

## **Joint Report of the Director of Prevention and Assets and Head of Legal Services**

### **Core Code of Ethics for Fire and Rescue Services**

#### **Purpose of report**

1. To update Members on progress to implement the Core Code of Ethics for Fire and Rescue Services and to make a recommendation to the Authority that the constitution be amended to reflect a commitment by Members to champion the Core Code throughout the Service.
- 

#### **Recommendation**

##### ***It is recommended that:***

- i) The implementation of the Core Code of Ethics be endorsed; and***
- ii) The Authority be recommended to amend the key roles of all Members, as set out in Article 2.3(a) of the Authority's constitution, by the addition of:***

##### ***All Members will .....***

- (ix) commit to following the Core Code of Ethics for Fire and Rescue Services and championing its use throughout the Service.***

#### **Introduction and Background**

2. The Core Code of Ethics for Fire and Rescue Services (FRSs) in England, developed in partnership by the National Fire Chiefs Council (NFCC), the Local Government Association and the Association of Police Crime Commissioners, was published on 18 May 2021. Guidance has also been published to support the implementation of the Core Code. The Code and associated guidance are in Appendix 1.
3. The Core Code was developed as a direct response to Sir Tom Winsor's recommendation in the State of Fire Reports for 2019/2020, which reported that:  
  
"FRSs would benefit from a national code of ethics which specifies and establishes the exemplary standards of behaviour for all staff. This code should be at the heart of everything services do and make it clear to staff what behaviour is acceptable in their everyday work. This will allow poor behaviour to be challenged regardless of people's positions and roles. It will also give new recruits clear expectations of, and confidence in, what behaviour is acceptable.

To make sure they become part of everyday working life, services should include these values as part of staff performance appraisals and consider them if people seek promotion."

## The Core Code of Ethics

4. The Core Code sets out five ethical principles, based on the Nolan Principles of Public Life, and is designed to help FRSs continuously improve culture and workforce diversity:
  - **Putting our communities first** – we put the interest of the public, the community and service users first.
  - **Integrity** – we act with integrity including being open, honest and consistent in everything we do.
  - **Dignity and respect** – making decisions objectively based on evidence, without discrimination or bias.
  - **Leadership** – we are all positive role models, always demonstrating flexibility and resilient leadership. We are all accountable for everything we do and challenge all behaviour that falls short of the highest standards.
  - **Equality, diversity and inclusion (EDI)** – we continually recognise and promote the value of EDI both within the FRSs and the wider communities in which we serve. We stand against all forms of discrimination, create equal opportunities, promote equality, foster good relations and celebrate difference.

## Requirements of the Core Code

5. The Core Code should be adopted by every Service in England. The principles should be embedded within everything that FRSs and their employees do, including those working within or on behalf of the FRS. FRSs are to ensure that the principles of the Core Code are represented within policies and processes to ensure they are embedded and at the heart of day-to-day activity.
6. Specific responsibilities for the implementation of the Core Code are set out in four distinct tiers: all staff, supervisory and middle managers, senior managers and Fire Authorities:
  - **All Staff** – all staff should have an understanding of the Core Code and maintain high standards of ethical behaviour within their working life.
  - **Supervisory and Middle Managers** – additionally it is incumbent on supervisory and middle managers to understand the impact of the Core Code on their specific responsibilities.
  - **Senior Managers** – Senior managers within the FRS must have an in-depth understanding of the contents of the Core Code. Senior managers include Corporate Management Board Members, Area Managers, Heads of Departments and Heads of Service.
  - **Fire Authority** – Those who govern FRSs will demonstrate their commitment to the Core Code by championing its use. This may include

utilising the Core Code to inform FRS values and vision; monitoring and supporting its development and progress through effective scrutiny.

## **The Code of Ethics Fire Standard**

7. A [Code of Ethics Fire Standard](#) was also launched on 18 May 2021 by the Fire Standards Board (FSB) to ensure the consistent application of the Core Code across FRSs. The Standard sets out the desired outcome which requires FRSs to embed and show their commitment to the ethical principles and professional behaviours contained in the Core Code, and in doing so generate a more positive working culture and continuously improve the quality of service to the public.
8. FRSs must do the following to meet the Fire Standard:
  - Adopt and embed the Core Code to demonstrate that the service is fully committed and compliant at both an individual and corporate level.
  - Ensure the attitudes, professional behaviours and conduct described within the core code are reflected in its decision-making, policies, procedures, processes, and associated guidance that govern how the service manages and supports its workforce.
  - Provide training and support to all those who work for, or on behalf of, a service to achieve their understanding of the Core Code and an appreciation of their responsibilities in adhering to it.
  - Not detract from the Core Code.

**Those who lead services and those who work for, or on behalf of, the service must:**

- Understand, respect, and follow the principles of the Core Code and demonstrate this by their commitment to it and their responsibility for upholding it.
- Conduct themselves in accordance with the Core Code.

**Those responsible for the governance of fire and rescue services, whilst complying with their own ethical codes must:**

- Hold the Chief Fire Officer to account for the implementation of the Core Code at a local level;
- Play a proactive role in challenging behaviour inconsistent with the Core Code; and
- Ensure strategies, policies and performance measures are in place to promote and embed a positive and inclusive culture.

**A fire and rescue service should:**

- Designate a senior leader who is responsible for promoting the Core Code throughout the service and ensuring that all those who work for, or on behalf of, the service understand its contents and what is expected of them.

9. The FSB therefore expects Service leaders to commit to embedding the Core Code locally so that staff understand what is expected of them, their colleagues and their leaders.
10. Whilst the Code is centred on values and culture and has a behavioural focus, the Standard makes it explicit that it also applies to corporate governance and links to other codes, such as the CIPFA Code of Governance, and references legislation and regulations such as the Equality Act, Public Sector Equality Duty, Local Audit and Accountability Act and the Accounts and Audits Regulations.
11. The impact of the Standard is therefore more far-reaching than employee and senior leadership behaviours, and applies to governance arrangements, finance and procurement policy and practice and ethical decision-making. It has been made clear that implementation of the Code will be a line of enquiry in future HMICFRS inspections.
12. Whilst the Code does not directly apply to Members of the Fire Authority, as Members have their own code, it is advised Members are overtly engaged and supportive of its implementation. To reflect this, it is therefore proposed to amend Part 2 of the Articles of the Constitution as follows (see additional text in italics):

### **2.3. Roles and functions of all Members**

#### **(a) Key roles.**

All Members will:

- (i) be involved in decision-making and contribute to the good governance of the Authority;
- (ii) collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions;
- (iii) represent their communities and bring their views into the Authority's decision-making process, i.e. become the advocates of and for their communities;
- (iv) balance different interests identified across Herefordshire and Worcestershire and act in the interests of the two Counties as a whole;
- (v) respond to enquiries and representations from members of the public, fairly and impartially;
- (vi) actively encourage community participation and public involvement in decision-making;
- (vii) be available to represent the Authority on other bodies; and
- (viii) maintain the highest standards of conduct and ethics
- (ix) *commit to following the Core Code of Ethics for Fire and Rescue Services and championing its use throughout the Service.*

### **Implementation plan**

13. The Fire Standard is principle-based which allows Services to implement the Core Code in what it feels is the most appropriate way, whilst reassuring the public of commonality and consistency across the sector.
14. The Service already has well-defined [core values](#) which were launched in Autumn 2019. Staff played a critical role in selecting the values via a series of workshops and an online survey. Our existing Service values already focus on integrity and

respect and valuing our diversity. HMICFRS has recognised the Service values are well understood and accepted throughout the organisation. There is no plan to review our current core values.

15. The Service's Ethical Framework and Code of Conduct (EFCC) identifies our values, purpose and the roles and responsibilities of staff in relation to standards of behaviour and conduct. The last full review of the EFCC content was in 2012. The Service's core purpose, vision, mission and values were included in the EFCC in 2020. The Core Code of Ethics can be seen as building on the Service's existing values and ethical principles rather than replacing them and an assessment of existing principles within the EFCC show the full adoption of the Core Code would align well.
16. The Service has developed an implementation plan which will ensure that the Code becomes embedded across the organisation. Themes within the plan include a communications plan, Contracts (employment and suppliers/third parties) review, policies/procedures, Ethical Framework and Code of Conduct review, training and development and governance. The Service aims to have the Code implemented by the end of 2022/2023.
17. Ongoing scrutiny will be afforded by regular updates being provided to the Authority through the People Strategy update report and the Annual Governance Statement.

## **Conclusion**

18. The Code of Ethics sets out five ethical principles to improve organisational culture and workforce diversity of FRSs, ensuring that communities are supported in the best way.
19. Members are asked to endorse the implementation of the Core Code and approve the proposed amendment to Part 2 of the Articles of the Constitution.

## Corporate Considerations

<p><b>Resource Implications</b> (identify any financial, legal, property or human resources issues)</p>	<ul style="list-style-type: none"> <li>• The Core Code Fire Standard impacts on all those who work with and for the Service. All employees are responsible for meeting its requirements.</li> <li>• No additional financial costs are identified. Where there is an additional financial implication, a business case will be submitted for any additional costs / expenditure, where identified.</li> <li>• Meeting the Standard will assist the Service in meeting the Equality Act and Public Sector Equality Duty.</li> </ul>
<p><b>Strategic Policy Links</b> (identify how proposals link in with current priorities and policy framework and if they do not, identify any potential implications).</p>	<ul style="list-style-type: none"> <li>• Supports delivery of the CRMP and core strategies.</li> <li>• Supports delivery of the People Strategy.</li> <li>• Links to organisational values and Ethical Framework and Code of Conduct.</li> </ul>
<p><b>Risk Management / Health &amp; Safety</b> (identify any risks, the proposed control measures and risk evaluation scores).</p>	<ul style="list-style-type: none"> <li>• There is a clear direction within the Core Code Guidance that the Core Code should be adopted by all FRAs. The FSB states “must”.</li> <li>• Failure to adopt the Standard may damage our reputation and attract public, media and political scrutiny.</li> <li>• Failure to adopt is likely to impact negatively on future HMICFRS Inspection outcomes.</li> <li>• Progress against the implementation plan will provide assurance that the Service has adopted its key principles and adapted its practice to embed ethical behaviours and practice across the organisation.</li> </ul>
<p><b>Consultation</b> (identify any public or other consultation that has been carried out on this matter)</p>	<ul style="list-style-type: none"> <li>• Consultation has taken place at a national level.</li> <li>• Engagement is required with managers, employees and Representative Bodies to ensure all understand their role in meeting the Standard and adhering to and embedding the Core Code.</li> <li>• Formal consultation will take place as part of the Ethical Framework and Code of Conduct review process.</li> </ul>
<p><b>Equalities</b> (has an Equalities Impact Assessment been completed? If not, why not?)</p>	<ul style="list-style-type: none"> <li>• The Core Code of Ethics was equality impact assessed by the working group at a national level and Equality, Diversity and Inclusion is a key principle within the Code.</li> </ul>
<p><b>Data Protection Impact Assessment</b></p>	<p>N/A</p>

## Supporting Information

Appendix 1 – Core Code of Ethics for FRSs and Guidance