

## BEDFORDSHIRE FIRE AND RESCUE AUTHORITY (FRA)

### CODE OF CONDUCT with effect from 1 July 2012

#### 1.0 Introduction

- 1.1 This Code of Conduct ("the Code") has been adopted by the FRA as required by Section 27 of the Localism Act 2011 ("the Act").
- 1.2 The FRA has a statutory duty under the Act to promote and maintain high standards of conduct by members and co-opted members of the FRA ("Members") and the Code sets out the standards that the FRA expects Members to observe.
- 1.3 The Code is not intended to be an exhaustive list of all the obligations that are placed on Members. It is the responsibility of individual Members to comply with the provisions of the Code as well as such other legal obligations as may apply to them from time to time.
- 1.4 The Code is consistent with the following principles (the "Nolan" principles of standards in public life):

Selflessness  
Integrity  
Objectivity  
Accountability  
Openness  
Honesty  
Leadership

#### 2.0 Who does the Code apply to?

- 2.1 The Code applies to all Members of the FRA and to all co-opted members of any committee, sub-committee or joint committee or sub-committee of the FRA.

#### 3.0 When does the Code apply?

- 3.1 The Code applies whenever a person is acting in his/her official capacity as a Member of the FRA or co-opted member in the conduct of the FRA's business or acting as a representative of the FRA.

#### 4.0 What standards of Conduct are Members expected to observe?

##### **Selflessness:**

- 4.1 Members must always act **solely** in the public interest. (See also Clause 4.5).

- 4.2 Members must never use their position as a member of the FRA improperly to secure for themselves or any other person, an advantage or disadvantage **or act to gain financial or other material benefits for themselves, their family, a friend or close associate.**
- 4.3 **Members must not place themselves under a financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.**
- 4.4 Members must not use the FRA's resources improperly for personal or party political purposes.

### **Integrity**

- 4.5 Members must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the FRA.
- 4.6 Members must not disclose information given to them in confidence unless required by law to do so or where there is a clear and over-riding public interest in doing so.

### **Objectivity**

- 4.7 When making decisions on behalf of the FRA, including awarding contracts or making appointments, Members must do so on merit.
- 4.8 Members must have regard to any relevant advice provided to them by the FRA's officers and, in particular, the Head of Paid Service, Chief Finance Officer and Monitoring Officer, where such advice is provided pursuant to their statutory duties.

### **Accountability**

- 4.9 Members must act in accordance with their legal obligations. ***including the following Acts of Parliament that confer special obligations on elected councillors:***

***Local Government Act 1972  
Employment Rights Act 1996  
Data Protection Act 1998  
Freedom of Information Act 2000  
Fire and Rescue Services Act 2004  
Bribery Act 2010  
Equality Act 2010  
Localism Act 2011***

***They are accountable for their decisions to the public and must co-operate fully with whatever scrutiny is appropriate to their office.***

- 4.10 Members must act in accordance with the FRA's policies and reasonable requirements, including any protocols and codes of practice that may apply. (eg in respect of Member/Officer relations, ITC, Member Allowances etc).

### **Openness**

- 4.11 Members must ***be as open as possible about their decisions and actions*** and must give reasons for any decisions taken on behalf of the FRA in accordance with any statutory or FRA requirements.
- 4.12 Members must not prevent another person from gaining access to information to which that person is entitled by law.

### **Honesty**

- 4.13 Members must declare any disclosable (pecuniary and non-pecuniary) interests or conflicts of interest that may arise in respect of their responsibilities as a Member of the FRA.
- 4.14 Members must at all times ensure that any claims for expenses, allowances, and their use of facilities and services provided by the FRA are strictly in accordance with the rules laid down on these matters.

### **Leadership**

- 4.15 ***Members must support and promote high standards of conduct and lead by example.***
- 4.16 In their dealings with the FRA's employees, Members must have regard to the FRA's protocol on Member/Officer Relations and on no account should they behave in a manner that might constitute harassment or bullying.

## **5.0 Register of Interests**

- 5.1 The Council's Monitoring officer maintains a register of interests of Members and co-opted members of the FRA.
- 5.2 The FRA has determined what interests Members are required to enter in the register of interests, including those disclosable pecuniary interests prescribed by regulations. These disclosable interests are listed in Schedule 1.
- 5.3 Members must notify the FRA's Monitoring Officer of any disclosable pecuniary and non-pecuniary interests that should be recorded in the FRA's register of interests.
- 5.3 Within 28 days of becoming a Member of the FRA, all Members must submit to the Monitoring Officer a list of their disclosable interests and must notify the Monitoring Officer of any changes as and when they arise.

## 6. Declaration at Meetings of Disclosable Pecuniary Interests

- 6.1 A Member must make a verbal declaration of the existence and nature of any disclosable pecuniary interest at any meeting of the FRA, a Committee (or Sub - Committee) at which the Member is present, and withdraw from participating in the meeting where an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.

## 7. Other Interests

- 7.1 In addition to the requirements of paragraph 6, if a Member attends a meeting at which an item of business is to be considered and the Member has an interest as defined in paragraph 7.2 below, a verbal declaration of the existence and nature of the interest must be made by the Member at or before the consideration of the item of business or as soon as the interest becomes apparent.

- 7.2 Paragraph 7.1 applies where: ~~a Member has an 'non-statutory pecuniary interest' or a non-pecuniary interest in an item of business of the FRA as follows:-~~

~~7.2.1 decision in relation to that business might reasonably be regarded as affecting the well being or financial standing of the Member or a member of his/her family or a person with whom the Member has a close association to a greater extent than it would affect the majority of the **Council taxpayers, ratepayers or inhabitants of the ward or electoral area for which the Member has been elected or otherwise** of the FRA's administrative area, or~~

~~7.2.2 it relates to or is likely to affect any of the interests listed in **Schedule 1 to this Code, but in respect of a member of the Member's family (other than a spouse or partner as statutorily defined) or a person with whom the Member has a close association**~~

and that interest is not a disclosable pecuniary interest.

## 8. Gifts and Hospitality

- 8.1 A Member must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50 which has been accepted as a Member from any person or body other than the FRA.
- 8.2 The Monitoring Officer will place the notification on a public register of gifts and hospitality.
- 8.3 This duty to notify the Monitoring Officer does not apply where the gift benefit or hospitality comes within a description approved by the FRA for this purpose.

***Code of Conduct adopted by the Fire and Rescue Authority on 28 June 2012***

***Reviewed and amended by the Fire and Rescue Authority on 16 October 2017  
(Minute ref: 17-18/fa/037)***

## Schedule 1 - Disclosable Pecuniary Interests

A Member has a duty to register, disclose and not to participate in respect of any matter in which he/she has a Disclosable Pecuniary Interest as set out in the Localism Act 2011 (Chapter 7).

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows:

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### **The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012**

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<i>Subject</i>	<i>Prescribed description</i>
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>

Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.