

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

This report reviews the Fire Authority's Scheme of Delegation to Officers and Standing Orders and asks Members to consider and decide upon the amendments proposed.

2 Recommendations

The Fire Authority is requested to consider and decide upon the amendments proposed to:

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

3 Background

As part of its constitution the Fire Authority has in place the following documents:

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

As these documents exceed 50 pages, they have not been attached as appendices to this report in order to save paper and postage. The current versions of the documents can, however, be viewed on the Fire Authority's website via the following link:

<https://www.shropshirefire.gov.uk/managing-the-service/fra/meetings/Fire%20and%20Rescue%20Authority/%2099431>

4 Annual Review

Although not a legal requirement, it is deemed good practice for local authorities to review annually their Standing Orders and Scheme of Delegations to Officers. Accordingly your officers have carried out a review and propose the amendments set out below. Additions are shown in bold italics and deletions struck through.

5 Scheme of Delegation to Officers

The Scheme of Delegation to Officers has been reviewed and no changes are proposed.

6 Standing Orders for the Regulation of Proceedings and Business

Standing Orders for the Regulation of Proceedings and Business have been reviewed and the following changes are proposed to bring them into line with the Localism Act 2011 and its Regulations.

Standing Order No 7 Appointment of Committees and Sub-Committees

~~5 When appointing the Standards Committee the Authority shall allocate numbers of seats to Authority Members and Independent Members in accordance with the Local Government Act 2000 and regulations made under that Act.~~

This can be deleted, as the Standards Committee is now subject to the political balance requirements of the Local Government and Housing Act 1989 and its Regulations, in line with the rest of the Fire Authority's Committees.

Standing Order No 20 Attendances

Records of other attendances and approved duties

5 The Chief Financial Officer of the Authority or other person authorised for the time being to make any payments to Members of the Authority under ~~Section 18~~ **the** Local Government and Housing Act 1989 and ~~sections 100 and 105~~ of the Local Government Act 2000 or any regulations made thereunder shall keep such records of the attendances, approved duties, conferences, meetings, visits and other occasions qualifying for such payments as such officer considers necessary or desirable and Members of the Authority shall supply to such officer such details thereof as s/he reasonably prescribes.

Failure to attend meetings

- ~~5 Where an Independent Member of the Standards Committee fails, throughout a period of six months from the date of their last attendance, to attend any meetings of that Committee, then the Chair of the Committee shall be advised or the Chair of the Fire Authority, where the non-attendance relates to the Chair of the Standards Committee.~~

Standing Order No 21

Interest of Members in Contracts and other matters

~~If any Member of the Authority has any personal **pecuniary** interest as described in the Authority's Code of Conduct ('Code of Conduct'), in any contract, proposed contract, or other matter, that Member shall declare **disclose** that interest before any meeting where the contract, proposed contract or other matter, is to be discussed or as soon as it comes to light; and **within 28 days of taking office and cannot take part in or vote on the matter at any meeting but unless it has not previously been disclosed it need not be disclosed at the meeting**~~

~~If any Member of the Authority has any personal **pecuniary** interest, which is also a prejudicial interest as described in the Code of Conduct in any contract, proposed contract or other matter, that Member must declare that they have a prejudicial **pecuniary** interest and the nature of that interest and must withdraw from the room unless~~

~~either~~

~~Members of the public are allowed to make representations, give evidence or answer questions about the matter, by statutory right or otherwise. If that is the case, the Member can also attend the meeting for that purpose (however, the member must immediately leave the room once they have finished or when the meeting decides the Member has finished if that is earlier);~~

~~or~~

~~In the case of both a personal and prejudicial interest the Standards Committee grants a dispensation in favour of the Member/s concerned in accordance with the Relevant Authorities (Standards Committee) (Dispensation) **relevant** Regulations 2002.~~

Standing Order No 28

Inspection of Documents

- 2 A Member shall not knowingly inspect and shall not call for a copy of any document relating to a matter in which s/he is professionally interested or in which s/he has a **pecuniary** prejudicial interest within the meaning of the Code of Conduct.

7 Standing Orders relating to Contracts

Standing Orders relating to Contracts have been reviewed and no changes are proposed.

8 Financial Regulations Standing Orders

The Financial Regulations Standing Orders have been reviewed and the following changes are proposed.

On page 7 under **Financial Regulation 4 – Systems and Procedures**
4.3 Financial Systems and Procedures

The Chief Fire Officer should ensure that all messing, social and other funds, managed by employees other than Authority funds, are declared to him on an annual basis.

On page 9 under **Financial Regulation 6 – Accounting**
~~Revenue Account~~ Income and Expenditure Account

This will record the revenue income and expenditure of the Authority during the accounting period.

9 Financial Implications

There are no financial implications arising from this report.

10 Legal Comment

The proposed changes to Standing Orders are lawful and the Fire Authority has the power to act as proposed in this report.

11 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.

12 Appendices

There are no appendices attached to this report. The various documents can, however, be accessed at the following web link:

<https://www.shropshirefire.gov.uk/managing-the-service/fra/meetings/Fire%20and%20Rescue%20Authority/%2099431>

13 Background Papers

There are no background papers associated with this report.