

Buckinghamshire & Milton Keynes Fire Authority

Code of Conduct for Employees

Policy Statement

This Code had been produced in the light of national guidance and replaces previous codes such as the Code of Conduct on Commercial Practices, Gifts & Hospitality. This code sets out the principles by which all staff are expected to undertake their professional duties. The procedure for dealing with any cases of misconduct is as set out in the staff discipline policy.

Department: Human Resources

Approval date: 02 June 2006

Issue number: 1.0

Issue date:

Review date:

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Department: Human Resources

Approval date: 02 June 2006

Issue number: 1.0

Issue date:

Review date:

CODE OF CONDUCT FOR EMPLOYEES

1. *Introduction*

- 1.1 This Code had been produced in the light of national guidance and replaces previous codes such as the Code of Conduct on Commercial Practices, Gifts & Hospitality. This code sets out the principles by which all staff are expected to undertake their professional duties. The procedure for dealing with any cases of misconduct is as set out in the staff discipline policy.
- 1.2 The Code takes account of the challenges that we all face in the present public sector environment and the more open engagement with the private sector. These include the introduction and extension of public private partnerships market testing, the introduction of a 'best value approach', and greater scrutiny through audit.
- 1.3 This Code of Conduct is intended as a guide for employees on the standards that are expected. It is not intended to be exhaustive, but rather to give an indication of the areas that may fall within the scope of the Code of Conduct. If you have any concerns about the application of this Code, you should seek the advice of your manager, the Director of Governance, or the Authority Monitoring Officer
- 1.4 The Director of Governance holds responsibility for the production and monitoring of this code

2. *Standards*

- 2.1 As an employee of the Buckinghamshire & Milton Keynes Fire Authority [BMKFA], 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 councillors and other employees with impartiality.
- 2.2 If you have any concern about impropriety or breach of procedure you must report this to your manager.
- 2.3 You are expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service. A Confidential Reporting Policy is available for use in appropriate circumstances.

Department: Human Resources

Approval date: 02 June 2006

Issue number: 1.0

Issue date:

Review date:

- 2.4 The Authority has published standing orders and financial regulations, which describe important rules and standards. Copies of these documents are available via line managers or the Governance Directorate, and all employees are required to work in accordance with them.
- 2.5 If you are convicted of any criminal offence that you consider may be relevant to your employment while employed by the Authority, you must inform your manager. If you are unsure about whether or not an offence should be disclosed, you should discuss this with your manager.
- 2.6 The Code is intended to help to maintain and improve standards and protect employees from misunderstanding or criticism. However, a failure to comply with the Code will be investigated and could lead to disciplinary action.
- 2.7 The additional responsibilities of the Chief Fire Officer, Directors and other principal staff are attached as **Appendix C**.

3. Relationships

Councillors

- 3.1 Employees are responsible to the Authority through their senior managers. Your role may require you to give advice to councillors on the Fire Authority, independent members of the Fire Authority and members of other Authorities. Mutual respect between employees, Councillors and independent members is essential to Local Government. Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors. It should therefore be avoided.

The Local Community and Service Users

- 3.2 As an employee of the Authority, you should always remember your responsibilities to the community 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.

Department: Human Resources

Approval date: 02 June 2006

Issue number: 1.0

Issue date:

Review date:

Contractors

- 3.3 Orders and contracts must be awarded on merit, by fair competition between tenders in accordance with BMKFA Standing Orders, and no special favour should be shown in the tendering process. Particular care needs to be taken in relation to businesses which the employee is aware are either run by or employ in a senior or relevant management capacity either existing or former employees, friends, partners or relatives.
- 3.4 All relationships of a personal or private business nature with external contractors, or contractors bidding for contracts, who operate in your area of work, must be reported to your manager for inclusion in the relevant Register of Interests.
- 3.5 If you engage or supervise contractors or have any other official relationship with contractors you must declare any private or domestic relationship that you have or have had with contractors who operate, or are bidding to operate, in your area of work to your manager for inclusion in the relevant Register of Interests.
- 3.6 If you are involved in the purchase of goods or services with individuals or organisations with whom you come into contact in the course of your private life, it may be more appropriate to register a general statement of the type of contact that may arise, rather than to register every encounter. If you feel these circumstances apply to you, you should consider discussing the matter with your line manager or the Director of Governance.
- 3.7 The Code is not a barrier to the development of positive professional relationships with contractors which lead to improved service delivery and conflict resolution.

4. *Personal Interests*

- 4.1 If you have any financial interests that could conflict with the Authority's interests, then you should declare these in writing to your manager for inclusion in the relevant Register of Interests. If you are unclear as to the relevance of a particular matter you should discuss this with your manager or the Director of Governance.

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Approval date: 02 June 2006

Issue number: 1.0

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Review date:

- 4.2 If you have any non-financial interests that you consider could bring about conflict with the Authority's interests then you should declare, in writing, these to your manager for inclusion in the relevant Register of Interests. These might, for example, include a relationship with somebody seeking guidance on fire safety regulations, or who is seeking advice under the building control regulations, membership of a school governing body or of the committee of a voluntary organisation, where this is relevant to your area of work. If you are in any doubt about the relevance of a non-financial interest, you should discuss this with your manager or the Director of Governance.
- 4.2 The Register of Interests Procedure is attached as **Appendix A**.
- 4.3 Managers who receive declarations of personal interest will discuss the circumstances with the Director of Governance who will seek advice if necessary from the Authority Monitoring Officer and the Chief Fire Officer. Following such consultation, the Director of Governance, or the Chief Fire Officer if the matter concerns the Director of Governance personally, will determine what action should be taken in order to safeguard the Authority's interest. This may, for example, result in a decision that the staff member concerned should not engage in the particular work activity that has given rise to the declaration.

Such a decision might also arise if a member of staff has indicated that they were not prepared to disclose a declaration of interest which the Director of Governance reasonably believes may have a detrimental impact on the Authority's interest taking into account the role of the staff member concerned.

5. Corruption

- 5.1 It is a serious criminal offence for an employee to seek to influence the placing of a contract by or from the Authority through:
- (a) the receiving or giving of any gift, loan, fee, reward or advantage, or
 - (b) by either taking inappropriate action or failing to take action when there is a clear need to do so, or
 - (c) by showing favour, or disfavour, to any person or organisation.

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Approval date: 02 June 2006

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- 5.2 The Authority's procedure for recording of hospitality or gifts is set out in **Appendix B**. The Register of Hospitality and Gifts is open to public scrutiny.
- 5.3 You must not take advantage of your position with the Authority. For example:
- (a) By acquiring goods or services at a preferential rate which would not normally be available to other Fire Authority employees.
 - (b) By acquiring goods or services at a reduced rate because a contractor or those bidding for contracts in your area of work, or another person or body seeking influence with the Authority treats you, your relatives or friends more favourably than others.
 - (c) By accepting gifts or hospitality from a contractor or those bidding for contracts with the Authority or any other person or body seeking influence with the Authority.
- 5.4 Employees may be offered goods and services at a reduced rate by one of the Authority's suppliers. If this reduced rate is widely publicised as being available to all Authority staff then the purchase of these items would not generally need to be registered. However, if an employee is in a position to influence the purchasing decisions of the Authority in relation to these items, they must register them in accordance with **Appendix A**. Account would need to be taken of the level of authority that the individual had in relation to the decision making and the number of checks in place involving other levels of authority.
- 5.5 A relationship between a supplier of goods and/or services and the Authority, should not affect the purchasing practice of an employee in a situation where the prices to the public are published and the employee is purchasing at the published prices. Therefore, an employee would not need to register where they purchase their weekly shopping, for example.

However, where there is a general expectation that prices are open to negotiation and an employee is responsible for advising on purchasing decisions relating to those items, then it would be appropriate for the employee to register.

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Approval date: 02 June 2006

Issue number: 1.0

Issue date:

Review date:

6. *Hospitality*

Employees receiving hospitality

6.1 The utmost discretion must be exercised in accepting offers of hospitality from contractors, potential contractors or their representatives, or from other organisations or individuals involved in commerce. Whether hospitality can suitably be accepted depends on the nature and on the circumstances and a precise rule cannot be laid down. Generally speaking all hospitality, including reciprocal hospitality, should be such as would seem to be reasonable and appropriate in the circumstances. Those in contact with contractors etc should be on their guard against accepting hospitality which might later lay them open to allegations of a lack of independence and impartiality. In all cases of doubt, advice must be sought from the Director of Governance or the Authority Monitoring Officer.

You should, therefore, only accept offers where there is a genuine organisational need to impart information or represent the Authority in the community. Offers to attend purely social or sporting functions should not generally be accepted unless the Authority specifically wishes to be represented. All offers of hospitality must be recorded in the relevant Register of Interests and those accepted must additionally be authorised by your manager.

6.2 When hospitality has to be declined, those making the offer should be courteously but firmly informed of the procedures and standards operating within the Authority.

6.3 When receiving authorised hospitality, you must be particularly sensitive as to its timing in relation to decisions which the Authority may be taking affecting those providing the hospitality.

6.4 Acceptance of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, and offered to the Authority rather than the individual employee on a personal basis. In such cases, you should obtain the consent, in advance, of your manager and it must be recorded in the Register of Interests.

6.5 Where visits to inspect equipment etc. are required, you should ensure that the Authority meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

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Approval date: 02 June 2006

Issue number: 1.0

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7. Gifts

- 7.1 As a general rule you should not accept significant personal gifts from clients, contractors and outside suppliers. Gifts, such as wines or spirits, which are given to individuals, must not be accepted. However, the Authority allows employees to keep insignificant items of token value such as pens, diaries etc.
- 7.2 Authority employees must not accept personal payments from clients, contractors or outside suppliers.

8. Sponsorship - Giving and Receiving

- 8.1 Where an outside organisation wishes to sponsor or is seeking to sponsor an Authority activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.
- 8.2 Where the Authority wishes to sponsor an event or service and you are involved in some way in consideration of the application, either you or your partner, spouse or relative must not benefit from such sponsorship without there being full disclosure to the manager for inclusion in the Register of Interests. Similarly, where the Authority through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

9. Disclosure of Information

- 9.1 There is a statutory responsibility that requires certain types of information to be made available to Councillors, auditors, government departments, service users and the public. The Authority itself may decide to be open about other types of information. You must be aware of the information you may be open about, and act accordingly.
- 9.2 You should 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.
- 9.3 You should be aware that the Authority's operational procedures outline the policy on communication with the news media. It is expected that staff will have contact with the media when appropriate to their work, e.g. information about operational incidents, proactive use of the media to support Community Safety activities, or other work related activities. Other issues e.g. statements concerning Authority policy, industrial

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relations, matters of a political nature etc, will be handled by the Chief Fire Officer or a nominated officer via the Group Manager Communication & Media. It is recognised however that Trade Union officials might speak to the media in their official capacity concerning their members' interests.

- 9.4 Making unauthorised or improper use of confidential information is a serious offence, which the Authority may regard as gross misconduct, and which may place your job in jeopardy. Further guidance is contained within the Fire Authority Discipline Policy.
- 9.5 If you are privy to confidential information on tenders or costs for either internal or external contractors, you should not disclose that information to any unauthorised party or organisation, including any other potential bidder whether internal or external.

10. *Political Neutrality*

- 10.1 All employees serve the Authority as a whole. It follows that you must serve all Councillors and not just those of the controlling group, and must ensure that the individual rights of all Councillors are respected.
- 10.2 Councillors usually direct enquiries for information through the Chief Fire Officer or Directors. However, if you receive a direct approach from a Councillor for information and you are doubtful about whether it is appropriate to provide the information or about the organisation's ability to supply the information, advise the Councillor accordingly. Explain that you will refer the matter to your manager to establish what can be done to assist.
- 10.3 Whether or not you are in a politically restricted post, you must follow every lawful expressed policy of the Authority and must not allow your own personal or political opinions to interfere with your work.

11. *Equality Issues*

- 11.1 All employees contribute to ensuring that policies relating to equalities issues as agreed by the Authority in addition to the requirements of the law are complied with. All members of the local community, customers, Councillors and other employees have a right to be treated with fairness and equity.

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Approval date: 02 June 2006

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12. *Appointments and other Employment Matters*

- 12.1 Employees involved in staff selection decisions should ensure that their decisions are made on the basis of merit and in accordance with the Authority's Recruitment and Selection Procedures. It would be unlawful for an appointment to be made on the basis of anything other than the ability of the candidate to undertake the duties of the post.
- 12.2 In order to avoid any possible accusation of bias, you must not be involved in an appointment where you are related to an applicant, or you have a personal relationship outside work with him or her.
- 12.3 Similarly you must firstly discuss with your line manager any situation where you may be involved in discipline, promotion, or pay adjustment issues for any employee who is a relative, partner or a personal friend.

13. *Outside Commitments*

- 13.1 You should be clear about your contractual obligations and should not take outside employment that conflicts with the Authority's interests. Any employee who wishes to undertake any form of secondary employment must comply with OC 70/06.
- 13.2 The Authority is entitled to ownership of intellectual property or the copyright of material created by you in the course of your duties as an employee of the Authority.

14. *Use of Financial Resources*

- 14.1. You must ensure that you use any public funds entrusted to you in a responsible and lawful manner. You must strive to ensure value for money to the local community and to avoid legal challenge to the Authority.

15. *Review*

- 15.1 This Code will be kept under review and any amendments will be subject to consultation with staff representatives. The Code will be subject to formal review in June 2009.

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Approval date: 02 June 2006

Issue number: 1.0

Issue date:

Review date:

REGISTER OF INTERESTS PROCEDURE

16. *Purpose*

- 16.1 This procedure, which is referred to in the Authority's Code of Conduct, sets out the arrangements which the Authority has in place for the maintenance of registers of interests for all its staff. In considering what it is appropriate to register individual employees may need to include the interests of family and friends, where these have an impact on, or could be interpreted as influencing the employee's conduct in relation to the performance of their duties.
- 16.2 Failure to comply with this procedure may lead to the employee contravening the Local Government Act 1972.

17. *General Principles*

- 17.1 The Director of Governance is charged with the responsibility for making arrangements within the CFA for a register of interests to be kept.
- 17.2 Employees must declare any interest they think may be covered by this code, including in particular any of the situations cited as examples in the Code of Conduct, in writing as soon as they become aware that such an interest may arise. In addition employees will be invited annually to complete a form, which is Appended, and return this for retention on the appropriate register of interests. Employees may provide a "nil return" if they have no interests that they wish to register. However, if forms are not completed by the deadline provided by the Director of Governance, it will be assumed that the employee is not prepared to provide this information and this will be recorded in the Register.
- 17.3 New employees will be invited to complete a form during their induction period.
- 17.4 Employees must update the appropriate register of interests at any time.
- 17.5 As employees report interests, the forms shall be reviewed by the Director of Governance, before being filed securely.

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- 17.6 The Director of Governance will discuss any potential conflict of interest with the individual employee concerned and, in appropriate circumstances with the relevant manager. Managers who receive declarations of personal interest will discuss the circumstances with the Director of Governance who will seek assistance if necessary from the Authority Monitoring Officer and the Chief Fire Officer. Following such consultation, the Director of Governance, or the Chief Fire Officer if the matter concerns the Director of Governance personally, will determine what action should be taken in order to safeguard the Authority's interest. This may, for example, result in a decision that the staff member concerned should not engage in the particular work activity that has given rise to the declaration. Such a decision might also arise if a member of staff had indicated that they were not prepared to disclose an interest which the Director of Governance reasonably believes may have a detrimental impact on the Authority's interest taking into account the role of the staff member concerned.
- 17.7 The registers of interests shall be kept securely under the control of the Director of Governance.

18. *Maintaining the Register*

- 18.1. The Director of Governance will be responsible for writing to all staff annually to remind them of their opportunity to register any interests which they wish to record on the Directorate Register of Interests or alternatively to register they have no interests to record.
- 18.2 The Director of Governance will ensure that all relevant staff are aware of the local arrangements for registering interests and offers of hospitality and/or gifts.

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Approval date: 02 June 2006

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Code of Conduct for Employees

BUCKINGHAMSHIRE AND MILTON KEYNES FIRE AND RESCUE AUTHORITY

DECLARATION OF INTERESTS OUTSIDE WORK

Name : _____

Department : _____

In considering what it is appropriate to register you may need to include the interests of family and friends, where these have an impact on, or could be interpreted as influencing your conduct in relation to the performance of your duties.

It is mandatory that you register any personal relationship with an external contractor, or contractor bidding for contracts, who operate within your area of work in accordance with sections 3.4 to 3.7 of the code.

You should also consider registering any personal interests that could conflict with the Authority's interest in accordance with section 4 of the code. Whilst it is optional for employees to respond in relation to section 4, employees are encouraged to do so. Some employees may have strong feelings of conscience on this issue, which is respected. However, all employees should consider carefully whether they are prepared to answer. If any of these questions are not answered, this will be recorded on the Register of Interests as "not prepared to disclose".

Do you have any Financial Interests that are relevant to this code? If so please indicate below the nature of the interest to be registered.

Do you have any Non Financial Interests that are relevant to this code? If so please indicate below the nature of the interest to be registered

I confirm that I have the interests listed above which could conflict with my duties at Buckinghamshire & Milton Keynes Fire Authority.

Signed: _____

Date: _____

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Approval date: 02 June 2006

Issue number: 1.0

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REGISTRATION OF HOSPITALITY AND GIFTS PROCEDURE

19. Introduction

- 19.1 This procedure, which is referred to in the Authority's Code of Conduct, sets out the arrangements which the Fire Authority has in place for the maintenance of registers of hospitality and gifts offered to employees of the Authority. Employees are expected to register all offers that are received, whether or not they are accepted. A form which should be used for making declarations is **Appended**.
- 19.2 Offers of hospitality and/or gifts must be registered as they are received. It is not appropriate for these to be done on an annual basis.

20. Hospitality

Employees receiving hospitality

- 20.1 The utmost discretion must be exercised in accepting offers of hospitality from contractors, potential contractors or their representatives, or from other organisations or individuals involved in commerce. Whether hospitality can suitably be accepted depends on the nature and on the circumstances and a precise rule cannot be laid down. Generally speaking all hospitality, including reciprocal hospitality, should be such as would seem to be reasonable and appropriate in the circumstances. Those in contact with contractors etc should be on their guard against accepting hospitality which might later lay them open to allegations of a lack of independence and impartiality. In all cases of doubt, advice must be sought from the Director of Governance or the Authority Monitoring Officer.

You should, therefore, only accept offers where there is a genuine organisational need to impart information or represent the Authority in the community. Offers to attend purely social or sporting functions should not generally be accepted unless the Authority specifically wishes to be represented. All offers of hospitality must be recorded in the relevant Register of Interests and those accepted must additionally be authorised by your manager.

- 20.2 When hospitality has to be declined, those making the offer should be courteously but firmly informed of the procedures and standards operating within the Authority.

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Approval date: 02 June 2006

Issue number: 1.0

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- 20.3 When receiving authorised hospitality, you must be particularly sensitive as to its timing in relation to decisions which the Authority may be taking affecting those providing the hospitality.
- 20.4 Acceptance of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, offered to the Authority rather than the individual employee on a personal basis. In such cases, you should obtain the consent, in advance, of your manager and it must be recorded in the Register of Interests.
- 20.5 Where visits to inspect equipment etc. are required, you should ensure that the Authority meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

Employees providing hospitality

- 20.6 Where you have to offer hospitality to visitors to Authority premises, it is a matter for individual judgement whether only the visitors meal is reimbursed, or whether both staff and visitors meals are reimbursed.
- 20.7 Only in special circumstances should meals be provided away from Authority premises and the reason for this should be stated on the reclaim voucher. Prior authorisation from your manager will be necessary. Area Managers need permission from their Director; Directors from the Chief Fire Officer.

21. *Gifts*

- 21.1 As a general rule you must not accept significant personal gifts from clients, contractors and outside suppliers. Gifts, such as wines or spirits, which are offered to individuals, must not be accepted. However, the Authority allows employees to keep insignificant items of token value such as pens, diaries etc.
- 21.2 Authority employees may not accept personal payments from clients, contractors or outside suppliers.

22. *Maintaining the Register*

- 22.1 The Director of Governance will maintain a record of offers of hospitality and/or gifts and will ensure that relevant staff are aware of these procedures.

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Approval date: 02 June 2006

Issue number: 1.0

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BUCKINGHAMSHIRE AND MILTON KEYNES FIRE AND RESCUE AUTHORITY	
DECLARATION OF HOSPITALITY OR GIFT	
NAME: _____	
DEPARTMENT: _____	
OFFER OF HOSPITALITY OR GIFT	
Offered by:	
Nature of hospitality/gift:	
Date:	
Action Taken:	
Accepted: Yes/No*	* Please delete as appropriate.
I confirm the above details are an accurate record of the offer of hospitality/gift.	
Signed:	Date:
Manager's comments:	
Signed:	Date:
Name:	
Position:	

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Approval date: 02 June 2006

Issue number: 1.0

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APPENDIX C

THE RESPONSIBILITIES OF CHIEF OFFICERS, DIRECTORS AND OTHER PRINCIPAL OFFICERS ARISING FROM BUCKINGHAMSHIRE AND MILTON KEYNES FIRE AUTHORITY'S CODE OF CONDUCT FOR EMPLOYEES:

1. The Authority, through its employees, is accountable to the public it serves. As a Principal Officer you have a particular responsibility in representing the Authority to the public. Your behaviour must, at all times, inspire public confidence in your actions and your integrity. The Authority expects you to be able to demonstrate the highest standards of probity, integrity and propriety in all your dealings.
2. To assist you in this, the Authority has introduced a revised Code of Conduct that sets out the standards of behaviour expected of all its employees. In particular, it confers some direct, personal responsibilities upon senior managers.
 - 2.1 As a Principal Officer you are a custodian of the Code. You are expected to behave in a manner that is consistent with both the word and the spirit of the Code. The trust that is implicit in the Code lies at the heart of your contract of employment.
 - 2.2 Your own conduct should demonstrate a positive commitment to the Code. This will serve as an example to the employees under your control and will reinforce the standards of conduct that the Code seeks to establish.
 - 2.3 As a Principal Officer, you have a direct, personal responsibility to ensure that the employees under your control understand and meet the requirements of the CFA's Code of Conduct. Any failure by any employee to meet the standards expected by the Code will be investigated, and in appropriate cases could lead to disciplinary action being taken against them.

Department: Human Resources

Approval date: 02 June 2006

Issue number: 1.0

Issue date:

Review date: