

Review of Scheme of Delegation to Officers and of Standing Orders

Report of the Clerk

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

1 Purpose of Report

To receive and note the amendments to the Scheme of Delegation to Officers and Standing Orders, which were agreed at, and stand adjourned from, the Annual Meeting of the Fire Authority.

2 Recommendations

The Fire Authority is requested to receive and note the amendments to the Fire Authority's Scheme of Delegation to Officers and to its Standing Orders (set out at paragraphs 3, 4, 5 and 6 of this report), which stand adjourned from the Annual Meeting of the Fire Authority, held on 20 n July 2011.

3 Scheme of Delegation to Officers

The Fire Authority reviewed its Scheme of Delegation to Officers and agreed the following changes.

On page 5 at 2.4.2

Delete: To approve generally the acquisition of land and property and all associated transactions, estimated at a cost of up to £3,000.
This delegation appears unnecessary, as all spending is controlled through Financial Regulations and Contracts Standing Orders and the formal signing of agreements. The subsequent delegation would then be renumbered accordingly.

On page 6 at 4.1

Amend: service to Service

On page 8 at 5.1

Delete: unavailability and insert: inability to act

4 Standing Orders for the Regulation of Proceedings and Business

The Fire Authority reviewed its Standing Orders for the Regulation of Proceedings and Business and agreed the following changes.

At Standing Order No 14 Public Participation at Meetings

Questions, Statement and Petitions

- 1 As the Health Panel no longer exists, delete: and of the Health Panel

Authority and Committee Agenda and Reports

- 15 Insert: with the exception of reports which are exempt under the Local Government Act 1972 or confidential by order of a Government Minister.

At Standing Order No 20 Attendances

Failure to attend Meetings

- 5 Amend: Political Group Spokesperson to Political Group Leader as this is the term used in the relevant Fire Authority Role Description

At Standing Order No 21 Interest of Members in Contracts and other matters

A slight amendment is required here to correct a grammatical mistake.

5 Standing Orders relating to Contracts

The Fire Authority reviewed its Standing Orders relating to Contracts and agreed the following changes.

On page 3 at B6

Delete: 'Système d'Information pour les Marchés Publics website (<http://simap.eu.int>)' and insert: website for Simap - the information system for European public procurement - at the following link: simap.europa.eu/index_fr.htm

On page 5 at E1

Amend as follows:

The consortium or lead purchaser of the collaborative group must have its own Standing Orders or approved purchasing strategy, copies of which must be provided to, **obtained** and approved by, the Treasurer **confirmed by the officer managing the contract and the Chief Fire Officer as being compliant with statutory or EU requirement** prior to any procurement.

On page 5 in the Explanatory Note

Amend as follows:

*Copies of these or the purchasing arrangement applied must be ~~provided to the Treasurer for approval~~ **obtained and confirmed by the officer managing the contract and the Chief Fire Officer as being compliant with any statutory or EU requirement.***

On page 6 at F3

The figure needs to be increased from £10,000 to £15,000 to bring it into line with a change agreed last year by the Fire Authority.

On page 11 at M3

Amend as follows:

After consultation with the Chair and/or Vice Chair of the **Fire Authority Strategy and Resources Committee**, the Chief Fire Officer may accept the most economically advantageous tender, if this is not the lowest compliant tender.

On page 12 at M5

Amend as follows:

...the Chief Fire Officer, after consultation with the Chair or Vice-Chair of the **Fire Authority Strategy and Resources Committee**, may accept the most suitable tender irrespective of contract value...

6 Financial Regulations Standing Orders

The Fire Authority reviewed its Financial Regulations Standing Orders and agreed the following changes.

To provide absolute clarity throughout the document delete references to 'chief officer' and substitute with: Brigade Managers (i.e. the Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officer (Corporate, Performance and Operations) and Assistant Chief Fire Officer (Human Resources))

Likewise delete any references to 'principal officers' and substitute with: Section Heads (i.e. those officers, not being Brigade Managers, who have service delivery responsibilities and the power to make decisions, which have, or could have, financial consequences)

At the bottom of page 1

As the West Midlands Regional Management Board is no longer operating delete:

Officers should comply with the Financial Standing Orders of both the West Midlands Regional Management Board and the Fire Authority but, for the avoidance of doubt, where there is any conflict or lack of clarity between the two, officers must ensure that those of the Fire Authority are followed.

On page 3 at 1.7

Insert in the second sentence: the following legislation, as amended:

Insert: The Accounts and Audit (England) Regulations 2011

and delete: The Accounting and Audit Regulations 2003

On page 4

Amend: Medium Term Financial Plan to Medium Term Corporate Plan

Amend: Corporate Plan and Annual Report to Annual Report

On page 5 at 2.4

Amend the fifth bullet point to:

Public value, value for money and relevant Government guidelines

On page 5 at 2.8

Amend: Corporate Plan to Medium Term Corporate Plan

On page 9 under Financial Regulation – Accounting

Insert: The Accounts and Audit (England) Regulations 2011
and delete: The Accounting and Audit Regulations 2003

At the Appendix (Supporting Procedures)

In the second sentence amend: three to: five

7 Financial Implications

There are no financial implications arising from this report.

8 Legal Comment

The changes to the Scheme of Delegation to Officers and to Standing Orders are lawful and the Fire Authority has the power to act as set out in this report.

9 Equality Impact Assessment

Officers have considered the Service's Brigade Order on Equality Impact Assessments (Personnel 5 Part 2) and have decided that there are no discriminatory practices or differential impacts upon specific groups arising from this report. An Initial Equality Impact Assessment has not, therefore, been completed.

10 Appendices

There are no appendices attached to this report.

11 Background Papers

Shropshire and Wrekin Fire Authority:

- Scheme of Delegation to Officers
- Standing Orders for the Regulation of Proceedings and Business
- Standing Orders relating to Contracts
- Financial Regulations Standing Orders