organisation wishes to sponsor or is sought to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the basic rules concerning acceptance of gifts or hospitality apply. Great care must be exercised when dealing with contractors or potential contractors. Employees should contact Corporate Responsibility Officer (PA to the Chief Executive and Chief Fire Officer) for full information about sponsorship.
- 17.2 Where the Authority wishes to sponsor an event or service, no employee or any relative or close friend must benefit from sponsorship in a direct way without there being full declaration to their line manager of any interest to be included in the Register of Interests as outlined in Section 11.1. Similarly where the Authority, through sponsorship, grant aid, financial or other means gives support in the community, employees involved must ensure that impartial advice is given and that there is no conflict of interest.

18 THE CONSTITUTION

18.1 Employees are required to observe agreed working procedures, service instructions, operational instructions, safety rules, equality and diversity rules, regulations and Code of Practice. Employees are also required to observe the Authority's Constitution and to carry out reasonable and proper instructions given in matters relating to their duties.

18.2 An employee shall not:

- (i) Fail to discharge through carelessness or neglect, an obligation placed upon her/him by contract or statute.
- (ii) Fail to report any matter, which she/he is required to report.
- (iii) Fail to wear in full, or as modified by instruction, any Authority issued uniform or specific dress code requirement as required by their role.
- (iv) Fail to wear safety clothing or footwear, or use safety equipment which has been provided as being necessary in the interests of health and safety or otherwise fail to have due regards to health and safety requirements.

19. DECLARATION OF INTERESTS

19.1 Any possible conflicts of interests as described in the Employee Code or any related policies or service instructions or the Constitution of the Authority must be declared in writing to the appropriate line manager. All declarations of interest will be forwarded to the Monitoring Officer who will hold these in a confidential register of interests. Where in doubt employees should always declare a conflict.

20 SUMMARY

20.1 Employees should consider the following (non exhaustive) issues in coming to judgments about their conduct or proposed conduct.

- (i) Is it in line with the Authority's values?
- (ii) Is it legal?
- (iii) Will it reflect negatively upon the employee or the Authority?
- (iv) Will anyone else be affected and what will be the implications for them if so?
- (v) How would it look in the media?
- (vi) What would a reasonable person think?

20.2 In any event, if in any doubt whatsoever employees should take advice from the Director of POD, the Monitoring Officer (Director of Law) or their line manager as appropriate.