

## Standards Committee Constitution

### Report of the Chief Fire Officer

For further information about this report please contact John Redmond, Chief Fire Officer, on 01743 260203 or Sharon Lloyd, Corporate Support Manager, on 01743 260210.

#### 1 Purpose of Report

This report brings the latest version of the Committee's constitution to the notice of its Members.

#### 2 Recommendations

Members are asked to note the constitution of the Standards Committee (attached as an appendix).

#### 3 Background

At its Annual Meeting in July the Fire Authority appoints Members to its committees, which may result in changes to their membership. Changes in the terms of reference of various committees have also been made in recent months.

Under the circumstances it is considered good practice for each of the committees to revisit its constitution at the first meeting after the Fire Authority Annual Meeting to ensure that all committee Members are familiar with the latest terms of reference. Accordingly, the constitution of the Standards Committee is attached as an appendix to this report.

#### 4 Financial Implications

There are no financial implications arising from this report.

## **5 Legal Comment**

The constitution of the Committee ensures that the Fire Authority can meet a number of its statutory obligations in respect of the ethical framework, as required by Chapter 7 of Part 1 of the Localism Act 2011. Whilst it is not a legal requirement to review the constitution on a regular basis, it does represent good practice.

In respect of the sanctions for a breach of the Code of Conduct (as set out in the constitution attached), the options available for Standards Committee are limited, following the introduction of new provisions brought in by the Localism Act 2011. For example, any direction to the Monitoring Officer to arrange training for a Fire Authority Member, who had been found to have breached the Code of Conduct (as is included in the Committee constitution currently) could only take place with the voluntary agreement of the Member concerned.

In the event that there are any legislative changes, which require updates to the constitution of this Committee, a report would be provided by officers to address those changes.

If the Committee were minded to change any part of the Committee's constitution, this would be done by making recommendations for consideration at a meeting of the full Fire Authority.

## **6 Initial Impact Assessment**

An Initial Impact Assessment has not been completed, as this report provides only factual information relating to the constitution of the Fire Authority's Standards Committee.

## **7 Appendix**

Standards Committee Constitution

## **8 Background Papers**

There are no background papers associated with this report.

## **Standards Committee**

### **Quorum - 3**

### **Members – 5**

M Bennett (Chair)  
E Carter  
P Cherrington  
Dr J Jones  
C Mellings (Vice-Chair)

The Standards 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 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**

8 March 2013  
4 September 2013

### **Terms of Reference**

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 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 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)

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 its Terms of Reference annually and make recommendations to the Fire Authority accordingly

To review the Role Descriptions of the Committee's Chair and Vice Chair

To review the Role Description and Skills and Competencies for Independent Persons

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

To exercise such other functions as the Authority considers appropriate