

report

meeting	NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE & RESCUE AUTHORITY	
date	13 September 2006	agenda item number

REPORT OF THE CHIEF FIRE OFFICER

CODE OF CONDUCT

1. PURPOSE OF REPORT

To present to Members a draft Code of Conduct for the Fire & Rescue Authority to consider for consultation.

2. BACKGROUND

2.1 The Local Government Act 2000 provided a new strategic framework to govern the conduct of Members and Officers of Authorities in England and Wales.

2.2 As part of the ongoing updating and improvement of the governance arrangements of Nottinghamshire and City of Nottingham Fire & Rescue Authority, a Member/Officer Code of Conduct, based on the provisions of the Local Government Act 2000, and Statutory Instrument 2001 No. 3575, is essential.

3. REPORT

3.1 As the Authority was formed before the Local Government Act 2000, existing Standing Orders were written prior to guidance on Member/Officer protocols devised by the Standards Board. Although some protocols and processes do exist to guide the relationships between Members and Officers, it is essential that a formal protocol exists to codify good practice. An effective working relationship between Members and Officers is crucial to the successful operation of the Authority's business, and a fully adopted protocol provides necessary guidance for all those concerned.

3.2 In researching the draft Code of Conduct (attached as Appendix A), Statutory guidance, existing City and County Council codes, and a variety of Fire & Rescue Service codes of conduct have been consulted to ensure a "best practice" approach. To ensure that the Code is acceptable and endorsed by all parties it is essential that full consultation is undertaken before formal adoption by the Fire & Rescue Authority. The draft Code of Conduct is not intended to replace existing agreements, but to underpin local codes of conduct, which will remain important in communicating appropriate standards and procedures.

4. FINANCIAL IMPLICATIONS

There are no direct financial implications arising from this report.

5. PERSONNEL IMPLICATIONS

The Code of Conduct, once adopted, will be incorporated into Officers' contracts of employment, and lays out the minimum standards of conduct to be observed when carrying out duties

6. EQUALITY IMPACT ASSESSMENT

An initial impact assessment has revealed there are no specific equalities issues arising from this report. A Code of Conduct however, will need to be communicated to all new and existing employees through appropriate methods, following formal adoption.

7. RISK MANAGEMENT IMPLICATIONS

The absence of an agreed and adopted Code of Conduct has the potential to leave both Members and Officers unclear and vulnerable in respect of carrying out their official duties. This also has the potential to leave the Authority open to criticism. A Code of Conduct provides clarity as to how all must behave and remove these risks to both individuals and the Authority.

8. RECOMMENDATIONS

- 8.1 That Members approve the attached draft Code of Conduct for consultation with appropriate Committees and Trade Unions.
- 8.2 That following a period of consultation, the Code of Conduct be presented to the Standards Committee for final approval before being presented at the Fire & Rescue Authority meeting of 8 December 2006 for formal adoption.

9. BACKGROUND PAPERS FOR INSPECTION

- Nolan Report ;
- Local Government Act 2000 ;
- Statutory Instrument 2001, No.3575 ;
- Local Authorities (Model Code of Conduct) (England) Order 2001 ;
- Nottingham City Council Code of Conduct ;
- Nottinghamshire County Council Code of Conduct ;
- Greater Manchester Fire & Rescue Authority protocol on Member/Officer relations ;
- Lancashire Fire & Rescue Authority protocol on Member/Officer relations ;
- Mid and West Wales Fire & Rescue Authority protocol on Member/Officer working arrangements.

Paul Woods
CHIEF FIRE OFFICER