

**EAST SUSSEX FIRE AUTHORITY
CODE OF CONDUCT FOR EMPLOYEES**

CODES OF CONDUCT FOR FIRE AUTHORITY EMPLOYEES

Responsible Officer	First Section Issue Date	Section Amended/Updated	Review Date
ACO (POD)	Oct 2005	July 2007 March 2008 May 2009 May 2010 March 2012 September 2012	September 2015

Notes:

The Code of Conduct for Members (Section F1) and the Code of Conduct for Member and Employee Relations (Section F2) are now included in the Fire Authority’s Constitution <http://www.esfrs.org/about-us/fire-authority-constitution/>

The Code of Conduct for Fire Authority Employees, the Anti-Fraud and Corruption Strategy and the Whistleblowing Policy are currently being reviewed. The policies set out below remain in force until the revised documents have been finalised.

	Index	Page No.
Section 1	<u>Anti-Fraud and Corruption Strategy</u>	
	<u>Introduction</u>	2
	1. <u>Culture</u>	3
	2. <u>Prevention</u>	4
	3. <u>Detection and Investigation</u>	6
	4. <u>Training</u>	6
	5. <u>Conclusion</u>	7
Appendix A:	<u>Whistleblowing Policy</u>	8
Section 2	<u>Code of Conduct for Fire Authority Employees</u>	
	<u>Introduction</u>	12
	1. <u>Standards</u>	13
	2. <u>Disclosure of Information and Confidentiality</u>	14
	3. <u>Political Neutrality</u>	14
	4. <u>Relationships</u>	15
	5. <u>Appointment and Other Employment Matters</u>	17
	6. <u>Appointments Following Retirement, Resignation or Lawful Termination of Employment</u>	17
	7. <u>Outside Commitments and Personal/Business Interests and Use of Authority Facilities</u>	17
	8. <u>Corruption</u>	19
	9. <u>Gifts</u>	19
	10. <u>Hospitality</u>	20
	11. <u>Use of Financial Resources</u>	20
	12. <u>Sponsorship – Giving and Receiving</u>	21
	13. <u>Conclusion</u>	21
Appendix A:	<u>Appointments following Retirement, Resignation or Lawful Termination of Employment from East Sussex Fire Authority</u>	22

EAST SUSSEX FIRE AUTHORITY CODE OF CONDUCT FOR EMPLOYEES

Section 1

East Sussex Fire Authority's Anti-Fraud and Corruption Strategy

Introduction

East Sussex Fire Authority employs over 900 staff, with a turnover of over £36m a year. In administering its responsibilities, the Authority is set against fraud and corruption, whether it is attempted on the Authority from the outside or inside. The Authority is committed to an effective Anti-Fraud and Corruption Strategy designed to:

- i. Encourage prevention
- ii. Promote detection
- iii. Identify a clear pathway for investigation.

The Authority's expectation on propriety and accountability is that Members and employees at all levels will lead by example in ensuring adherence to legal requirements, rules, procedures and practices.

A related Whistleblowing policy is appended (Section 2 Appendix 1) for promulgation separately throughout the organisation, included on the Internet, Intranet and also for inclusion within the Employee Guide.

The Authority also expects that individuals and organisations (e.g. suppliers, contractors, service providers) that it comes into contact with, will act towards the Authority with integrity and without thought or actions involving fraud and corruption.

The Authority's Anti-Fraud and Corruption Strategy is based on a series of comprehensive and inter-related procedures designed to frustrate any attempted fraudulent or corrupt act. These cover:

- Culture (Section 1)
- Prevention (Section 2)
- Detection and Investigation (Section 3)
- Training (Section 4).

The Authority is also aware of the high degree of external scrutiny of its affairs by a variety of bodies and people including:

- Audit Commission (External Auditor)
- The Public/Council Tax Payers - Annual Inspection of the Accounts
- The Public/Service Users - through the Authority's Complaints Procedure and Local Ombudsman
- Communities and Local Government Fire Service Advisers Unit
- Parliamentary Committees
- HM Revenue and Customs
- Department for Work and Pensions.

As part of the External Auditor's statutory duties he/she is required to ensure that the Authority has in place adequate arrangements for the prevention and detection of fraud and corruption.

EAST SUSSEX FIRE AUTHORITY

CODE OF CONDUCT FOR EMPLOYEES

1. Culture

- 1.1 The Authority is determined that the culture and tone of the organisation is one of honesty and opposition to fraud and corruption.
- 1.2 The Authority is also determined that the culture and tone of the organisation promotes high standards of conduct and values, and to this effect, the next section of the Code deals with such matters. Supporting arrangements are in place in relation to the organisation's 'Our Values' statements, Colleagues Support Network and relevant training and equalities and fairness policies and manuals.
- 1.3 There is a further expectation and requirement that all individuals and organisations associated in whatever way with the Authority will act with integrity and that Members and employees, at all levels, will lead by example in these matters.
- 1.4 The Authority's employees are an important element in its stance on fraud and corruption and they are positively encouraged and expected to raise any concerns that they may have on these issues where they are associated with the Authority's activity. This they can do in the knowledge that such concerns will be treated in confidence and properly investigated and fairly dealt with. If necessary, a route other than a line manager or Fire & Rescue Service Director of Financial Services may be used to raise such concerns. Examples of such routes are:
 - i. Chief Fire Officer & Chief Executive (0303 999 1000).
 - ii. The Fire Authority's Internal Audit Service 01273 481222 (day time) or 0844 7986134 (24 hour phone/answerphone) or via e-mail to confidentialreporting@eastsussex.gov.uk
 - iii. The Fire Authority's Treasurer (01273 481600) or Monitoring Officer (01273 291500).
 - iv. External Auditor (0845 052 2646).
- 1.5 Members of the Public are also encouraged to report concerns through any of the above routes or, if appropriate, through the Fire & Rescue Service's Complaints Procedure.
- 1.6 If employees still feel unable to raise their concerns through any of the above internal routes then they may wish to raise them through Public Concern at Work (tel. 0207-404-6609), a registered charity whose services are free and strictly confidential.
- 1.7 Senior Management are responsible for following up any allegation of fraud or corruption received and will do so through clearly defined procedures. Arrangements will be made to:
 - i. Deal promptly with the matter.
 - ii. Record all evidence received.
 - iii. Ensure that evidence is sound and adequately supported.
 - iv. Ensure security of all evidence collected.
 - v. Contact the Fire & Rescue Service's Internal Auditor/Internal Audit Service. The Internal Auditor will arrange for the allegation to be investigated and, where appropriate, notify the Authority's Insurers; and
 - vi. Implement the Authority's disciplinary procedures where appropriate.
- 1.8 Senior management are expected to deal swiftly and firmly with those who defraud the Authority or who are corrupt. The Authority, including the Authority's Members, will be robust in dealing with financial malpractice.
- 1.9 There is, of course, a need to ensure that any investigation process is not misused and, therefore, any abuse such as raising unfounded malicious allegations may be dealt with as a disciplinary matter.

EAST SUSSEX FIRE AUTHORITY

CODE OF CONDUCT FOR EMPLOYEES

2. Prevention

2.1 Whistleblowing Policy

2.1.1 A related and updated Whistleblowing policy is appended (Section 2 Appendix A) which can be promulgated separately throughout the organisation, included on the Internet, Intranet and also included within future editions of the Employee Guide.

2.2 Employees

2.2.1 The Authority recognises that a key preventative measure in the fight against fraud and corruption is to take effective steps at the recruitment stage to establish, as far as possible, the previous record of potential employees in terms of their propriety and integrity. In this regard, temporary and contract employees should be treated in the same manner as permanent employees.

2.2.2 Employee recruitment is required, therefore, to be in accordance with procedures laid down by the Authority's People and Organisational Development Strategy (see section H of the Handbook) and its Personnel Manual Notes and Guidance documents. In particular, it is acknowledged in the latter that it is important to obtain written references regarding known honesty and integrity of potential employees before employment offers are made. Criminal Records Bureau (CRB) checks will also be undertaken in accordance with the policy.

2.2.3 Employees of the Authority are expected to follow any Code of Conduct related to their personal Professional Institute and also abide by the Authority's Code of Conduct for Employees which sets out the Authority's requirement on personal conduct. This Code forms part of the Authority's Personnel Manual Notes and Guidance documents and is referred to and attached to all Contracts of Employment.

2.2.4 The Authority has in place Disciplinary Procedures for all categories of employee and is subject to the ACAS Code of Practice on Disciplinary and Grievance Procedures which came into effect on 6 April 2009.

2.2.5 The role that appropriate employees are expected to play in the Authority's framework of internal control will feature in employee induction and continuation procedures.

2.2.6 Employees are reminded that they must comply with Section 117 of the Local Government Act 1972, regarding the disclosure of pecuniary interests in contracts relating to the Authority or the non-acceptance of any fees or rewards whatsoever other than their proper remuneration. These requirements are set out in the Authority's Contract Standing Orders and associated Financial Regulations, Code of Conduct for Employees, and in more specific operational Codes governing Contracting Procedures, Hospitality, Gifts, Private Work, Conflicts of Interest etc.

2.3 Members

2.3.1 On matters of conduct, Members are required to operate within:

- (1) The Localism Act 2011.
- (2) The Authority's Code of Conduct for Members, made in accordance with the Localism Act 2011.
- (3) The Authority's Standing Orders

EAST SUSSEX FIRE AUTHORITY CODE OF CONDUCT FOR EMPLOYEES

2.3.2 These matters and other guidance are specifically brought to the attention of Members in each Member's Handbook; the Handbook includes rules on the declaration and registration of Members' disclosable pecuniary interests and interests other than pecuniary interests, and guidance on other aspects of their duties as Members.

2.4 Internal Control Systems

2.4.1 The Authority has Standing Orders and Financial Regulations to which all employees must adhere. They provide the rules by which business is conducted and place requirements on employees, when dealing with the Authority's affairs, to act in accordance with best practice.

2.4.2 The Authority's Treasurer has a statutory responsibility under the East Sussex Fire Services (Combination Order) 1996 and Section 112 of the Local Government Finance Act 1988 to ensure the proper administration of the Authority's financial affairs, and has developed Financial Codes of Practice and Accounting Instructions which underpin Financial Regulations and outline the system, procedures and responsibilities of employees in relation to the Authority's financial activity. The Treasurer maintains a quality control on financial administration.

2.4.3 The Fire Authority is required to comply with its Statements on Internal Control (SICs) (which from 2007/08 has been an Annual Governance Statement (AGS)) as detailed in the Annual Statements of Accounts as supported by the Fire Authority's Internal Control Framework. This Anti Fraud and Corruption Strategy is an integral part of these arrangements.

2.4.4 To this effect, the Authority has developed and is committed to continuing with systems and procedures that incorporate efficient and effective internal controls; this includes adequate separation of duties to seek to reduce the risk of error and prevention of impropriety. Under Financial Regulations there is a need to ensure that such controls, including those for computer systems, are properly maintained and effective, and this would include that they are documented. The existence, appropriateness, and effectiveness of these internal controls are independently monitored by the Authority's Internal Audit Service.

2.5 Combining with Others

2.5.1 Arrangements are in place and continue to encourage the exchange of information between the Authority and other agencies on national and local fraud and corruption activity in relation to Local Authorities.

2.5.2 With the rapid increase in recent years of frauds perpetrated against a variety of local authorities and benefits agencies, which usually include fraudsters having multi-identities and addresses, the necessity to liaise between organisations has become paramount, and some of these include:

- i. Police/various Fraud Squads
- ii. Society of County Treasurers
- iii. Local Authority Chief Internal Auditors' groups and networks
- iv. Banks' and Building Societies' investigations units
- v. Local Government Association Knowledge Hub
- vi. Department of Communities and Local Government (CLG)
- vii. The Home Office UK Border Agency
- viii. H.M. Revenue and Customs
- ix. Department for Works and Pensions
- x. Other Outside Agencies.

EAST SUSSEX FIRE AUTHORITY CODE OF CONDUCT FOR EMPLOYEES

3. Detection and Investigation

- 3.1 The array of preventative systems, particularly internal control systems within the Authority, has been designed to provide indicators of any fraudulent activity, although generally they should be sufficient in themselves to deter fraud.
- 3.2 It is the responsibility of the Chief Fire Officer & Chief Executive and managers to prevent and detect fraud and corruption. However, it is often the alertness of employees and the public to such indicators that enables detection to occur and the appropriate action to take place when there is evidence that fraud or corruption may have been committed, or is in progress.
- 3.3 Despite the best efforts of managers and auditors, many frauds are discovered by chance or 'tip-off' and the Authority has in place arrangements to enable such information to be properly dealt with.
- 3.4 Employees of the Authority are required by its Financial Regulations to report all suspected irregularities to the Chief Fire Officer & Chief Executive, who in conjunction with the Treasurer, will take such steps as necessary by way of investigation and report. Reporting is essential to the Anti-Fraud and Corruption Strategy and ensures:
- i. Consistent treatment of information regarding fraud and corruption.
 - ii. Proper investigation by an independent and experienced audit team.
 - iii. The proper implementation of a fraud response investigation plan; and
 - iv. The optimum protection of the Authority's interests.
- 3.5 Depending on the legislative issue involved, nature and the anticipated extent of the allegations, the Internal Audit Service will normally work closely with management and other agencies, such as the Police, to ensure that all allegations and evidence are properly investigated and reported upon, and where appropriate, maximum recoveries are made for the Authority.
- 3.6 The Authority's Disciplinary Procedures will be used where the outcome of the Audit Investigation indicates improper behaviour by any employee.
- 3.7 Where financial impropriety is discovered, the Authority's presumption is that the Police will be called in. The Crown Prosecution Service determine whether a Police prosecution will be pursued. Referral to the Police is a matter for the Chief Fire Officer & Chief Executive in consultation with the Treasurer and Monitoring Officer. Referral to the Police will not prohibit action under the Disciplinary Procedure.
- 3.8 The External Auditor also has powers to independently investigate fraud and corruption, and the Authority can use their services for this purpose too.

4. Training

- 4.1 The Authority recognises that the continuing success of its Anti-Fraud and Corruption Strategy and its general credibility will depend largely on the effectiveness of programmed training and responsiveness of employees throughout the organisation.
- 4.2 To facilitate this, the Authority supports the concept of Induction and Continuation training, particularly for employees involved in internal control systems, to ensure that their responsibilities and duties in this respect are regularly highlighted and reinforced.
- 4.3 The possibility of disciplinary action against employees who ignore such training and guidance is clear.
- 4.4 The investigation of fraud and corruption centres on the Authority's Internal Audit Service. It is apparent, therefore, that employees involved in this work should also be properly and regularly trained; the training plans of audit employees will reflect this requirement.

EAST SUSSEX FIRE AUTHORITY CODE OF CONDUCT FOR EMPLOYEES

5. Conclusion

- 5.1 The Authority has in place a clear network of systems and procedures to assist it in the fight against fraud and corruption. It is determined that these arrangements will keep pace with any future developments, in both preventative and detection techniques regarding fraudulent or corrupt activity that may affect its operation or related responsibilities.
- 5.2 To this end, the Authority maintains a continuous overview of such arrangements and, in particular, through its Treasurer, the Standing Orders and Financial Regulations, various Codes of Conduct and Financial Practice, Accounting Instructions and audit arrangements.
- 5.3 This Policy Statement will be subject to review to ensure currency.

EAST SUSSEX FIRE AUTHORITY CODE OF CONDUCT FOR EMPLOYEES

Section 1 Appendix A

WHISTLEBLOWING POLICY

A Confidential Reporting Policy for employees and as a guide for others

1. Independent Advice

- 1.1 If you are unsure whether to use this policy you should seek advice either from the Director of Financial Services or Internal Audit.
- 1.2 If you would like independent advice at any stage, you may contact:
 - your representative body;
 - professional associations;
 - the independent charity Public Concern at Work (www.pcaaw.co.uk) on 020 7404 6609 or email helpline@pcaaw.co.uk. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.

2. Introduction

- 2.1 East Sussex Fire Authority operates within legal requirements and regulations and is committed to the highest standards of openness, honesty and accountability. The Fire Authority, therefore, expects its employees to behave appropriately by adhering to all relevant laws, regulations, policies and procedures. In line with that commitment, the Fire Authority expects and encourages any employee becoming aware of another employee acting inappropriately, corruptly or illegally to come forward and voice those concerns.
- 2.2 The policy incorporates the provisions that are required from the Public Interest Disclosure Act 1998, which protects members of staff against detrimental treatment or dismissal as a result of the disclosure of normally confidential information in the interests of the public.

3. Benefits of this policy

- 3.1 The Whistleblowing Policy aims to:
 - encourage and enable individuals to feel confident in raising concerns and to question and act upon any concerns;
 - provide avenues for individuals to raise concerns and receive feedback on any action taken;
 - ensure that individuals receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied; and
 - reassure individuals that they will be protected from reprisals or victimisation for raising concerns in good faith.

4. Scope

- 4.1 This policy applies to all employees and contractors, consultants and agency workers working on, for, or on behalf of, the Fire Authority.
- 4.2 Local Benevolent/Firefighters Charity Fund and Social Club bodies indirectly associated with the Fire Authority are recommended to adopt this policy as a framework for introducing the requirements of this policy in their activities, in the absence of any other provisions.

EAST SUSSEX FIRE AUTHORITY CODE OF CONDUCT FOR EMPLOYEES

- 4.3 This procedure outlines a separate route through which employees can raise concerns that fall outside the scope of the Fire Authority's other complaints procedures. It is distinct from the Fire Authority's Grievance Procedure which enables employees to lodge a grievance relating to their employment, and the Harassment at Work Policy which includes a procedure for dealing with claims of harassment and bullying. The types of concern covered by the Whistleblowing Policy include:
- conduct which is an offence or a breach of law
 - disclosures related to miscarriages of justice
 - health and safety risks, including risks to the public as well as other employees
 - damage to the environment
 - the unauthorised use of Fire Authority funds
 - action that is contrary to the Fire Authority's financial procedures or contract regulations
 - possible fraud, corruption or financial irregularity
 - practice which falls below established standards or practice
 - other unethical conduct.
- 4.4 If you work for a company that has a contract with the Fire Authority then you can also raise concerns under this policy.
- 5. Supporting you to raise a concern**
- 5.1 **Harassment or Victimisation:** The Fire Authority will not tolerate harassment or victimisation and will take action to protect individuals who raise concerns in good faith. This protection is in addition to the legal protection provided by the Public Interest Disclosure Act 1998. The effect of raising a concern under this policy on any disciplinary or redundancy procedures will be considered on a case by case basis.
- 5.2 **Confidentiality:** Individuals are encouraged to put their name to any allegation. However, if you ask us not to reveal your identity by keeping your confidence, we will not disclose it without your consent. If the situation arises where we are not able to resolve the concern without revealing your identity (for instance because your evidence is needed in court), we will discuss with you whether and how we can proceed.
- 5.3 **Untrue Allegations:** The Fire Authority is committed to this policy. If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of retribution as a result provided that:
- the disclosure is made in good faith, it does not matter if you are mistaken;
 - you reasonably believe that information, and any allegations contained in it, are substantially true; and
 - you raised your concerns through one of the channels named in this policy.
- 5.4 However, we cannot give such assurance if you raise a concern maliciously or the information you have used to trigger a concern has been obtained unlawfully, for example:
- legal requirements have not been followed, e.g. the Data Protection Act has been breached; or
 - through unauthorised access to records, e.g. computer hacking.

EAST SUSSEX FIRE AUTHORITY CODE OF CONDUCT FOR EMPLOYEES

6. How to raise a concern

- 6.1 As soon as you become reasonably concerned, we hope you will feel able to raise it first with your Line Manager. Similarly, non-employees (e.g. agency workers or contractors) should raise a concern in the first instance with their contact within the Fire Authority, usually the person to whom they directly report.
- 6.2 If you want to raise the matter with someone other than your immediate manager, for whatever reason, please raise the matter with:
- i. Head of Finance & Procurement (01323 462200)
 - ii. The Fire Authority's Internal Audit Service 01273 481447 (day time) or 01273 481995 (24 hour phone/answerphone) or via e-mail to confidentialreporting@eastsussex.gov.uk
 - iii. The Fire Authority's Treasurer (01323 462054) or Deputy Monitoring Officer (01273 291509).
 - iv. External Auditor (0118 928 1556).
- These people will also be able to advise on confidentiality and further action required.
- 6.3 If these channels have been followed but you still have concerns or if you feel that the matter is so serious that you cannot discuss it with any of the above, you may, as a last resort, contact the Chief Fire Officer & Chief Executive.
- 6.4 Concerns may be raised orally or in writing. Members of staff who wish to raise the concern in writing should use the following format:
- the background and history of the concern (giving relevant dates)
 - the reason why they are particularly concerned about the situation.
- 6.5 When raising the concern you may wish to be assisted, or accompanied by either your trade union representative or a colleague who works for the Fire Authority.
- 6.6 Although the individual raising the concern is not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for the concern.

7. How the Fire Authority will respond

- 7.1 Once a concern is raised, the appropriate ESFRS manager will make initial enquiries, taking advice from the Director of Financial Services, if necessary, to help decide if an investigation is appropriate and if so, what form it should take. The person receiving the concern will ensure the Monitoring Officer is provided with sufficient details to be aware of the concern raised. As soon as possible, and in any case within 10 working days of a concern being raised, the person handling the matter will write to the individual raising the concern acknowledging that it has been raised and indicating how, as far as possible, it will be dealt with. The individual will be kept informed of progress and will receive a full and final response, subject to any legal constraints.
- 7.2 When you raise the concern(s) you may be asked how you think the matter might best be resolved. If you have any personal interest in the matter, we ask that you tell us this at the outset. If your concerns would be more appropriately dealt with under another policy of the Fire Authority (for example, the Complaints Procedure, Equalities and Fairness Policy, Anti Fraud & Corruption Policy, Grievance or Harassment Policies), we will tell you.
- 7.3 It is the purpose of this policy to provide a clear framework within which concerns can be raised and taken forward by way of investigation of possible malpractice and to take appropriate steps to deal with it.
- 7.4 Concerns or allegations that fall within the scope of specific procedures (for example contract management) will normally be referred for consideration under the relevant procedure. Some concerns may be resolved by agreeing action with you without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

EAST SUSSEX FIRE AUTHORITY CODE OF CONDUCT FOR EMPLOYEES

- 7.5 Where appropriate, the matters raised may:
- be investigated by management, internal audit, the Monitoring Officer or through the disciplinary process;
 - be referred to the Police;
 - be referred to the external auditor; or
 - form the subject of an independent inquiry.

Subject to any legal constraints, and whilst the Fire Authority must act in confidence in relation to any disclosure made under this Policy, it will try to inform you of the outcome of any investigation, wherever possible.

- 7.6 The Fire Authority will take all reasonable steps to minimise any difficulties to employees or others raising concerns and provide advice and support should they be required to give evidence, e.g. at a disciplinary hearing by:
- providing extra support for witnesses or
 - offering counselling services where they may be beneficial etc.

8. How the matter can be taken further

- 8.1 This policy is intended to provide individuals with an avenue to raise concerns within the Fire Authority. The Fire Authority hopes that those using this process will be satisfied with the way their concerns are treated and any investigations that may be carried out. However, if you are not satisfied and feel it is right to take the matter outside the Fire Authority, the Director of Financial Services can provide advice as to other options. Alternatively, you may contact an outside body to take the matter further. The following are examples of some of the possible contact points:

- the Audit Commission (as the Fire Authority's external Auditor)
- relevant professional bodies or regulatory organisations
- a solicitor
- the independent charity Public Concern at Work (www.pcaw.co.uk) on 020 7404 6609
- the Police.

- 8.2 If you do take the matter outside the Fire Authority, you need to ensure that confidential information is not disclosed.

9. Corporate recording, monitoring and reviewing

- 9.1 The Assistant Chief Officer has overall responsibility for the maintenance and operation of this policy and for ensuring it is reviewed every two years by involving key stakeholders in the process.
- 9.2 A record of all concerns raised and the outcomes (in a form which respects the individual's confidentiality) will be kept by the Assistant Chief Officer.

10. If you are dissatisfied

- 10.1 If you are unhappy with our response, remember you can go to the other levels and bodies detailed in this policy.
- 10.2 While we cannot guarantee that we will respond to all matters in the way that you might wish, we will try to handle the matter fairly and properly.

EAST SUSSEX FIRE AUTHORITY CODE OF CONDUCT FOR EMPLOYEES

Section 2

Code of Conduct for Fire Authority Employees

Introduction

- (i) The work you are employed to do for the Authority is paid for by public money. You are accountable to the public for your behaviour, actions and decisions. The public is entitled to expect the highest standards of conduct from you and all employees (full time, part time, temporary and casual) who work for the Authority. This Code outlines existing laws, regulations and conditions of service and provides standards and rules for you to follow in your day to day work.
- (ii) This Code reproduces points of principle which have applied in local government for very many years but it also deals with challenges that you might well face in the new and more commercially oriented environment. These include the introduction and extension of Best Value (BV), externalisation, market testing, delegated management, changes in the management of the fire and rescue service, etc.
- (iii) This Code explains your obligations resulting from particular legal, operational and service requirements which apply to all local government employees. It explains how you are expected to deal with any conflicts of interests, confidential matters and offers of gifts or hospitality. **You must follow these guidelines and it is important that you understand that any deliberate breach will be viewed as a serious disciplinary matter which could lead to dismissal and prosecution for a criminal offence.**
- (iv) The contents are limited to deal with specific issues. However, other acts of misconduct not covered will be appropriately dealt with through the agreed disciplinary procedures.
- (v) This Code deals only with the standard of behaviour expected of you as an employee. There are other codes which are important for you to understand and which you should read alongside this one:
 - (1) **The Code of Conduct for Member and Employee Relations** - This deals with the relationship between you and Members of the Authority.
 - (2) **The Code of Conduct for Members** – The Authority's local Code sets out standards of conduct and behaviour for Members of the Authority.
 - (3) **The Anti Fraud and Corruption Strategy** – which sets out the arrangements that the Authority has made to combat fraud and corruption.
[Note: A Whistleblowing Policy has also been approved which is attached as Appendix A in the previous Section 2 The Anti Fraud and Corruption Strategy.]
 - (4) **The Complaints Procedure** - A procedure for members of the public to complain about services or actions of the Authority.
 - (5) **Standing Orders, Financial Regulations, Employees' Scheme of Delegated Powers** – which are particularly relevant for all employees whose work involves finance, contracts or making administrative decisions.
- (vi) The basic principles on which this Code is built are that:-
 - (a) You will perform your duties with honesty, integrity, impartiality and objectivity.
 - (b) You will be accountable to the Authority for your actions.
 - (c) You will treat others with fairness, dignity and respect, not discriminate unlawfully against any person and treat Members and Co-opted Members of the Authority professionally.

EAST SUSSEX FIRE AUTHORITY CODE OF CONDUCT FOR EMPLOYEES

- (d) You will use public funds in a responsible and lawful manner and not make use of the personal property or facilities of the Authority unless properly authorised to do so.
- (e) You will not allow your personal interests to conflict with the Authority's requirements or use your position improperly to confer an advantage or disadvantage on any person.
- (f) You will register or declare (as required by the Authority) all interests, hospitality, benefits or gifts which may relate to or be received as a consequence of your employment.
- (g) You will at all times act in accordance with the trust the public is entitled to place in you.
- (vii) You must always think how your actions would look to the residents of East Sussex and the City of Brighton & Hove. Would they be seen to be in the best interests of the public? Would you be able to explain your role? For example you must be able to show that:
 - (a) You have made decisions, chosen purchases and awarded contracts on merit and in the best interests of the Authority.
 - (b) You have not accepted money or other benefits from individuals or organisations in circumstances that would appear to have influenced your decisions for the Authority.
 - (c) You, your family or your friends have not gained improper financial or other benefits from the decisions or action you have taken whilst working for the Authority.
- (viii) If you are at all uncertain, you should be guided by the key principle that even if your actions, decisions or behaviour are proper, others must be able to see that you are above suspicion and any appearance of improper conduct.
- (ix) You are both entitled to and expected to seek advice from the Authority's Officers referred to in paragraph 1.3.
- (x) If you have any concerns about your own personal financial affairs you may wish to seek advice from the Authority's Head of Human Resources.

1. Standards

- 1.1 The local government service is justifiably proud of its high standards of official conduct and is concerned that they should be maintained. As an employee of the Authority you have a part to play in ensuring that these high standards continue to be met.
- 1.2 You are expected to give the highest possible standard of service to the public and, where it is part of your duties, to provide appropriate advice to Members of the Authority and fellow employees with impartiality. You are expected, through agreed procedures and without fear of recrimination, to bring to the attention of your line manager any impropriety or breach of procedure.
- 1.3 If for any reason you do not feel that it is appropriate to express your concern to your line manager, you should inform either the Chief Fire Officer & Chief Executive, Monitoring Officer, Treasurer, Internal Audit Service, External Auditor, your Representative Body or Public Concern at Work (an independent charitable organisation established for this specific purpose - Tel No: 0207 404 6609).
- 1.4 All genuine concerns will be treated confidentially and you will not be penalised in any way.
- 1.5 There is, of course, a need to ensure that any investigation process is not misused, and, therefore, any abuse, such as maliciously raising false allegations, may be dealt with as a disciplinary matter.

EAST SUSSEX FIRE AUTHORITY CODE OF CONDUCT FOR EMPLOYEES

2. Disclosure of Information and Confidentiality

- 2.1 It is generally accepted that open government is best. The law requires that certain types of information must be available to Members, auditors, government departments, service users and the public. Under the Authority's approved Freedom of Information Policy the degree to which information is open has been defined. You must ensure that you are aware of this and you must act accordingly. You must not prevent any person from gaining access to information to which that person is entitled by law. If you are in any doubt please consult your line manager.
- 2.2 No confidential information should be released to the public, including other organisations or Members, without authorisation from your line manager. There is a separate Manual Note on both Data Protection Act and Freedom of Information Act related issues, as well as a guidance leaflet available for staff. (Contact reference 01323 462053)
- 2.3 You must not use any information obtained in the course of your employment for personal gain or benefit, nor should you pass it on to others who might use it in such a way. Any information which you might receive from a Member relating to their personal/private affairs and which does not belong to the Authority should not be divulged without the prior approval of that Member, except where such disclosure is required or sanctioned by the law.
- 2.4 Where information is covered by any statutory provisions, such as the Data Protection Act, those must also be adhered to. Treat all personal data with care, use it only for the purpose for which it was obtained and do not pass it on to anyone who is not authorised to have it. You may render yourself, as well as the Authority, liable to prosecution if you wrongly disclose personal data. If you need advice on data protection issues, contact the Authority's Data Protection Officer, the role being vested with the Assistant Chief Fire Officer.
- 2.5 You must not deal direct with the press or the media unless required to do so as part of your duties, or you have been expressly authorised by your line manager. Separate advice on this is available on request.

3. Political Neutrality

- 3.1 You serve the Authority as a whole. It follows you must serve all Members and not just those of the controlling political group, and you must ensure that the individual rights of all Members are respected.
- 3.2 You must not be involved in advising any political group of the Authority or attend any of their meetings in an official capacity without the express consent of the Chief Fire Officer & Chief Executive.
- 3.3 You must follow every lawfully expressed Authority policy and must not allow your own personal or political opinions to interfere with your work. If you believe that a policy is unlawful you must contact the Chief Fire Officer & Chief Executive.
- 3.4 As an employee of the Authority you are not eligible to stand for office as a Member of the Authority. Subject to paragraph 3.5 below, involvement in other local government activities is not precluded provided you declare any conflict of interest to the Chief Fire Officer & Chief Executive who will indicate what is permissible within existing legislation.

EAST SUSSEX FIRE AUTHORITY

CODE OF CONDUCT FOR EMPLOYEES

3.5 In addition, a range of posts are prohibited from political activity as defined in the Local Government and Housing Act 1989. The Act makes violation of these rules a breach of contract to which the Authority's disciplinary procedures would apply. Banned political activity includes:

- i. canvassing at elections;
- ii. speaking in public or publishing work which appears intended to influence public support for a political party; and
- iii. standing for election as an MP, MEP, or Councillor of a District, County or Unitary Council.

Those employees concerned are notified separately. Any queries or requests for exemption must be made to the Chief Fire Officer & Chief Executive.

4. Relationships

4.1 Members

4.1.1 If your duties bring you into regular contact with Members, you should be aware that they are required to observe the Members' Code of Conduct referred to in the Introduction. It includes provisions regulating their behaviour towards employees, such as you, and members of the public. You should also familiarise yourself with the Code of Conduct for Member and Employee Relations, also mentioned in the Introduction. This regulates the relations between you as an employee and Members.

4.1.2 In both Codes, respect between Members and employees is a key component. This respect should be mutual.

4.2 The Local Community and Service Users

4.2.1 You must always remember your responsibilities to the community which you serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the Authority.

4.3 Contractors

4.3.1 You must make known to your line manager in writing all relationships of a business or private nature with existing contractors, or potential contractors. Orders and contracts must be awarded on merit.

4.3.2 You must ensure that no special favour is shown to current or recent former Members or employees of the Authority, or their partners, close relatives or associates in awarding any work, orders or contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

4.3.3 No special favour should be shown to businesses in which you have a financial interest or which are run by, for example, your friends, partners or relatives. If you have such an interest you must not be involved in any way in awarding any work or orders.

4.3.4 If you engage or supervise or work with contractors and have previously had or currently have some form of connection in a private, social, domestic or work/professional capacity, you must declare that relationship to your line manager in writing.

EAST SUSSEX FIRE AUTHORITY CODE OF CONDUCT FOR EMPLOYEES

4.4 Equality, Dignity and Fairness for All

4.4.1 You must ensure that the Authority's equality, dignity and fairness policies are complied with in conjunction with the requirements of the law. All members of the local community, customers and other employees have a right to be treated with equality, dignity and fairness. You should not cause any person harassment, alarm or distress through any means of contact with them. Not only is it a criminal offence to harass another person on any grounds, it is also a disciplinary offence in the Authority.

4.4.2 The Authority is committed to ensuring the provision of equality of opportunity, dignity and fairness for all staff, and is determined to ensure that no job applicant, employee, or member of the community receives less favourable treatment on the basis of the following: Race; Sex; Colour; Ethnic or National Origin; Marital Status; Parental Status; Sexual Orientation; Trade Union Activity; Political Beliefs; Religion; Disability; Age; and any other condition or requirement which cannot be shown to be justified.

The following statements of values have been adopted by all employees of the Authority:

“East Sussex Fire & Rescue Service is undergoing a cultural change that ensures the organisation engages with the whole work force in a way that recognises and values the contribution made by all members of staff. To achieve this, every member of the Service must treat colleagues and members of the public, with dignity and respect.

The Service has adopted a set of core values that are supported by continued training about cultural awareness and diversity.

Respect and dignity for all

- i. We treat our colleagues and all members of our community in a way that values their individuality***
- ii. We will challenge discrimination and inappropriate behaviour at all levels***

Trust, integrity, initiative and innovation

- i. We are honest and trust each other***
- ii. We encourage initiative and lateral thinking***

Serving our whole community

- i. We are here to provide a professional and efficient service to our community***
- ii. We will provide value for money***

We are proud of our fire and rescue service and enjoy working in a positive environment

- i. We enjoy the work we do, and we work towards the continual improvement of ourselves and our service***
- ii. We encourage and will manage constructive challenge***
- iii. We will be a good employer***

East Sussex Fire & Rescue Service aims to have a diverse workforce, which reflects the communities we serve and ensures all members of the community are treated equally and with fairness and respect. As a public service, we recognise our responsibility to communicate with and engage all sections of the community in order to better understand emerging needs.”

EAST SUSSEX FIRE AUTHORITY CODE OF CONDUCT FOR EMPLOYEES

- 4.4.4 You are entitled to expect fair and reasonable treatment by other employees and Members of the Authority. If you feel that you have been unfairly treated, discriminated against or harassed, you are entitled to make use, as appropriate, of the Authority's grievance procedure or the procedures in the Code of Conduct for Member and Employee Relations.
- 4.4.5 You are also entitled to be treated with respect by clients, service users and members of the public. If you feel that their behaviour is unreasonable in the circumstances, you are entitled to terminate the contact, providing that you do so without further antagonising the situation, and that you give notice of your intention. You must always report such actions to your line manager and make a record of the incident.
- 4.4.6 You must not treat another employee of the Authority less favourably than other employees because you believe that the employee intends to take or has taken any steps to report misconduct to the Authority.

5. Appointment and Other Employment Matters

- 5.1 If you are responsible for appointing employees, you must ensure that these appointments are made on the basis of merit. It would be unlawful for you to make an appointment based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, you should not be involved in an appointment where you are related to an applicant, or have a close personal relationship outside work. You must not canvass on behalf of any applicant.
- 5.2 Similarly, you must not be involved in decisions relating to discipline, capability, grievances, promotion, pay or other adjustments to contract terms and conditions for any other employee who is a relative, partner, close friend etc.

6. Appointments Following Retirement, Resignation or Lawful Termination of Employment

- 6.1 The Authority is concerned to safeguard the integrity of the workings of local government and to avoid even the appearance of impropriety among the Authority's employees. It is in the public interest that people with experience of public administration should be able to move into business and other bodies. However, it is important, whenever an Authority's employee accepts a particular outside appointment, that there should be no cause for any suspicion of impropriety. The rules set out in Appendix A to this code safeguard from criticism both the Authority and individual employees. The rules apply to appointments in the United Kingdom and the European Union.

7. Outside Commitments, Personal/Business Interests and Use of Authority Facilities

- 7.1 Your off duty hours are your own personal concern. However, you must not put yourself in a position where your job and personal interests conflict.
- 7.2 You must notify the Chief Fire Officer & Chief Executive in writing of your membership of any organisation which:
 - i. may seek to influence the policies of the Authority, for example a local campaigning group (but excluding any representative body or professional body membership)

EAST SUSSEX FIRE AUTHORITY CODE OF CONDUCT FOR EMPLOYEES

- ii. is either not open to the public without formal membership and commitment of allegiance or has secrecy about rules of membership or conduct, for example, freemasons.

The Chief Fire Officer & Chief Executive will keep the information in a register available for inspection by any Member of the Authority.

- 7.3 The Authority will not attempt to preclude employees from undertaking additional employment provided it does not conflict with the law, the Authority's interests or in any way weaken public confidence in the Authority. All Authority employees are specifically required to obtain consent in writing from the Head of Human Resources acting on behalf of the Chief Fire Officer & Chief Executive in advance, on each occasion, if they wish to engage in any other business or take up any additional employment. (A separate Manual Note exists for further assistance).
- 7.4 You must not undertake yourself or on behalf of another business or local Authority (whether for payment or otherwise) any duties or work of a type that you normally undertake for the Fire and Rescue Service without the prior written agreement of the Chief Fire Officer & Chief Executive.
- 7.5 You must not use Fire & Rescue Service time or facilities (vehicles, computing equipment etc.) in connection with any other outside work or activity (paid or unpaid) that you undertake unless you have the written permission of your Directorate Head acting on behalf of the Chief Fire Officer and Chief Executive. The use of the telephone will only be permitted in very exceptional circumstances in accordance with Fire & Rescue Service instructions provided that such use is disclosed and paid for.
- 7.6 You will be required to follow the Authority's rules on the ownership of intellectual property or copyright. Unless otherwise agreed in writing, if you have invented or written something at work, it will belong to the Authority. You must also make sure that you do not breach the copyright held by others so that if you wish to copy the work of others you should seek their permission and acknowledge the source.
- 7.7 You must declare in writing to your line manager any financial or non-financial interests that you consider could bring about conflict with the Authority's interests. This includes interests that may arise through your partner, family or close friends.
- 7.8 You must inform your line manager, in writing, if you become aware that the Authority is entering a contract or taking a decision in which you have a direct or indirect financial interest. (If you hold a comparatively small number/value of shares in a public limited company (PLC), or if the decision is one about pay and conditions of service with the Authority you are not required to inform the Authority.)
- 7.9 There is a separate guidance note on the use of computers, e-mail and internet facilities and you should refer to this and abide by it. In particular, you should not introduce any disks, memory sticks or CD roms that are not supplied by the Authority or from a source approved by the Information Management Department (for which further checks may be required before the system can be used). Also, the e-mail and internet facilities are to be used for relevant business issues connected with your work for the Authority.
- 7.10 You may be invited to address conferences or make presentations about your area of work. If you are asked to address a conference or make a presentation you must consult your line manager before you accept the request, as there may be some occasions when the Authority would not wish to be officially associated with the organising body. If your involvement is approved, you must not personally accept fees for such work, but you may accept expenses and/or the ability to attend the full conference. There may be exceptions whereby your own time and resources are being used and you can be paid for the work. You should nonetheless seek your line manager's agreement in writing before accepting a fee.

EAST SUSSEX FIRE AUTHORITY CODE OF CONDUCT FOR EMPLOYEES

8. Corruption

- 8.1 It is an offence to offer, promise or give a financial or other advantage with the intention of inducing that person to perform improperly a 'relevant function or activity' or to reward that person for doing so. It is also an offence to offer, promise or give a financial or other advantage where the person doing so 'knows or believes' that the acceptance of the advantage would itself constitute the improper performance of a 'relevant function or activity'. In both cases, it does not matter whether the advantage is offered, promised, or given directly or through a third party.
- 8.2 It is an offence to agree to request, receive or accept a financial or other advantage with the intention that a 'relevant function or activity' should be performed improperly and it does not matter whether the advantage is received directly or through a third party.
- 8.3 It is also an offence to offer, promise or give a bribe to a foreign public official. The person giving the bribe must intend to influence the recipient in the performance of his or her functions as a public official, and must intend to obtain or retain business or a business advantage. Foreign public officials include both government officials and those working for international organisations.
- 8.4 You would also render yourself liable to disciplinary proceedings and dismissal. If an allegation were made, the Fire Authority would require you to demonstrate that you have not received, nor offered, nor given, any reward.

9. Gifts

- 9.1 You should ensure that in no way do you (or any other member of your family) become involved in any conflict of interest in your duties. You must not, either directly or indirectly, accept any gift, reward or benefit from any member of the public or any organisation with whom you are brought into contact by reason of your duties other than:
- i. Modest gifts or gifts of a promotional nature, e.g. calendars, diaries and other similar articles (up to an estimated value of £25); and
 - ii. Small gifts on the conclusion of any official courtesy visit to a firm of a sort normally given by that firm.
- Any other gifts offered or delivered should be returned with a polite and courteous explanation.
- 9.2 All gifts and offers of gifts (including inducements such as air miles, vouchers etc. and including those declined) must be notified in writing to your line manager and an appropriate entry made in the Register of Hospitality/Gifts which is maintained by the Chief Fire Officer & Chief Executive's Personal Assistant.
- 9.3 Obviously, it is wise to err on the side of caution. A gift which is clearly expensive should raise a question, even if it otherwise falls within one of the categories in 9.1 above. If in doubt, the advice of your line manager should be sought. The guiding principle should be 'when in doubt, opt out'. The best safeguard against impropriety or suspicion of impropriety is complete openness.
- 9.4 The same rules as above shall apply to bequests which must be refused unless of a token nature or unless there are special circumstances approved by the Chief Fire Officer & Chief Executive.

EAST SUSSEX FIRE AUTHORITY

CODE OF CONDUCT FOR EMPLOYEES

10. Hospitality

- 10.1 You should exercise discretion in offering and accepting hospitality. You should bear in mind how it might affect your relations with the person offering it and how it might be viewed by Members, other potential suppliers/contractors the public and other employees of the Authority. The criteria which determines whether you should accept hospitality from firms or other organisations include:
- i. Whether the invitation comes from a firm likely to benefit from the goodwill of the Authority or from a charity or other organisation which does not have the same kind of vested interest in the outcome.
 - ii. Whether the firm is seeking a contract, or one has already been awarded.
 - iii. Whether the visit is genuinely instructive or constitutes more of a social function.
 - iv. The scale and location of hospitality, and whether it falls within working hours.
 - v. The frequency of the hospitality.
 - vi. Whether it is directed just at you or to a group.
- 10.2 All hospitality must be notified in writing to your line manager and authorised in advance. All offers of hospitality, including those declined, should be entered in the Register of Hospitality/Gifts which is maintained by the Chief Fire Officer & Chief Executive's Personal Assistant.
- 10.3 When hospitality has to be declined the person offering it should be courteously but firmly informed of the procedures and standards operating within the Authority.
- 10.4 It is always a matter of judgement and commonsense. As a general guide, you should avoid a situation where you are personally entertained by those who want or are likely to want something from you or from the Authority.
- 10.5 Below are some broad guidelines on what is generally acceptable and unacceptable.

Acceptable

- (i) modest working lunches provided that their purpose is to continue the work underway in the meeting
- (ii) attendance in an official capacity at functions to which invitations have been sent to other local authorities
- (iii) attendance in an official capacity at functions arranged by local public service bodies and other public authorities

Unacceptable

- (i) holidays or weekends away
- (ii) the use of a company flat or suite
- (iii) lunch with a developer who is applying for planning permission
- (iv) tickets to theatre, concerts or sporting events

11. Use of Financial Resources

- 11.1 You must ensure that you use public funds entrusted to you, or for which you are responsible, in a responsible and lawful manner and in accordance with the Authority's Financial Regulations. You should strive to ensure value for money to the local community and to avoid legal challenge to the Authority.

EAST SUSSEX FIRE AUTHORITY CODE OF CONDUCT FOR EMPLOYEES

12. Sponsorship - Giving and Receiving

- 12.1 When an outside organisation wishes to sponsor or is being asked to sponsor an Authority activity, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with suppliers or contractors or potential suppliers or contractors.
- 12.2 Where the Authority wishes to sponsor an activity neither you nor your partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to your line manager in advance of any such interest and permission in writing sought. Similarly, where the Authority (through sponsorship, grant aid, financial or other means), gives support in the community, you must ensure that impartial advice is given and that there is no conflict of interest involved.

13. Conclusion

- 13.1 It is not possible to prepare a Code of Conduct that will enable you to deal with every situation you may face. However, this Code does establish broad principles that are essential if confidence in the integrity of local government employees is to be maintained. These have been brought to the attention of all employees. Any breach of the Code will be viewed as a serious disciplinary matter that could render you liable to dismissal and/or in some cases prosecution.
- 13.2 If you have any doubts about anything contained in this Code, and are concerned about anything relating to your personal position, you are advised to seek clarification from your line manager or such other person/organisation specified in paragraph 1.3.

**EAST SUSSEX FIRE AUTHORITY
CODE OF CONDUCT FOR EMPLOYEES**

Section 2 Appendix A

Appointments Following Retirement, Resignation or Lawful Termination of Employment from East Sussex Fire Authority

1. In order to safeguard the integrity of the administration of the Authority, and in order to counter any suspicion of impropriety in, inter alia, the contracting process for local Authority works and services, the Authority requires you as an employee or ex-employee to obtain the approval of the Chief Fire Officer & Chief Executive before accepting any offer of employment in business or other bodies outside the Authority which would commence within two years of leaving the employment of the Authority, whether full or part time, or before establishing a consultancy in the following circumstances:
 - i. If you have had any material official dealings with your prospective employer (who, for the purpose of applying any of the clauses of these rules could be any organisation, individual or related undertaking including parent and subsidiary undertakings and associated undertakings as well as partners in joint ventures) during the last two years of employment with the Authority; or
 - ii. if you have had any material official dealings of a continued or repeated nature with your prospective employer during the last two years of employment with the Authority; or
 - iii. if you have had access to commercially sensitive information of competitors of your prospective employer in the course of your official duties; or
 - iv. if you have been substantially involved in negotiations on behalf of the Authority in respect of any commercial or contractual arrangements with an external body or party; or
 - v. if, during the last two years of your employment with the Authority your official duties have involved advice or decisions benefiting that prospective employer, for which the offer of employment could be interpreted as a reward, or if your official duties have involved developing policy, knowledge of which might be of benefit to the prospective employer; or
 - vi. if you are to be employed on a consultancy basis, either for a firm of consultants or as an independent self-employed consultant, and you have had any dealings of a commercial nature with outside bodies or organisations in your last two years of employment with the Authority.
2. Approval for appointment to any position falling within the scope of these rules shall not be withheld unreasonably. In considering whether to approve an appointment, the Chief Fire Officer & Chief Executive will take into consideration the following matters:
 - i. The relationship of the Authority to the prospective employer.
 - ii. The relationship between you and the prospective employer during the course of the applicant's employment with the Authority.
 - iii. The possibility that you may have had access to trade secrets and/or confidential information about one or more of the prospective employer's competitors during the course of employment with the Authority.
 - iv. Your degree of seniority within the Authority.
 - v. Any other relevant factors.
3. It will be open to those considering applications to recommend unqualified approval or to recommend approval subject to any waiting periods less than two years or other conditions which are appropriate to the particular circumstances of your application (your seniority as an employee and the prospective employer).