

# Merger of Human Resources and Standards Committees

## Report of the Chief Fire Officer

For further information about this report please contact John Redmond, Chief Fire Officer, on 01743 260201 or Sharon Lloyd, Corporate Support Manager, on 01743 260210.

### 1 Purpose of Report

This report asks Members to consider the feasibility of merging the Human Resources Committee with the Standards Committee. A similar report was taken to the September meeting of that Committee to seek its Members' views. Recommendations from both Committees will then be taken forward to the December meeting of the Fire Authority for consideration.

### 2 Recommendations

Members are asked to consider the feasibility of merging the Human Resources Committee with the Standards Committee and make recommendations accordingly to the Fire Authority.

### 3 Background

The Localism Act 2010 removed the requirement for local authorities to maintain a Standards Committee. There is still, however, the duty for local authorities to promote and maintain high standards of conduct by their Members (section 27 of the Act). They must also have in place arrangements, under which allegations regarding failure to comply with the authority's code of conduct can be investigated and decisions on allegations can be made (section 28 of the Act).

### 4 Merger of Committees

Your officers are continuously looking at ways to streamline Fire Authority business in order to work more efficiently, reduce costs and lighten the burden, placed upon Members. As Members will appreciate, this is particularly important in the current economic climate.

To this end, Members are asked to consider the feasibility of merging the Human Resources and Standards Committees. Both Committees are concerned with 'people' issues and have some commonality in the following areas:

- Hearing of employee discipline appeals (Human Resources);
- Considering Code of Conduct complaints, investigations and sanctions against Members (Standards);
- Reviewing the Member Code of Conduct (Standards)
- Reviewing the Protocols on Gifts and Hospitality and Member / Officer Relations (Standards)

Before writing this report your officers did consider the possibility of merging the functions of the Standards and Audit and Performance Management Committees. The latter Committee has responsibilities relating, inter alia, to anti-fraud, bribery, corruption and whistle blowing, which links to the Standards function. It was felt, however, that the remit and workload of this Committee are already substantial, in contrast to those of the Human Resources Committee, which are relatively light. Hence the former meets four times per year and the latter only twice.

Attached as an appendix to this report is the constitution of the Standards Committee. When that Committee met in September it agreed to recommend the proposed merger to the Fire Authority. Should both the Human Resources Committee, and in turn the Fire Authority, agree to a merger, it is proposed that the terms of reference of both Committees be consolidated and that there be seven Members. It is also proposed that the Human Resources panel, which currently deals with appeals hearings, would consider Code of Conduct complaints, investigations and sanctions against Members and that it be renamed the Hearings Panel. The Committee itself would then be known as the Standards and Human Resources Committee.

## **5 Financial Implications**

Should the merger between the Standards and Human Resources Committee take place, there would be small savings in:

- Members' travel allowances and total time spent on travelling;
- Postage, paper and photocopying costs; and
- Staff time.

## **6 Legal Comment**

As referred to in section 3 of this report, Chapter 7, Part 1 of the Localism Act 2011 sets out the ethical framework for Fire Authority Members. The requirement for a Standards Committee is not mandatory but is practical in providing a formal arena for discussion of standards issues and ensures Member involvement in setting the nature and profile of the local standards regime.

It is possible to merge the responsibilities of both the Human Resources Committee and Standards Committee to form one committee to discharge its functions. This would require approval from the full Fire Authority and would result in a change to standing orders.

Membership would need to be confirmed and training would be provided for any Members new to either of the two respective areas in order to ensure effective decision making.

## **7 Initial Impact Assessment**

An Initial Impact Assessment has been completed.

## **8 Appendix**

Standards Committee Constitution

## **9 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