

Safest People, Safest Places

County Durham and Darlington
Fire and Rescue Authority



COMBINED FIRE AUTHORITY

13 FEBRUARY 2018

Review of the Members Code of Conduct

REPORT OF CLERK TO THE FIRE AUTHORITY

Purpose of Report

1. To invite members to approve a revised Code of Conduct for Members of the Authority.

Background

2. County Durham and Darlington Fire and Rescue Authority is committed to the highest standards of corporate and ethical conduct from its members by doing the right things, for the right people, in a way which is timely, open, honest and accountable.
3. Members of the Authority are already subject to the code of conduct provisions of their nominating authority (either Durham County Council or Darlington Borough Council) however the Authority is a separate legal entity and as such it is appropriate for it to adopt and promote a code of conduct which reflects the ethos and aspirations of that Authority.

Localism Act 2011

4. Section 27 of the Localism Act 2011 imposed upon combined fire authorities the duty to promote and maintain high standards of conduct, whether of its Members or Co-opted Members. To comply with this duty, the Authority must adopt a code dealing with the conduct that is expected of Members and co-opted members when they are acting in that capacity.
5. The Fire Authority must adopt a code which, when viewed as a whole, is consistent with the Nolan principles of public life:
 - (a) selflessness;
 - (b) integrity;
 - (c) objectivity;
 - (d) accountability;
 - (e) openness;
 - (f) honesty;
 - (g) leadership.
6. The Code must also include provisions that the Authority considers appropriate in respect of the registration in its register, and disclosure, of:

- (a) disclosable pecuniary interests; and
- (b) interests other than disclosable pecuniary interests.

7. Non-compliance with the code of conduct will continue to be handled by way of a complaint to the Clerk and Monitoring Officer of the Authority.

Changes to the Code of Conduct

- 8. The existing code of conduct for members, affirmed by the Authority at its last Annual General Meeting in May 2017, is attached at Appendix 1 to this report, with the proposed code of conduct prepared for consideration by Members attached at Appendix 2.
- 9. The Clerk to the Fire Authority has conducted a review of the Code of Conduct and noted that the provisions in relation to the declaration of pecuniary interests was out of date, although the declarations made by Members of the Authority are in accordance with the current legislative provisions. The Code has therefore been updated to reflect the correct provisions.
- 10. It is a legislative requirement that the Member Code of Conduct is consistent with the Nolan Principles of Public Life (see para 5 above). These principles are included within the current Code as an appendix. In the revised draft, these appear at the outset, followed by the general obligations on Members, which flow from the principles.
- 11. Members will note that provision for the declaration of gifts and hospitality offered and/or received in your capacity as a Member of the Fire Authority has now been specifically included in the Code of Conduct. Although section three of the declarations of interests form currently being used includes provision for the recording of gifts and hospitality, the requirement to notify of gifts and hospitality (whether accepted or not) was not part of the code. Members should therefore continue to disclose any offers of gifts or hospitality that they receive as a member of the Authority.
- 12. Members will also note that the revised Code of Conduct has been updated to remove duplication and ensure that plain English is used as far as possible. Whilst the changes may appear radical, they are largely cosmetic in nature.

Recommendations

13. Members are requested to:

- a. **Agree** the adoption of the revised Code of Conduct for Members.

Clare Pattinson, on behalf of the Clerk to the Fire Authority 03000 269679