



## SCC – Ethical Code of Conduct

### Strategic Intent

This Ethical Code of Conduct relates to the Fire Commercial Transformation Programme and specifically to members of the Strategic Commercial Committee (SCC). It sets out the principles of integrity and professionalism which SCC members must adhere to and maintain with regard to compliance with legal and other obligations, guidance in relation to Declaration of Interests, confidentiality and accuracy of information, fair competition, business gifts and hospitality.

It is expected that all Fire and Rescue Authority's (FRA) will have a similarly worded and comprehensive Ethical Code of Conduct but where they do not, FRA's should consider adoption of this Ethical Code of Conduct.

### Purchasing Ethics

#### Policy

1. Ethics go beyond legal requirements. They constitute the SCC's Code of Conduct to ensure that SCC members are trusted and respected by those with whom they deal with. In addition to the guidelines outlined below the Chartered Institute of Purchasing and Supply Professional code of ethics should also be followed.
2. All SCC members involved in the purchasing process must avoid placing any FRA or themselves in anti-competitive positions in breach of competition law.
3. SCC members must conduct themselves professionally at all times to portray a professional image to suppliers, internal customers and management.

#### Dealing with Suppliers

4. SCC members must not deliberately mislead suppliers. Misunderstandings should be corrected even when they are not our fault. Information relating to one supplier's price must not be given to a competitor in the bidding process as a target to meet or beat.
5. Procurement must be conducted by all parties efficiently, in a fair and reasonable manner and with integrity. In doing so, staff must be transparent, objective and non-discriminatory in their dealings with suppliers.
6. In keeping with the ethical standards and requirement of procurement regulations, SCC members should not use suppliers whose own corporate procurement practices and conduct whether directly or indirectly are deemed to be illegal (i.e. modern day slavery) Association with

suppliers or supply chains of this nature is likely to result in reputational, financial and ethical damage to FRA's.

### Commercial Confidentiality

7. Commercial information and intellectual property must be protected. Details must not be released to third parties unless there is a sound commercial or legal reason for them to know. Commercial information obtained from suppliers, particularly prices must be kept confidential and must not be released to anyone else without the supplier's prior approval. Breach of this etiquette can result in severe embarrassment to FRA's. It also calls into question the integrity of SCC members and may lead to accusations of impropriety or dishonesty. It can also lead to legal action.

### Gifts and Hospitality

8. The SCC strives to be fair, transparent and encourage competition for all its Procurement activities. It is essential therefore that SCC members remain impartial in business dealings and never allow any gift or hospitality to influence any business decision
9. Hospitality may be used by current/prospective suppliers and third parties to try and circumvent the rules on acceptance of gifts. It is the SCC's policy not to accept gifts, money or hospitality. It is however recognised that low monetary value items such as promotional pens, calendars and diaries of a seasonal nature are commonly offered by suppliers. The Authority permits the acceptance of such promotional gifts up to a value of £10, including VAT. If any SCC member is in any doubt the offer should be politely declined. Any gifts or hospitality offered by a third party to a SCC member, whether accepted or declined must be recorded in the SCC's Hospitality Register.
10. Invitations to corporate days involving attendance at sporting activities, cultural or social events (i.e. golf days, football, rugby, theatre/concert) free travel and invitations to conferences or other events could be regarded as likely to influence a particular decision. **All such invitations should only be accepted in exceptional circumstances and referred to CFO Category Sponsors prior to acceptance.**
11. In cases involving the CFO Category Sponsors these members of staff should consult with the SCC members prior to acceptance.

### Receipt of Gifts and Hospitality

12. An official register of all gifts and hospitality must be maintained. It is the responsibility of the Fire Commercial Transformation Programme Hub/PMO to maintain this register on behalf of SCC members.
13. It is the personal responsibility of SCC members to ensure that all incidences of offers of hospitality or gifts whether or not accepted are recorded in the official SCC Hospitality Register. The following information as a minimum **must** be recorded.

- I. Date of offer
- II. Name of recipient including partners or family if appropriate
- III. Name of Supplier
- IV. Details of gift(s) or hospitality offered
- V. Whether accepted or not
- VI. Name of Authorising Officer if accepted
- VII. Any relevant comments including criteria applied by the Authorising Officer (if relevant and appropriate) e.g. Business Case. In the event of approval confirmation should also be provided that attendance can take place during working hours. NB. No dispensation should be allowed for any member of staff to take leave to avoid recording the entry in the Hospitality Register. In the event hospitality is scheduled to take place outside office hours this also requires prior approval from the Authorising Officer.

14. Failure to properly record the receipt of gift(s) or hospitality may leave SCC members liable to disciplinary action in accordance with existing discipline procedures. The entries made in the Hospitality Register will be subject to review by the SCC to confirm they accord with this code. The SCC is required to review the Hospitality Register on a quarterly basis, audit each entry and record confirmation of inspection.

#### Facilities and Benefits offered by suppliers

15. SCC members must not derive personal benefits such as discounts for personal use from their official duties.
16. It is therefore not appropriate for SCC members to purchase directly from contracts placed by FRA's.

#### Declaration of Personal Interests

17. Personal interests in companies should be disclosed to SCC without fail, in particular where staff:-
  - I. have a financial interest, direct or indirect in any business venture which has been contracted to sell or rent any product or service to any FRA.
  - II. hold a directorship of any company that is a supplier or a potential supplier to any FRA
  - III. may enter into discussions with a supplier with whom close family or friends have a vested interest(s).

18. SCC members operating or involved in a commercial decision making capacity are required to complete a personally signed Declaration of Interest where activities are considered or could be perceived to be considered a Conflict of Interest. It is the personal responsibility of SCC members to ensure the Declaration of Interest is kept up-to-date and any changes reported without delay to the SCC, including after contract award. If you are in doubt whether a particular matter falls within the criteria of a Conflict of Interest, contact the Fire Commercial Transformation Programme Hub/PMO immediately for guidance.

#### Fraud, Theft, Bribery and Corruption

19. Fraud, theft, bribery and corruption are criminal offences. Great care therefore needs to be taken to draw the line between token gifts and reasonable hospitality, and gifts and hospitality which may be regarded as corrupt.

20. The Bribery Act 2010 affects all FRA staff as well as those commercial organisations contracted to undertake functions on behalf of FRA's.

21. All FRA staff responsible for tendering, appointing or managing contracts with commercial organisations, or empowered to spend money on behalf of FRA's must adhere to the requirements of the Bribery Act 2010. Relevant guidance can be viewed at the link below:  
<https://www.gov.uk/government/publications/bribery-act-2010-guidance>

#### Further guidance

22. Further guidance on ethics at both an individual and corporate level is located on the CIPS website. This can be viewed at the links below:

<https://training.cips.org/en-gb/aboutcips/cips-code-of-conduct/>

<http://www.cips.org/corporate-ethics-code>