

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

2012

13 September 2012

15 November 2012

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 national, regional and local procurement strategies

To receive and consider any exemptions under the Authority's Standing Orders relating to Contracts and advise as appropriate

To consider value for money issues

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

To ensure that the financial management of the Fire Authority is adequate and effective and includes a sound system of internal control and arrangements for the management of risk

To consider the structure of the Medium Term Corporate Plan, provide feedback on the draft Plan and make recommendations to the Authority

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

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
- Provisions, reserves and funds

To consider any recommendations emanating from the Public value Process

To consider and comment upon Authority ~~improvement priorities~~ **Public Value measures**

To consider the adequacy of provisions and reserves and the robustness of the budget and make recommendations to the Authority

To consider and propose the three-year capital programmes, Prudential Guidelines, including Treasury Management Strategy Statement, 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 consider revisions to the revenue budget and final budget plan and finalise a revenue budget proposal for consideration by the Authority

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

To review Authority ~~performance targets~~ **Public Value measures** annually for recommendation to the Authority

To review, agree and make recommendations to the Fire Authority on the Annual Statement of Assurance required by Government

To submit an Annual Report on the work of the Committee to the Authority

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 the role descriptions of the Committee's Chair and Vice-Chair and make recommendations to the Authority regarding amendments

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

2012

6 September

22 November

At one of the above meetings the Committee will meet with Internal and 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 independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the Fire Authority's financial and non-financial performance to the extent that it affects the Fire Authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process

*As recommended in The Chartered Institute of Public Finance and Accountancy publication 'Audit Committees Practical Guidance for Local Authorities'

Performance Management

To oversee the process of assessing progress toward achieving the Fire Authority's predetermined aims, as set out in the Service 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 consider the effectiveness of the Fire Authority's internal audit, risk management arrangements, the control environment and associated anti-fraud, **anti-bribery** and anti-corruption arrangements

To seek assurances that action is being taken on risk-related issues identified by auditors and inspectors

To be satisfied that the Fire Authority's assurance statements, including the Annual Governance Statement, properly reflect the risk environment and any actions to improve it

To approve, but not direct, the internal audit strategy and audit plan and to monitor performance against the plan

To review summary internal audit reports and the main issues arising, and seek assurance that action has been taken where necessary

To receive the annual report of the Head of Internal Audit

To consider the reports of external audit and inspection agencies

To ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant agencies and other relevant bodies, and that the value of the audit process is actively promoted

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

*As recommended in The Chartered Institute of Public Finance and Accountancy publication 'Audit Committees Practical Guidance for Local Authorities'

Terms of Reference

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

The Committee will consider and approve its annual Work Plan.

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

- 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
- 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
- A report on the review of adequacy of the Fire Authority's corporate governance arrangements
- The annual review report on the Fire Authority's Code of Corporate Governance
- The Fire Authority's Annual Governance Statement
- Annual review and re-affirmation of the Fire Authority's Anti-Fraud, **Bribery** and Corruption Policy
- Annual review and re-affirmation of the Fire Authority's Brigade Order on Reporting of Illegality and Malpractice (Whistleblowing)
- The report from **the External Auditor** ~~the Audit Commission~~ on the three-yearly review of the effectiveness of Internal 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 Fire Authority's draft Statement of Accounts **for review, challenge and approval (as per authority delegated by the Fire Authority on 13 February 2012)** ~~before submission to the Fire Authority~~
- The annual report 'International Standard on Auditing (ISA) 260' of the **External District Auditor** to those charged with governance. **The Chair of the Committee will sign the Letter of Representation annually on behalf of those charged with governance.**
- The External Auditor's Management Letter and Value for Money Conclusion
- The Annual Governance Report from the External Auditor following completion of the annual audit of the accounts
- Monitoring reports on implementation of the Service Plan Aims and Public Value Measures
- Exception reports on Directorate objectives, where they lead to a failure in a Public Value Measure
- The report on the contents of the Fire Authority's Annual Report on the previous **year's** ~~years'~~ performance

- Monitoring reports on the implementation of Best Value Reviews
- Customer relation issues and monitoring reports on complaints and compliments
- Reports on external audit assessment frameworks, in order to maintain an awareness of the most current regimes

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 ~~of the Committee~~ are able to discharge their responsibilities

Powers

The Audit and Performance Management Committee will:

- Have no delegated powers 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

Human Resources Committee

Quorum - 4

Members - 7

Meeting Dates

2012

18 October 2012

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

Terms of Reference

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

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 consider and determine appeals against dispute in accordance with the Collective Disputes Procedure~~

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

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

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

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

Appeals Hearings

Quorum – 3

Members – 7

Although all Members of the 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.

Terms of Reference

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 (including rank to role)
- 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 ~~the Firemen's Pension Scheme and the New Firefighters Pension Scheme~~ **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 Pension Scheme, the New Firefighters Pension Scheme, National Firefighters' Pension Scheme~~ **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***

Standards Committee

Quorum - 3

~~The quorum must include at least two Members of the Fire Authority and one Independent Member.~~

Members – 5 8

The Committee is not politically balanced but will seek to sit as a politically balanced Committee as far as is practicable.

~~4 Members of the Fire Authority and 4 Independent Members
There are currently 2 Independent Member vacancies.~~

Chair

~~The Chair of the Committee must be an Independent Member.~~

Meeting Dates

There are no dates scheduled for meetings of the Committee. When, however, they do take place they are held at 5.15 pm ~~in the Conference Room~~ at Service Headquarters, unless otherwise advised.

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 personal **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 establish sub-committees of the Standards Committee to make initial assessments of complaints received by the Standards Committee alleging a breach of the Members' Code of Conduct~~

~~To establish sub-committees of the Standard Committee to consider requests received by the Standards Committee to review decisions to take no action in relation to a complaint made to its sub-committee as set out above~~

~~To consider and act on any report from the Monitoring Officer on any matter which is referred to the Monitoring Officer~~

~~To exercise such functions as are required under the Fire Authority's procedures for local investigation of referred complaints and for the local determination of allegations of misconduct~~

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 exercise such other functions as the Authority considers appropriate

NB

Please note that the various Procedures relating to ***dealing with complaints and making decisions about complaints, which have been investigated, are set out on the following pages.*** ~~Local Investigations and Determinations and Dispensations are set out in Section 14.4 of the Handbook.~~

Shropshire and Wrekin Fire and Rescue Authority Managing Complaints about Members

All Members of the Fire Authority have to comply with a Code of Conduct that details what is expected of them when they carry out their role as a Member of the Fire Authority.

This document explains how to make a complaint about a Member of the Fire Authority, if you think that they might have breached the Fire Authority's Member Code of Conduct.

The Code of Conduct

You can get a copy of the Fire Authority's Member Code of Conduct by following this link [*insert link*] or by contacting the Monitoring Officer, whose contact details are provided below.

Can I be confident that my complaint will be properly dealt with?

The law requires the Fire Authority to appoint an Independent Person: a person who has nothing to do with the Authority, other than in this role, who must to be consulted at various stages during the complaints process, and whose role is to ensure that all complaints are dealt with fairly.

Making a Complaint

Write to the Monitoring Officer:

Jonathan Eatough
Telford & Wrekin Council
Civic Offices
PO Box 215
Telford
TF3 4LF

Telephone: (01952) 383200

Email: jonathan.eatough@telford.gov.uk

The Monitoring Officer is an officer of the Fire Authority, who is responsible for administering this complaints system. There is a form for you to use to complain [*insert link*]. You do not need to use it but the information requested on the form will be required and it could delay the process, if you do not include all of this information.

What happens next?

The Monitoring Officer aims to acknowledge receipt of your complaint within 5 working days of receiving it.

The Monitoring Officer will review your complaint, discuss it with the Independent Person and write to you to inform you whether or not he/she has decided to refer it for investigation. Normally this will be within 14 working days of receiving your complaint. Sometimes the Monitoring Officer may refer your complaint for consideration by the Standards Committee, where, for example he/ she has previously advised on the matter or the complaint is particularly sensitive.

The Monitoring Officer might ask for more information, he/ she might also ask for information from the Member, about whom you are complaining, or the Council, of which they are a member.

The Monitoring Officer might seek to resolve the complaint informally, i.e. before deciding to refer your complaint for investigation. Obviously, your views are important here but, if the Monitoring Officer believes that the proposed solution is reasonable, for example acceptance that behaviour was unacceptable and an offered apology, this might affect the decision of the Monitoring Officer about whether or not the complaint merits formal investigation.

Investigations

If referring for formal investigation, the Monitoring Officer will appoint an Investigating Officer, who will contact you and the Member about whom you have complained, and undertake any other such investigations as he/she considers appropriate for the purposes of the investigation. In exceptional cases your identity will be protected for some or all of the investigation. If you consider that it would be appropriate to do this in your case, you must let the Monitoring Officer know when you make your complaint. This would generally only be done where providing your details might prejudice the investigation.

The Investigating Officer will publish a draft report for consideration by you and the Member, about whom you have complained. Once any comments have been considered by the Investigating Officer a Final Report will be produced and sent to the Monitoring Officer. The Final Report will then be considered by the Monitoring Officer, who may either accept the report or ask the investigating Officer to re-consider his/her report.

Investigation Finding of No Breach

The Monitoring Officer will write to you and the Member, about whom you have complained, enclosing a copy of the Final Report and confirming that no further action is required.

Investigation Finding of Breach

The Monitoring Officer will write to you and the Member, about whom you have complained, enclosing a copy of the Final Report, and will either seek local resolution or will convene a hearing of the Fire Authority's Standards Committee.

Local Resolution

If, at any time before, during, or after, the investigation the Monitoring Officer, the Independent Person and you all agree a fair resolution of the complaint in a way that promotes high standards of conduct and the Member complies with the suggested resolution, then the Monitoring Officer will report the matter to the Standards Committee for information but will take no further action.

Hearing

If local resolution is not possible then the Monitoring Officer will convene a meeting of the Fire Authority's Standards Committee for it to consider the Investigating Officer's Report and the views of the Independent Person on the allegation and to determine whether or not there has been a breach of the Fire Authority's Code of Conduct and, if so, what action, if any, to take in respect of the Member.

Hearing Procedure

The Hearing Procedure is detailed below but may be changed by the Chair of the Committee, if he considers that it is appropriate to do so:

Note

You might be asked by the Investigating Officer to attend and give evidence to the Standards Committee.

Pre Hearing

1. Notification of hearing date (Investigation Report already provided to the Member)
2. Invitation to Member to submit list of further documents/ witnesses that he/she wishes to call
3. Circulation of papers

Hearing

4. Introductions
5. Chair explains the process to be followed
6. Investigating Officer presents his/her report (and may ask witnesses to attend if necessary)
7. Members of the Standards Committee may ask questions
8. Member or his/ her representative may ask questions
9. Member or his/ her representative responds to the Investigation Report (and may ask witnesses to attend if necessary)
10. Members of the Standards Committee may ask questions
11. The Investigating Officer may ask questions
12. The Committee will retire to consider whether or not it considers that there has been a breach of the Fire Authority's Code of Conduct

Decision – No Breach

13. The complaint is dismissed.

Decision – Breach

14. After offering the Member complained about, or his/ her representative an opportunity to speak, the Standards Committee will consider what action, if any, to take in respect of the Member.

Actions

15. There are no provisions in law to apply sanctions to the Member found to be in breach of the Code of Conduct, so any actions are aimed at securing the continuing ability of the Fire Authority to discharge its functions effectively and might include the following:
 - Reporting its findings to the Fire Authority, considering a censure motion;
 - Recommend to the Member's Group Leader (or the Fire Authority, if they are not part of a Group) that he/she be removed from some or all Committees or Sub-Committees and/or outside appointments;
 - Recommending that the Member attend training; and/or
 - Withdrawing facilities provided to the Member, including restricting access to premises, except as necessary to attend Fire Authority meetings

Brigade Managers' Employment Panel

Quorum - 3

Members - 6

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

Pensions Panel

Quorum - 3

Members - 3

Chair of the Fire Authority
Vice-Chair of the Fire Authority
Chair of the Human Resources Committee

In the absence, or inability to act, of the Chair of the 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 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 – 7

Terms of Reference

To consider strategic **2020** planning, Public Value and Integrated Risk Management Planning issues, ensuring that Equality and Diversity, Public Value and IRMP criteria are taken into account

To consider all aspects of the budget setting process

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 (2012)**

To review and monitor existing strategic **2020** planning, Public Value and Integrated Risk Management Planning strategies

To oversee and review foreseeable risks to the strategic **2020** planning, Public Value and Integrated Risk Management Planning strategies

To consider value for money issues

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

To review annually, role descriptions for the Working Group's Chair

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

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 quarterly.

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.