



# **NORTH YORKSHIRE FIRE & RESCUE SERVICE**

## **STAFF CODE OF CONDUCT**



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## STAFF CODE OF CONDUCT

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## 1. INTRODUCTION

- 1.1. The public are entitled to expect the highest standards of conduct from all employees who work for North Yorkshire Fire and Rescue Authority (NYFRA).
- 1.2. This Code of Conduct is aimed at ensuring that employees are aware of the standards of behaviour expected of them by NYFRA
- 1.3. Failure to observe the standards set out in this code will be regarded as serious and any breach will render an employee liable to disciplinary action, which may include dismissal.

## 2. STANDARDS

- 2.1. Fire and Rescue employees are expected to give the highest possible standards of service to the public, and where it is part of their duties to provide appropriate advice to councillors and fellow employees, to do so with impartiality. Employees will be expected, through agreed procedures, and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service.
- 2.2. It is the duty of each employee to report to the appropriate manager any breach of procedure or concern that the code of conduct itself is being breached.
- 2.3. NYFRA are not prepared to tolerate malpractice or wrongdoing in the performance of its services. Whenever and wherever such activity is reported, it will be swiftly and thoroughly investigated. It is part of the employee's responsibility to report any such malpractice or wrongdoing of which they are aware, or the serious suspicion of it.
- 2.4. Positive and confident leadership is vital to our success. The leadership expectations below are one measure that the Service is taking forward to help ensure that leadership across the Service is more consistent. This table below sets out a model for using professional judgement and managing public expectations. It's not about repeating the things in your job description, role map or values and defined behaviours. It is about building on these standards to work in a more consistent, confident and values centred way. We have built on the work of others to develop this decision-making guide to help you use professional judgement when procedures and rules are not always available to you.

<b>Exploring the question and taking decisions</b>	
<b>STEP 1</b> <b>Gather all the facts and</b>	<ul style="list-style-type: none"><li>• Are there relevant laws, regulations, values, expectations, policy, procedures, terms and conditions?</li><li>• What do these restrict or allow?</li><li>• What are the options?</li></ul>

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<b>seek advice if necessary</b>	<ul style="list-style-type: none"> <li>• Do we need to consult with others? If yes, who?</li> </ul>
<b>STEP 2</b>  <b>Select the option to build trust and confidence</b>	<ul style="list-style-type: none"> <li>• Choose the best option based on Service values:</li> <li>• Are there wider moral and/or ethical reasons for choosing this option?</li> <li>• Why does this option build trust and confidence internally and/or externally?</li> <li>• What are the consequences of this option and who will be affected by it?</li> </ul>
<b>STEP 3</b>  <b>Be confident the public would approve of your decision</b>	<ul style="list-style-type: none"> <li>• What may be the public's perception of us doing this?</li> <li>• What may be the public's perception of us doing this, if they know the facts?</li> <li>• Scrutiny - are you comfortable with public disclosure?</li> <li>• Can others make the same decision and have it judged as acceptable?</li> </ul>
<b>STEP 4</b>  <b>Take responsibility, decide and act</b>	<ul style="list-style-type: none"> <li>• What is the decision?</li> <li>• Who needs to be informed?</li> <li>• What are the implementation issues?</li> <li>• Who will lead on implementing this decision?</li> <li>• What are the review arrangements (if necessary)?</li> </ul>

### 3. DISCLOSURE OF INFORMATION and CONFIDENTIALITY

3.1 All employees are bound by the Authority's Policy on Freedom of Information, Data Protection and Environmental Information Regulations. The law requires that certain types of information must be available to Members, Auditors, Government Departments, Service Users and the Public. The Fire Authority itself may decide to be open about other types of information. Employees must ensure that they know what that information is and seek advice and guidance from line managers where this is not clear. The Authority will ensure that personal data is treated in accordance with the Data Protection Act 1998 and access to personal data will be on a role requirement basis.

3.2 Employees during the course of employment may have access to, gain knowledge of or be entrusted with personal information, and or other confidential information. Employees are not to inappropriately disclose to any person or make any use of such information in any form whatsoever, at any time, whether during or after the end of employment with the Authority. Employees must not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way, other than in

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circumstances which have been agreed in accordance with 3.1 of this Code and in the spirit of partnership, at any time, whether during or after the end of employment with the Authority. Any particular information received by an employee which is personal and does not belong to NYFRA should not be divulged by the employee without the prior approval of the originator, except where such disclosure is required by the law.

- 3.3 With regard to information obtained about work, and in particular incidents attended, employees must respect the sensitive nature of such information and maintain discretion and confidentiality at all times. They must not discuss incident / sensitive information in any detail with family, friends or any other member of the public, or post this type of information on personal media sites (further information is available in NYFRS Social Media Policy, section 6). Failure to maintain confidentiality may result in unnecessary distress being caused to individuals affected, and could result in disciplinary action being taken against an employee suspected of breaching this Policy. For staff who are affected adversely by attendance at an incident they should use the confidential Employee Assistance Programme or contact Occupational Health.

### **4. INFORMATION SECURITY**

- 4.1 All employees have a responsibility to ensure the safe and secure use of information systems and information within the Authority's custody and have a responsibility to report any potential, suspected or actual security incidents immediately in order that any necessary action can be taken.
- 4.2 All employees have a duty to maintain confidentiality and contain the incident and are not to discuss, share, store or copy information surrounding the incident with anyone other than those that have been appointed to manage and investigate the incident. Failure to maintain confidentiality may result in disciplinary action. (see also 3.3 above)

### **5. POLITICAL NEUTRALITY**

- 5.1. Employees serve the NYFRA as a whole. It follows they must serve all Councillors equally and must ensure that the individual rights of all Councillors are respected.
- 5.2. Where employees are required to advise political groups, they must do so in ways which do not compromise their political neutrality.
- 5.3. Within NYFRS, those employees who give advice on a regular basis to the authority itself, to any committee or sub-committee of the authority or to any joint committee on which the authority are represented, or where the authority are operating executive arrangements, to the executive of the authority, to any committee of that executive or to any member of that executive who is also a member of the authority. Or are speaking on behalf of the authority on a regular basis to journalists or broadcasters are deemed politically restricted. A list of politically restricted posts is published on the intranet.
- 5.4. Employees, whether or not holding politically restricted posts, must follow every lawfully expressed policy of NYFRA and must not allow their own personal or political opinions to interfere with their work. All employees must adhere to the

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Authority's equality policies and behave in accordance with the Authority's core values.

### **6. RELATIONSHIPS**

#### **6.1. Councillors**

Employees are responsible to the Fire Authority through its senior managers. For some their role is to give advice to Councillors and senior managers, and all are there to carry out the Fire Authority's work. Mutual respect between employees and councillors is essential to good local government. Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors and should therefore be avoided.

#### **6.2. The Local Communities and Service Users**

Employees should always remember their responsibilities to the communities they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within those communities.

#### **6.3. Contractors**

All relationships of a business or private nature with external contractors, or potential contractors, should be made known to the appropriate manager. Orders and contracts must be awarded on merit, and in accordance with the recognised contract regulations of NYFRA. No special favours must be shown to businesses run by, for example, friends, partners or relatives.

6.4. Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship should declare any such relationship to their line manager who must forward the information to Personnel for collation in a central register.

#### **6.5. Other Employees**

Employees who have a relationship in a private or domestic capacity with another member of staff in the same workplace or team should declare this to their line manager. The Service reserves the right to transfer individuals to other teams if this relationship compromises any aspect of the working relationships in that team. Particular care will be taken to ensure that where there is line management responsibility between staff who are engaged in a relationship that appropriate control measures are put in place to protect the Service and the employees' integrity.

### **7. APPOINTMENT AND OTHER EMPLOYMENT MATTERS**

7.1. All employees involved in appointments and other employment matters must follow the recruitment, selection, appointments and promotions procedures. In order to avoid any possible accusation of bias, employees should not be involved

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in an appointment where they are related to an applicant, or have a close personal relationship outside work with him or her.

- 7.2. Similarly, employees should not be involved in decisions relating to discipline promotions or pay adjustments where they are related to an employee, or have close personal relationships outside work with him or her.

### 8. OUTSIDE COMMITMENTS

8.1. All employees, through their Contract of Employment, have obligations to NYFRA and should not take outside employment or engage in activities which conflict with the interest of NYFRA. Employees must follow the Authority policy in respect of outside employment, which includes a requirement not to employ or be employed by another employee.

8.2. In respect of intellectual property or copyright created during their employment, all patents, trademarks and other rights in any investigation, device or concept or any novel improvement or modification to an existing invention, device or concept created or developed by an employee during the period of their employment shall belong to NYFRA, subject only to any rights which may be acquired by an employee under the Patents Act, or any statutory modifications thereof. NYFRA shall be the legal and beneficial owner of the copyright in and all other rights to, the results of the development of the application of, all work produced by an employee during their period of employment.

8.3. Employees of NYFRA, during their period of employment, must not make any approaches to any external organisations which has dealings with the NYFRA or for which NYFRA or any Section within it, provides a service, with a view of soliciting and/or undertaking work for such external organisation on a private basis either during their period of employment or thereafter. Nor should such approaches be made on behalf of another person or body.

#### 8.4. Public Duties

The Authority recognises that members of staff may wish to carry out public duties outside of their employment with the Service. Examples of public duties include being:

- a [magistrate](#) (also known as a justice of the peace)
- a [local councillor](#)
- a school governor
- a member of any statutory tribunal (for example an employment tribunal)
- a member of the managing or governing body of an educational establishment
- a member of a health authority
- a member of a school council or board in Scotland
- a member of the General Teaching Councils for England and Wales
- a member of the Environment Agency or the Scottish Environment Protection agency
- a member of the prison independent monitoring boards (England or Wales)
- a member of Scottish Water or a Water Customer Consultation Panel

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- a [trade union](#) member (for trade union duties)

### 8.5 Public Office

Staff who are not in politically restricted roles may choose to put themselves forward as a candidate for public office and can either represent a political party or remain independent. In all cases, staff who choose to be candidates for public office must adhere to the following conditions.

### 8.6 Association with the Fire Authority

Employees must avoid putting themselves in a position or situation which could be used by a candidate to show or imply support by North Yorkshire Fire & Rescue Service for their public office campaign or public duties. Any material which identifies North Yorkshire Fire & Rescue Service is prohibited. Any material which uses North Yorkshire Fire and Rescue Service images, livery, equipment, uniform (badged or not), workplaces or vehicles that appear to show North Yorkshire Fire Authority support for a candidate, or any form of association to the electorate is not permitted for use by an employee.

Prospective candidates do not have permission to use pre-existing images, livery or publicity material involving fire and rescue employees in their campaign publicity.

Candidates will be required to remove or withdraw such material if attempts are made to use them.

## 9. PERSONAL MATTERS

- 9.1. Employees must declare any financial or non-financial interests that they consider could bring about conflict with the NYFRA interests, for example, being involved in an official capacity with an outside organisation. Declarations must be made to the Chief Fire Officer. In the case of the Chief Fire Officer such a declaration must be made to the Fire Authority.
- 9.2. Employees must declare any financial interest which could conflict with the North Yorkshire Fire and Rescue Services interests, e.g. work for which a fee is received.
- 9.3. Employees must declare membership of any secret societies. The definition of "secret society" is as follows:

Any Lodge, Chapter, Society, Trust or regular gathering of meeting which:

- Is not open to members of the public who are not members
- Includes in the granting of membership a requirement of the member to make a commitment (whether by oath or otherwise) of allegiance
- Includes, whether initially or subsequently, a commitment (whether by oath or otherwise) or secrecy in regard to rules, membership or conduct

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### **10. EQUALITY ISSUES**

10.1. North Yorkshire Fire and Rescue Service is an equal opportunities employer. All members of the community and other employees will be treated with fairness, openness, equality, respect and dignity. All personnel will observe all of the Service's policies and procedures relating to equal opportunities issues, as well as those required by law.

### **11. CORRUPTION**

11.1. It is a serious criminal offence for employees corruptly to receive or give any gift, loan, fee, reward or advantage of doing, or not doing, anything or showing favour, or disfavour, to any erosion 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.

11.2. Any money, gift or consideration received from the person or organisation holding or seeking to obtain a contract with NYFRA, will be deemed to have been received corruptly.

### **12. USE OF FINANCIAL AND OTHER RESOURCES**

12.1. All Employees are bound by the Authority's financial and contracts regulations including internal use policies for other resources such as vehicles, I.T. equipment and buildings. Employees must ensure that they use public funds and resources which are entrusted to them in a responsible, appropriate and lawful manner. In doing so, Employees must conduct themselves in an appropriate manner and must strive to ensure value for money for local communities and to avoid complaints or legal challenges to NYFRA.

### **13. HOSPITALITY AND GIFTS**

13.1. Employees must not accept offers of hospitality or gifts unless there is a genuine need to impart information or represent NYFRA in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community served or where NYFRA should be seen to be represented. Such attendance must be properly authorised and recorded by the appropriate Head of Function or appropriate Principal Officer in the case of a Head of Function.

13.2. When hospitality has to be declined, those making the offer should be courteously but firmly informed of the procedures and standards operating within NYFRA.

13.3. When receiving authorised hospitality employees should be particularly sensitive as to its timing in relation to decisions which NYFRA may be taking affecting those providing the hospitality.

13.4. Acceptance by employees of hospitality, through attendance at relevant conferences and courses or events is acceptable where it is clear the hospitality is corporate rather than personal, where NYFRA gives consent in advance and where NYFRA is satisfied that any purchasing decisions are not compromised.

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Where visits to inspect equipment, etc are required, employees should ensure NYFRA meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

- 13.5. All benefits such as accommodation, travel, entertainment, present, gifts or bequests must be refused. These rules must be strictly observed. Disciplinary action, including the possibility of dismissal, may be taken if this occurs. Any exceptions to this rule are set out in 12.8 below with further detail available in the Gifts, Hospitality and Discounts Policy.
- 13.6. Those gifts received through the post should be returned to the sender with an appropriately worded letter.
- 13.7. Employees must inform their line manager of any receipt or offering of a gift or bequest, even if subsequently refused, received in the course of their employment and this information must be recorded by each line Manager and forwarded to the Corporate Information Unit for collation in a central register.
- 13.8. Exceptions to this rule will include diaries, calendars, blotter or other items of low value, perhaps bearing companies' names or an insignia. However, even through such items may be retained; offer and receipts must be notified to and recorded by the employee's Line Manager.

### **14. SPONSORSHIP – GIVING AND RECEIVING**

- 14.1. Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, tender, negotiation or voluntary, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.
- 14.2. Where NYFRA wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to the appropriate Head of Function or Chief Fire Officer of any such interest. Similarly where the North Yorkshire Fire and Rescue Service through sponsorship, grant aid, financial or other means, gives support in the community, employees must ensure that impartial advice is given and that there is no conflict or interest involved.

### **15. CONTACT WITH THE PRESS AND MEDIA**

- 15.1. Staff members, whether on or off duty are not permitted to give reports or speak to the press, media or other agencies as an authority representative or employee unless they have specific approval from their line manager or this is an aspect which is clearly required within their role. Employees with this responsibility must guard themselves against declaring a view which is contrary to a position taken by the NYFRA and which may be deemed to be critical of that position.
- 15.2. In the event of an industrial relations issue involving Trade Union organisations, an elected Brigade Official representative of the Trade Union may be approached by the press, media or other agency to comment on the dispute. Where a decision is taken by that Trade Union organisation to communicate in this regard,

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employees acting in a union capacity should exercise great care in presenting the facts of the case.

15.3. In all circumstances, all employees are under a general duty of care to avoid a conflict of interest arising, and should not undertake to criticise, damage or act in any way against the best interests of NYFRA, and in this regard employees should be mindful of any authority policy with respect to Data Protection, confidentiality and Equality and Diversity in this regard. Should this occur, then the employee will be the subject of disciplinary action in accordance with the agreed procedures.

### **16. TALKS TO OUTSIDE BODIES, RADIO AND TELEVISION INTERVIEWS, CONTRIBUTIONS TO PUBLICATIONS ETC**

16.1. Where an employee is invited to give a talk to an outside body, or participate in a broadcast, or contribute an article to a professional journal, or the like, on a matter related to their employment or on a personal interest which would be relevant to that employment, the following guidelines apply:

- a) Acceptance of such an invitation shall be at the discretion of the Head of Function concerned. In the event of a Head of Function wishing to follow this course of action, it shall be at the discretion of the appropriate Principal Officer.
- b) All materials submitted externally for publication purposes will be forwarded to the Communications and Media Unit for prior approval.
- c) Unless an employee is officially representing NYFRA, they should make it clear that they are speaking or contributing on a personal basis and that their views do not necessarily represent those of the Authority.
- d) Employees should avoid commenting on matters which could be regarded as contentious or sensitive so far as NYFRA is concerned, especially in cases where what is said is being reported.

### **17. VISITORS TO STATIONS**

16.1 Members of the Fire Authority may visit any station or other workplace on request. This request must be made to the Chief Fire Officer. The request will set out the date, time, duration and purpose of visit. The Chief Fire Officer will delegate responsibility for the visit to an appropriate manager who will ensure the health, safety and welfare of the Member during their visit.

16.2 Other visitors who are not members of, or employed by NYFRA, must get permission of the Manager in charge of the duty watch or appropriate manager of the workplace. Employees must ensure that this permission is granted before allowing visitors on the premises. This manager will nominate a responsible person to ensure the health, safety and welfare of that visitor.

16.3 In all instances the visitors must sign in and out of the workplace. The NYFRA visitors policy must be complied with along with any local procedures.

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### **18. SMOKING**

18.1. NYFRA has a policy on smoking at work. Employees are reminded that if found smoking in contravention of the policy, it will be regarded as a disciplinary offence.

### **19. DRUGS AND ALOCHOL**

19.1. All employees are required to be fit for duty whenever they are rostered to work. This includes not being under the influence of alcohol, or drugs (whether prescribed or otherwise) during any period for which they are on duty. Employees must take care to ensure that when they are due to start work they have allowed sufficient time to be clear of the effect any alcohol previously consumed.

### **20. HEALTH AND SAFETY**

20.1. It is a legal requirement for all employees to look after their own health, safety and welfare whilst at work, as well as safeguarding that of other employees and members of the community, and not to carry out any activity which might compromise this duty. It is also a requirement that all personnel shall make themselves familiar with the Service's Health and Safety policy document, and observe all the requirements laid down in NYFRS procedures and other documents relating to Health and Safety issues. Contravention of such matters may not only be a breach of the discipline code, but may also be considered a criminal offence and can be dealt with in a court of law.