

Committee Membership and Constitution

Report of the Clerk

For further information about this report please contact Sharon Lloyd, Corporate Support Manager, on 01743 260210.

1 Purpose of Report

This report asks the Fire Authority to confirm appointments to committees and to the Local Government Association Fire Services Commission and to review the constitution of its committees.

2 Recommendations

The Fire Authority is asked to:

- a) Consider and decide upon the appointment of Members to serve on committees, as set out in Appendix A;
- b) Appoint its representative on the Local Government Association Fire Services Commission;
- c) Review and agree the proposed amendments to the constitution of its various committees, as set out in Appendix B; and
- d) If it agrees the amended constitution of the Strategic Risk and Planning Working Group, agree that no special responsibility allowance be paid to its members or Chair.

3 Background

In accordance with the Fire Authority's Standing Order 7(2) for the Regulation of Proceedings and Business, the Fire Authority is required at least annually to review the constitution and composition of any committees or sub-committees, which it has appointed.

4 Membership of Committees

Members will already have reviewed and decided upon the allocation of seats on committees to political groups at item 9a on the agenda for this meeting.

The Fire Authority is now asked to agree the appointment of named Members to serve on its committees. Appendix A sets out the proposed membership, which is based on the recommendations made at item 9a on the agenda for this meeting.

5 Delegation to Monitoring Officer

At last year's Annual Meeting Members delegated permanent authority to the Monitoring Officer to approve changes to committee membership, proposed during the year by the appropriate Political Group Leader. This enables changes to be made quickly without the need to refer them to the Fire Authority for ratification.

6 Local Government Association Fire Services Commission

Each year the Fire Authority appoints its representative on the Local Government Association Fire Services Commission, which has historically been the Chair of the Authority. Members are asked to consider whether this arrangement should continue and appoint its representative accordingly.

7 Committee Terms of Reference

The current terms of reference for all committees, panels and the Strategic Risk and Planning Working Group (StRaP) are set out at Appendix B to this report, with proposed additions shown in bold italics and proposed deletions struck through. Given below are details of proposed changes.

Strategy and Resources Committee

The Strategy and Resources Committee reviewed its terms of reference in March and recommended two minor changes, which were agreed by the Fire Authority at its April meeting. Two further changes are now proposed:

To review and agree the role descriptions of the Committee's Chair and Vice-Chair and of the Chair ***and Vice-Chair*** of the Strategic Risk ~~and~~ Planning Working Group

The proposed deletion is dependent upon the Fire Authority's decision relating to the Strategic Risk and Planning Working Group. Please see overleaf for details.

Standards and Human Resources Committee

The Standards and Human Resources Committees also reviewed its terms of reference in March, when no changes were proposed.

Audit and Performance Management Committee

The Audit and Performance Management Committee reviewed its terms of reference in April. As this was just prior to the Fire Authority's April meeting, there was insufficient time to bring them before the Authority at that time.

The changes recommended by the Committee are that:

- All references to the Service Plan should be amended to the Annual Plan.
- Members may request a meeting with Internal and / **or** External Audit without Fire Service officers present.

The following changes are also proposed by officers.

Under 'Audit Core Functions' to bring the terms of reference into line with the latest legislation:

In relation to the Fire Authority's internal audit functions: ***to undertake an effective internal audit 'to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance'***

- ~~• To oversee its independence, objectivity, performance and professionalism~~
- ~~• To support the effectiveness of the internal audit process~~
- To promote the effective use of internal audit within the assurance framework

To monitor the effectiveness of the ***and ensure that the Fire Authority has a sound system of internal control, which:***

- ***Facilitates the effective exercise of its functions and the achievement of its aims and objectives;***
- ***Ensures that the financial and operational management of the Fire Authority is effective; and***
- ***Includes effective arrangements for the management of risk***

Under Performance Management, upon the advice of external audit, as an Annual report has legal connotations:

Annual **Review** Report on the Service's previous year's performance prior to submission to the Fire Authority

Strategic Risk and Planning Working Group

Over a number of years this Group has carried out extensive consultation with all staff throughout the Brigade. Members now feel that they have consulted sufficiently and they do not need be involved in any further consultation, for the time being. The Group does still, however, have a useful function to perform, namely considering a variety of significant issues in depth and making recommendations to the Strategy and Resources Committee or Fire Authority, as appropriate.

In light of the above officers propose that the name and terms of reference of the Group be changed to reflect its future role more accurately. These changes are shown (additions in bold italics and deletions struck through) at the appendix to this report.

To date special responsibility allowances have been paid to the Group's members, as they were required to attend a minimum of six consultation meetings per year, in addition to meetings of the Group itself. Should the Fire Authority agree the new terms of reference, this requirement would be removed. In light of this, it would no longer seem appropriate for such special responsibility allowances to be paid. The Fire Authority is, therefore, asked to consider whether they should still be paid.

The Fire Authority may, of course, re-instate the requirement for Member involvement in consultation at any time in the future, should it be considered necessary.

Brigade Managers' Employment Panel

No amendments are proposed.

Pensions Panel

References to the Human Resources Committee should be amended to Standards and Human Resources Committee.

8 Financial Implications

Should the Fire Authority agree to remove the special responsibility allowances paid to members of the Group, this would result in a maximum saving of £10,200 per year (depending on whether any were already in receipt of such an allowance for other responsibilities).

9 Legal Comment

Under its Standing Orders for the Regulation of Proceedings and Business the Fire Authority is required at least annually:

- To consider the constitution of its committees and sub-committees and their membership (Standing Order 6.3); and
- To review the constitution and composition of any committees or sub-committees which have been appointed (Standing Order 7.2).

10 Appendices

Appendix A

Membership of Committees

Appendix B

Constitution of Committees

11 Background Papers

Shropshire and Wrekin Fire and Rescue Authority

Standing Orders for the Regulation of Proceedings and Business

Membership of Committees

Committee	Political Group		
	Conservative	Labour	Liberal Democrat
Strategy and Resources 7 Members	Seats – 5 Joyce Barrow Eric Carter David Minnery Keith Roberts Stuart West	Seats - 1 Chris Turley	Seats - 1 Nigel Hartin
Audit and Performance Management 7 Members	Seats - 4 Peter Adams Ian Fletcher John Hurst-Knight Terry Kiernan	Seats - 2 Jean Jones Clive Mason	Seats - 1 Chris Mellings
Standards and Human Resources 7 Members	Seats - 4 Peter Adams Joyce Barrow Terry Kiernan Mal Price	Seats – 2 Chris Turley Steve Reynolds	Seats – 1 Chris Mellings
Pensions Panel 3 Members	Seats - 3 Chair of Fire Authority, Vice-Chair of Fire Authority and Chair of Standards and Human Resources Committee		
Brigade Managers' Employment Panel 7 Members	Seats – 5 Peter Adams (as Chair of Standards and Human Resources Committee) Joyce Barrow David Minnery Stuart West Paul Wynn	Seats - 1 Chris Turley	Seats – 1 Nigel Hartin
Strategic Risk and Planning Working Group 8 Members	Seats – 5 Joyce Barrow Eric Carter Mal Price Stuart West Paul Wynn	Seats - 2 Jean Jones Steve Reynolds	Seats - 1 Nigel Hartin

Constitution of Committees

Strategy and Resources Committee

Quorum - 4

Members – 7

Members of the Fire Authority's Audit and Performance Management Committee are precluded from sitting on the Strategy and Resources Committee and vice versa.

Meeting Dates

2015

16 July

10 September

12 November

All meetings take place at 2.00 pm at Service Headquarters, unless otherwise advised.

Terms of Reference

To consider and make recommendations to the Authority on its strategic direction

To consider any recommendations in relation to changes of service emanating from the Integrated Risk Management Planning Process

To receive, comment upon, and note the Service Plan

To consider and recommend to the Authority an annual financial planning strategy

To review forward revenue and capital budgets for consideration by the Authority, including considering reports from officers, and make recommendations to the Authority on:

- Base budget and committed change
- Pay and prices assumptions
- Efficiencies
- Service developments
- Capital programme
- Robustness of the budget and adequacy of provisions, reserves and funds

To consider revisions to the revenue budget and final budget plan and finalise a revenue budget proposal for consideration by the Authority

To consider and propose the three-year capital programmes, Prudential Guidelines, including Treasury Management Strategy Statement, Treasury Management Policies, Investment Strategy and Policy on Minimum Revenue Provision for recommendation to the Authority and to monitor performance in accordance with those Guidelines, Statements, Strategies and Policies

To oversee, review, and make recommendations to the Authority on, the management of all financial and physical resources

To have an awareness of the risks faced by the Fire Authority through receiving reports on corporate risk management

To monitor budgeting and financial performance, consider any actions proposed by officers and make recommendations to the Authority, where appropriate, including reporting any variations to the Authority for approval

To consider national, regional and local procurement strategies

To receive and consider reports on exemptions agreed by the Chief Fire Officer and Treasurer in consultation with the Chair of the Fire Authority under the Authority's Standing Orders relating to Contracts and advise as appropriate

To consider value for money issues

To review Authority Public Value measures annually for recommendation to the Authority

To receive reports on any financial implications of decisions made by the Authority's Pensions Panel

To review the Terms of Reference of the Committee as required or at least annually and make recommendations to the Authority regarding amendments

To review and agree the role descriptions of the Committee's Chair and Vice-Chair and of the Chair **and Vice-Chair** of the Strategic Risk and Planning Working Group

To approve the Committee's annual work plan

To investigate and report upon any other matter specifically referred to the Committee by the Authority

To ensure the provision of appropriate training and development to ensure that all Members of the Committee are able to discharge their responsibilities

Audit and Performance Management Committee

Quorum - 4

Chair

The Chair of the Committee shall be elected from a member of the largest opposition group.

Members - 7

Members of the Fire Authority's Strategy and Resources Committee are precluded from sitting on the Audit and Performance Management Committee and vice versa.

Meeting Dates

2015

9 July

17 September

Members may request a meeting with Internal and / **or** External Audit without Fire Service officers present.

All meetings take place at 2.00 pm at Service Headquarters, unless otherwise advised.

Statement of Purpose

Audit*

To provide an independent and high-level resource to support good governance and strong public financial management

To provide those charged with governance independent assurance on the adequacy of the risk management framework, the internal control environment and the integrity of financial reporting and annual governance processes.

* As defined in the Chartered Institute of Public Finance and Accountancy (CIPFA) Audit Committees: Practical Guidance for Local Authorities and Police (2013)

Performance Management

To oversee the process of assessing progress toward achieving the Fire Authority's predetermined aims, as set out in the *Service Annual Plan*. The Committee's role involves building on that process, adding the relevant communication and action on the progress achieved against the predetermined aims.

Audit Core Functions*

To be satisfied that the Fire Authority's assurance statements, including the Annual Governance Statement, properly reflect the risk environment and any actions required to improve it, and demonstrate how governance supports the achievement of the Fire Authority's objectives

In relation to the Fire Authority's internal audit functions: ***to undertake an effective internal audit 'to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance'***

- ~~• To oversee its independence, objectivity, performance and professionalism~~
- ~~• To support the effectiveness of the internal audit process~~
- ~~• To promote the effective use of internal audit within the assurance framework~~

To consider the effectiveness of the Fire Authority's risk management arrangements and the control environment. To review the risk profile of the organisation and assurances that action is being taken on risk-related issues, including partnerships with other organisations

To monitor the effectiveness of the ***and ensure that the Fire Authority has a sound system of internal control, which:***

- Facilitates the effective exercise of its functions and the achievement of its aims and objectives;***
- Ensures that the financial and operational management of the Fire Authority is effective; and***
- Includes effective arrangements for the management of risk***

~~control environment, including arrangements for ensuring value for money and for managing the Fire Authority's exposure to the risks of fraud and corruption~~

To consider the reports and recommendations of external audit and inspection agencies and their implications for governance, risk management or control
To support effective relationships between external audit and internal audit, inspection agencies and other relevant bodies, and encourage the active promotion of the value of the audit process

To review the financial statements, external auditor's opinion and reports to Members, and monitor management action in response to the issues raised by external audit

* As defined in the Chartered Institute of Public Finance and Accountancy (CIPFA) Audit Committees: Practical Guidance for Local Authorities and Police (2013)

Terms of Reference

In order to carry out its purpose and core functions the Committee will consider, monitor, review and, as appropriate, approve the following documents:

Governance, Risk Management and Internal Control

- Code of Corporate Governance
- Annual Governance Statement and Annual Statement of Assurance
- Report on the effective development and operation of risk management
- Anti-Fraud, Bribery and Corruption Policy
- Brigade Order on Reporting of Illegality and Malpractice (Whistleblowing)
- Committee Terms of Reference and, where changes are required, make recommendations accordingly to the Fire Authority
- Annual Work Plan
- Role Descriptions of Committee Chair and Vice-Chair and Risk Management and Audit Champion

Internal Audit

- Any proposals for the revision of the Service Level Agreement with Internal Audit
- The Annual Audit Plan
- Revisions to the annual audit plan, as advised by the Head of Internal Audit and agreed by the Treasurer
- The Head of Internal Audit's Annual Report and opinion on the work completed by Internal Audit and the progress made in implementing recommended actions, including progress made against any improvement plans
- Half-yearly reports from the Risk Management Group on the work completed by Internal Audit and the progress made in implementing recommended actions
- Reports on Internal Audit special investigations, including frauds, and consideration of recommendations for strengthening internal controls

External Audit

- The External Auditor's Work Plan, including comments on the scope and depth of external audit work, considering whether it gives value for money
- The Annual Audit Letter

- Reports on external audit assessment frameworks, in order to maintain an awareness of the most current regimes

Financial Reporting

- The Fire Authority's draft Statement of Accounts for review, challenge and approval (as per authority delegated by the Fire Authority on 13 February 2012)
- The audit findings report, based on 'International Standard on Auditing (ISA) 260' of the External Auditor to those charged with governance, which includes the Value for Money Conclusion. The Chair of the Committee will sign the Letter of Representation annually on behalf of those charged with governance

Performance Monitoring

- Monitoring reports on implementation of Annual Plan Aims and Public Value Measures
- Exception reports on Directorate objectives, where they lead to a failure in a Public Value Measure
- Annual **Review Report** on the Service's previous year's performance prior to submission to the Fire Authority
- Monitoring reports on the implementation of Best Value Reviews
- Customer relation issues and monitoring reports on complaints and compliments
- Monitoring reports on the performance of the Fire Authority controlled company, Shropshire Fire Risk Management Services Limited

Miscellaneous

The Committee will oversee and scrutinise Treasury Management and make recommendations, where appropriate, to the Fire Authority.

The Committee will consider, investigate (where appropriate), and report upon, any other matter within its remit, referred to it by the Fire Authority, the Chief Fire Officer, the Treasurer or the Monitoring Officer.

The Committee will ensure the provision of appropriate training and development to ensure that all of its Members are able to discharge their responsibilities

Powers

The Audit and Performance Management Committee will:

- Have no delegated powers (with the exception of approval of the Fire Authority's Statement of Accounts) but can require relevant officers to attend any meeting, where such attendance would be expedient to the work of the Committee
- Have the power to meet privately and separately with the Head of Internal Audit and / or with the External Auditor, independent of the presence of those officers with whom the auditors must retain a working relationship

Standards and Human Resources Committee

Quorum - 4

Members - 7

The Committee is politically balanced.

Independent Person

C Humphries

The Independent Person, whom the Fire Authority shares with Telford & Wrekin Council, is not a member of the Standards and Human Resources Committee or the Fire Authority but can be approached to give an independent view about standards issues, either by the Monitoring Officer or the Member, about whom a complaint has been made.

Meeting Dates

2015

12 October

All meetings take place at 2.00 pm at Service Headquarters, unless otherwise advised.

Terms of Reference

To review at least annually, and more frequently, if changes are required sooner, its terms of reference to ensure that they are up-to-date, and make recommendations for change to the Fire Authority

To review and agree the role descriptions of the Committee's Chair and Vice-Chair

To ensure the provision of appropriate training and development to all Members of the Committee to enable them to discharge their responsibilities

To exercise such other functions as the Authority considers appropriate

Standards

To promote and maintain a high standard of conduct by Members, to oversee the Register of Members' Interests and to oversee the effectiveness of the Authority's procedures for investigating and responding to complaints about Members

To advise the Authority on the adoption or revision of the Members' Code of Conduct

To assist Members to observe the Members' Code of Conduct

To advise, train, or arrange to train Fire Authority Members on matters relating to the Members' Code of Conduct

To develop, maintain and monitor the operation of such Code

To issue advice to Members on the treatment of disclosable pecuniary interests and on conduct matters generally

To oversee the process for the recruitment of an Independent Person and make recommendations to the Fire Authority for their appointment

To consider and grant, or otherwise, dispensations in respect of Members' interests where:

1. The dispensation is in the interests of persons living in the area of the Fire Authority; or
2. It is otherwise appropriate to grant a dispensation

To receive reports from the Monitoring Officer about:

- a) Complaints
- b) The progress and outcome of investigations
- c) The establishment and maintenance of the Register of Interests of Members of the Fire Authority
- d) Dispensations granted to Members of the Fire Authority

To consider any application received from any officer of the Authority for exemption from political restriction under Sections 1 and 2 of the Local Government and Housing Act 1989 in respect of the post held by that officer and may direct the Authority that the post shall not be considered to be a politically restricted post and that the post be removed from the list maintained by the Authority under Section 2(2) of that Act

To review at least annually the Role Description and Skills and Competencies for Independent Persons and make recommendations to the Fire Authority regarding any amendments required

To review the Protocols on Gifts and Hospitality and Member / Officer Relations and make recommendations to the Fire Authority regarding any amendments required

To review and amend, where required, the processes and procedures for dealing with complaints against Members

Human Resources

To consider human resource strategies and make recommendations to the Authority

To consider reports on the progress of regional and national human resource activities and make recommendations to the Authority, where appropriate

To consider and monitor staffing requirements, the establishment scheme and human resource policies for the Authority and make recommendations to the Authority

To consider fundamental amendments to locally determined conditions of service and make recommendations to the Authority

To consider reports regarding the induction, training and development needs of Members and officers, regularly review those needs and make recommendations to the Authority

To ensure that equality of opportunity and diversity at work issues are promoted, implemented and monitored by the Authority and the Service

To review at least annually the Role Description of the Fire Authority's Equality and Diversity Champion and make recommendations to the Fire Authority regarding any amendments required

To consider reports on employee pension schemes and make recommendations to the Authority

To receive reports on Occupational Health provision and make recommendations to the Fire Authority, where appropriate

To review and amend, where required, the processes and procedures for dealing with:

- Appeals against grading and market factor supplement decisions (including rank to role)
- Grievances
- Appeals against the application or interpretation of conditions of service
- Appeals against dispute in accordance with the Collective Disputes Procedure
- Appeals Hearings cases

Hearings Panel

Quorum – 3

Members – 7

Although all Members of the Standards and Human Resources Committee will be eligible to participate in appeals hearings, the number participating in any hearing will be limited to 3. Steps will be taken to ensure that, wherever practicable, political balance is achieved. The need to hold a hearing as quickly as possible will, however, take precedence over this.

Terms of Reference

Appeals Hearings relating to Employees

To undertake the following functions which apply to those employees who come within the jurisdiction of the Fire Authority:

- To consider and determine appeals against grading and market factor supplement decisions
- To consider and determine grievances in accordance with the Grievance Procedure
- To consider and determine appeals against the application or interpretation of conditions of service
- To consider and determine any appeal against a decision of a Brigade Manager / Brigade Managers relating to individual cases of long-term sickness and pay
- To consider and determine any appeal against a decision of a Brigade Manager / Brigade Managers relating to the ill-health retirement or dismissal for health-related reasons of any employee
- To consider and determine any appeal against a decision of a Brigade Manager / Brigade Managers relating to powers exercised under firemen's and firefighter pension scheme legislation and related legislation in respect of ill-health retirements, except where that appeal is against a medical decision
- To consider and determine appeals at Internal Dispute Resolution Procedures Stage 2 with regard to the firemen's and firefighter pension schemes and the Firefighters' Compensation Scheme
- To consider and determine appeals against dismissal under the disciplinary process
- To consider and determine appeals against dispute in accordance with the Collective Disputes Procedure

Complaints relating to Members

To consider complaints referred to them by the Monitoring Officer and to decide if the complaint should be referred for investigation

To consider investigation reports in respect of Code of Conduct complaints referred to the Committee by the Monitoring Officer

To report its findings to the Fire Authority, as appropriate, for information

Where a breach is found, to make decisions about sanctions, including:

- 1) To make recommendations to the relevant Group Leader regarding future membership of committees and sub-committees
- 2) To make recommendations to the Fire Authority regarding the removal of a non-aligned Member from membership of committees and sub-committees
- 3) To instruct the Monitoring Officer to arrange training for a Fire Authority Member
- 4) To remove a Member from all outside appointments to which he / she has been appointed or nominated by the Fire Authority
- 5) To withdraw facilities provided to the Member or exclude the Member from defined premises (except as necessary for the Member to attend formally constituted Authority meetings)

Brigade Managers' Employment Panel

Quorum – 3

Members – 7

Terms of Reference and Meetings

To meet as and when required to review the pay and conditions of service of Brigade Managers in accordance with the process agreed by the Fire Authority at its meeting on 3 July 2009, as may be amended by the Fire Authority from time to time, and, having carried out a review, to make decisions relating to the pay and conditions of service of Brigade Managers

To make recommendations to the Authority on the process for appointments to the posts of Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officer, Treasurer, Monitoring Officer, Deputy Monitoring Officer and Clerk, as necessary

Pensions Panel

Quorum – 3

Members - 3

Chair of the Fire Authority
Vice-Chair of the Fire Authority
Chair of the **Standards and** Human Resources Committee

In the absence, or inability to act, of the Chair of the **Standards and** Human Resources Committee the Vice-Chair of the Committee may deputise for him.

Under a resolution made by the Fire Authority on 15 June 2011 and at each Annual Meeting thereafter the Pensions Panel is not subject to the political balance requirements.

Terms of Reference

To make decisions and exercise discretionary powers arising from employee pension scheme legislation

Meeting Dates

There are no scheduled meeting dates for the Pensions Panel, which meets on an “ad hoc” basis as and when there are cases to consider.

Reporting

All decisions of the Pensions Panel will be reported to the Fire Authority and, where there are financial consequences for the Fire Authority, also included in the monitoring report on financial issues to the Strategy and Resources Committee, to enable the Committee to consider any implications for resources.

Strategic Risk and Planning Working Group

Quorum – 4

Members – 8

To include *the Chair and Vice-Chair of the Fire Authority and the Chair of the Strategy and Resources Committee*

Terms of Reference

To consider *all aspects of strategic planning, including* and Integrated Risk Management Planning issues, ensuring that Equality and Diversity, Public Value and IRMP criteria are taken *taking* into account *national and local political aspirations*

To consider all aspects of the budget setting process

To consider value for money issues *and* To consider ways to deliver financial efficiencies identified by the Strategy and Resources Committee

To consider national, regional and local service delivery requirements as set out within Fire and Rescue National Framework *documents*

To review and monitor existing strategic planning and Integrated Risk Management Planning strategies

To oversee and review foreseeable risks to the strategic planning and Integrated Risk Management Planning strategies

To review the Terms of Reference of the Working Group as required or at least annually

To review annually the role descriptions for the Working Group's Chair *and Vice-Chair*

To investigate any other matter specifically referred to the Working Group by the Strategy and Resources Committee or the Fire Authority *or its Committees*

To ensure the provision of appropriate training and development to ensure that all Members of the Working Group are able to discharge their responsibilities

Meeting Dates

The Working Group will meet as and when required.

Its Members will also participate in the extensive consultation exercise, which emanates from the strategic planning and Integrated Risk Management Planning processes and each Member will be expected to attend a minimum of six consultation events per year.

Accountability

The Working Group's findings will be reported to the Strategy and Resources Committee or, where this is not feasible, direct to the Fire Authority.