

Appointments to, and Constitution of, Committees

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 asks the Fire Authority to confirm appointments to committees and outside bodies and to review the Terms of Reference, quorum and delegations for its Committees.

2 Recommendations

The Fire Authority is asked to:

- a) Agree the appointment of Members to serve on committees, representation on the West Midlands Regional Management Board, including Substitute Members, and representation on West Midlands Fire and Rescue Services Regional Control Centre Limited, as set out in Appendix A to this report;
- b) Appoint its representative on the Local Government Association Annual Assembly and Fire Services Forum; and
- c) Review and agree the Terms of Reference for each committee, as set out in Appendix B to this report.

3 Background

In accordance with the Fire Authority's Standing Order 7(2) for the Regulation of Proceedings and Business, the Fire Authority is required to review at its Annual Meeting the constitution and composition of any committees or sub-committees, which it has appointed.

4 Appointment of Members and Substitute Members

The Fire Authority is requested to agree the appointment of Members to serve on committees, representation on the West Midlands Regional Management Board, including Substitute Members, and representation on West Midlands Fire and Rescue Services Regional Control Centre Limited, including an Alternative Director, as set out in Appendix A.

5 Local Government Association Annual Assembly and Fire Services Forum

The Fire Authority appoints its representative on the Local Government Association Annual Assembly and Fire Services Forum annually and this has traditionally been the Chair of the Authority. Members are asked to consider whether this arrangement should continue and appoint its representative accordingly.

6 Committee Terms of Reference

Each of the Fire Authority's major committees has reviewed its terms of reference within the last few months and any amendments recommended have been brought to the Authority on the dates shown below:

Committee	Date of Committee Review	Date agreed by Fire Authority
Strategy and Resources	May 2010	No amendments
Audit and Performance Management	May 2010	June 2010
Human Resources	May 2010	June 2010
Standards	March 2010	April 2010

For Members' information these terms of reference are included at Appendix B to this report. To avoid such duplication in the future a proposal has been made in report 8d- Review of Scheme of Delegation to Officers and of Standing Orders – that the Fire Authority's Standing Order 6 Part 3 'to review at its Annual Meeting the constitution and composition of any of its committees or sub-committees' be amended to the effect that the Fire Authority carry out this review at least annually.

Officers have carried out a review of the terms of reference for all other committees and working groups (which are also set out at Appendix B) and do not propose any amendments.

7 Financial Implications

There are no material direct costs arising out of the recommendations of this report, although many decisions of committees will impact on budgets and need financial approval.

8 Legal Comment

The Fire Authority is currently required under its Standing Orders (Standing Order 6 Part 3) to review at its Annual Meeting the constitution and composition of any of its committees or sub-committees.

9 Equality Impact Assessment

An Initial Equality Impact Assessment has been completed and is attached to this report.

10 Appendices

Appendix A

Appointment of Members to serve on committees and outside bodies

Appendix B

Committee Terms of Reference

11 Background Papers

Shropshire and Wrekin Fire and Rescue Authority

Standing Orders for the Regulation of Proceedings and Business

Implications of all of the following have been considered and, where they are significant (i.e. marked with an asterisk), the implications are detailed within the report itself.

Business Continuity Planning		Legal	*
Capacity		Member Involvement	*
Civil Contingencies Act		National Framework	
Efficiency Savings		Operational Assurance	
Environmental		Retained	
Financial		Risk and Insurance	
Fire Control/Fire Link		Staff	
Information Communications and Technology		Strategic Planning	
Freedom of Information / Data Protection / Environmental Information		West Midlands Regional Management Board	
Integrated Risk Management Planning		Equality Impact Assessment	
Efficiency Savings			

Appointment of Members to Serve on Committees and Outside Bodies

Key

Cons – Conservative

Lab – Labour

Lib Dem – Liberal Democrat

West Midlands Regional Management Board

Members – 3

Chair of the Fire Authority

Vice-Chair of the Fire Authority

Leader of the Main Opposition Group

Substitutes

Joyce Barrow(Cons)

Andrew Davies (Cons)

Jean Jones (Lab)

West Midlands Fire and Rescue Services Regional Control Centre Limited

Director

Chair of the Fire Authority

Alternative Director

Vice-Chair of the Fire Authority

Strategy and Resources Committee

Members – 7

Joyce Barrow (Cons)

Nigel Hartin (Lib Dem)

David Minnery (Cons)

Roy Picken (Lab)

Keith Roberts (Cons)

Stuart West (Cons)

John Hurst-Knight (Cons)

Audit and Performance Management Committee

Members – 7

Peter Adams (Cons)

John Dixon (Cons)

Jean Jones (Lab)

Terry Kiernan (Cons)

Clive Mason(Lab)

Chris Mellings (Lib Dem)

Mal Price (Cons)

Human Resources Committee

Members – 7

1 Liberal Democrat vacancy

Peter Adams (Cons)
Joyce Barrow (Cons)
Nigel Hartin (Lib Dem)
Terry Kiernan (Cons)
Roy Picken (Lab)
Mal Price (Cons)

Standards Committee

Fire Authority Members – 4

Andrew Davies (Cons)
Clive Mason (Lab)
Chris Mellings (Lib Dem)
David Minnery (Cons)

Independent Members – 4

Paul Brereton
Michael Tebbutt
2 vacancies

Appeals Committee

Members -7

Although membership of this Committee is actually 7, the number of Members participating in any hearing will be limited to 3. Steps will be taken to ensure that, wherever practicable political balance, is achieved.

1 Liberal Democrat vacancy

Peter Adams (Cons)
Joyce Barrow (Cons)
Terry Kiernan (Cons)
Clive Mason (Lab)
Mal Price (Cons)
Keith Roberts (Cons)

Brigade Managers' Employment Panel

Members – 6

Chair of the Fire Authority
Vice-Chair of the Fire Authority
Chair of the Human Resources Committee
Joyce Barrow (Cons)
Nigel Hartin (Lib Dem)
Clive Mason (Lab)

Pensions Panel

Members – 3

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

Urgency Committee

Members – 7

Andrew Davies (Cons)
Nigel Hartin (Lib Dem)
John Hurst-Knight (Cons)
Clive Mason (Lab)
David Minnery (Cons)
Mal Price (Cons)
Keith Roberts (Cons)

Working Groups

The following are working groups of the Fire Authority:

Strategic Risk and Planning Working Group

Members – 7

Joyce Barrow (Cons)
John Dixon (Cons)
Nigel Hartin (Lib Dem)
Jean Jones (Lab)
David Minnery (Cons)
Mal Price (Cons)
Stuart West (Cons)

Budget Working Group

Members – 7

The membership of this group is the same as that of the Strategy and Resources Committee.

Retained Review Implementation Group

This is a joint Member / Officer Panel, which has not met for some considerable time. The previous report, therefore, includes a recommendation that this Group be disbanded.

Members – 3

1 Labour vacancy
Nigel Hartin (Lib Dem)
Stuart West (Cons)

Committee Terms of Reference

Strategy and Resources Committee

Quorum - 4

Members of the Fire Authority's Audit and Performance Management Committee are precluded from sitting on the Strategy and Resources Committee and vice versa.

Members – 7

Meeting Dates

2010

~~21 January 2010*~~

22 January 2010

4 March 2010

20 May 2010

23 September 2010

11 November 2010

All meetings take place at 2.00 pm in the Conference Room at Service Headquarters, unless otherwise advised.

* Date rescheduled due to a Shropshire Council meeting

Terms of Reference

To consider and make recommendations to the Authority on its strategic direction

To consider national, regional and local procurement strategies

To monitor compliance with 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 receive the Statement of Accounts and, following approval, to ensure that it is signed in accordance with all relevant legislative requirements

To give final consideration to annual efficiency statements prior to submission to Government

To consider the structure of the Medium Term Financial 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 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 and forward budgets
- Service developments
- Capital programme
- Provisions, reserves and funds

To consider and comment upon Authority improvement priorities

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 review Authority performance targets annually for recommendation to the Authority

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

2010

18 February 2010

13 May 2010

9 September 2010

25 November 2010

All meetings take place at 2.00 pm in the Conference Room 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 towards achieving the Fire Authority's predetermined goals, as set out in the Corporate Plan. The Committee's role involves building on that process, adding the relevant communication and action on the progress achieved against predetermined goals.

Audit Core Functions*

To consider the effectiveness of the Fire Authority's risk management arrangements, the control environment and associated anti-fraud 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 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 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 before submission to the Fire Authority for approval, or, if it is not practicable for the Committee to consider and comment upon the draft Statement, it will ensure that the Fire Authority considers and comments upon the draft Statement prior to approval
- The External Auditor's Management Letter and Use of Resources Judgement
- The Annual Governance Report from the External Auditor following completion of the annual audit of the accounts
- The annual report 'International Standards on Auditing (ISA) 260' of the 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 (as per authority delegated by the Fire Authority on 19 June 2006).
- Monitoring reports on implementation of the Corporate Plan
- Monitoring reports on the Brigade Service Objectives
- Monitoring reports on the Brigade performance indicators

- The report on the contents of the Fire Authority's Annual Report on the previous years' performance
- Progress reports on the Equality and Diversity Steering Group Action Plan
- Progress report on the Corporate Equality Action Plan
- Monitoring reports on the implementation of Best Value Reviews
- Customer relation issues and monitoring reports on complaints and compliments
- Reports on the Audit Commission's assessment frameworks, such as Comprehensive Area Assessment, 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.

To ensure the provision of appropriate training and development to ensure that all 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

2010

14 January 2010

27 May 2010

30 September 2010

All meetings take place at 2.00 pm in the Conference Room 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 and those of the Appeals Committee to ensure that they are up-to-date, and make recommendations for change to the Fire Authority

To undertake the following functions which apply to those employees who come within the jurisdiction of the Fire Authority:

- To ensure that equality of opportunity and diversity at work issues are promoted, implemented and monitored by the Authority and the Service
- To consider and determine applications by uniformed personnel for permission to undertake outside employment, and to set conditions under which approval might be granted
- 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, except where that grievance relates to a decision of the Chief Fire Officer on level of sick pay; ill-health retirement or dismissal for health related reasons; or powers exercised under the Firemen's Pension Scheme and related legislation in respect of ill-health retirements
- To consider and determine appeals against the application or interpretation of conditions of service, except where that appeal relates to a decision of the Chief Fire Officer on level of sick pay
- To consider and determine appeals against dispute in accordance with the Collective Disputes Procedure
- To consider reports on employee pension schemes and make recommendations to the Authority
- To receive minutes from the Appeals Committee

To review and amend, where required, the processes and procedures for dealing with:

- Applications for outside employment
- 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 Committee cases

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

Standards Committee

Quorum - 3

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

Members – 8

4 Members of the Fire Authority and 4 Independent Members

Chair

The Chair of the Committee must be an Independent Member.

Meeting Dates

2010

1 March 2010

12 July 2010

1 November 2010

All meetings take place 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 interests and on conduct matters generally

To consider and grant, or otherwise, dispensations in respect of Members interests

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 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 Local Investigations and Determinations and Dispensations are set out in Section 14 of the Handbook.

Standards Committee Referrals Sub-Committee

Quorum - 3

The quorum for a meeting of the Sub-Committee shall be 3 Members, with an Independent Member as Chair, and at least one elected Member of the Authority.

Composition – 4

The Referrals Sub-Committee shall comprise 4 Members, of whom at least 1 shall be an Independent Member of the Standards Committee, and at least 2 elected Members of the Authority.

Chair

The Chair of the Sub-Committee shall be an Independent Member.

Meeting Dates

The Referrals Sub-Committee shall meet on an ad hoc basis as and when required.

Terms of Reference

- a The Referrals Sub-Committee is established to receive allegations that a Member of the Authority has failed, or may have failed, to comply with the Authority's Code of Conduct.
- b Upon receipt of each allegation and any accompanying report by the Monitoring Officer, the Sub-Committee shall make an initial assessment of the allegation and shall then do one of the following:
 - i refer the allegation to the Monitoring Officer, with an instruction that he/she arrange a formal investigation of the allegation, or directing that he/she arrange training, conciliation or such appropriate alternative steps as permitted by Regulations;
 - ii refer the allegation to Standards for England;
 - iii decide that no action should be taken in respect of the allegation; or

iv where the allegation is in respect of a person who is no longer a member of the Authority, but is a member of another relevant authority (as defined in Section 49 of the Local Government Act 2000), refer the allegation to the Monitoring Officer of that other relevant authority;

and shall instruct the Monitoring Officer to take reasonable steps to notify the person making the allegation and the member concerned of that decision.

- c Upon completion of an investigation by the Monitoring Officer, the Sub-Committee shall be responsible for determining whether:
- i it accepts the Monitoring Officer's finding of no failure to observe the Code of Conduct;
 - ii the matter should be referred for consideration at a hearing before the Hearings Sub-Committee of the Standards Committee; or
 - iii the matter should be referred to the Adjudication Panel for determination.
- d Where the Sub-Committee resolves to do any of the actions set out in Paragraph b or c above, the Sub-Committee shall state its reasons for that decision.
- e The Sub-Committee shall 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.
- f The Sub-Committee shall, upon the application of any person or otherwise, consider whether a post should be included in the list maintained by the Authority under Section 2(2) of the 1989 Act, and may direct the Authority to include a post in that list.

Standards Committee Review Sub-Committee

Quorum - 3

The quorum for a meeting of the Review Sub-Committee shall be 3 Members, with an Independent Member as Chair, and at least one elected Member of the Authority.

Composition – 4

The Review Sub-Committee shall comprise 4 Members, of whom at least 1 shall be an Independent Member of the Standards Committee, and at least 2 elected Members of the Authority.

Chair

The Chair of the Sub-Committee shall be an Independent Member.

Meeting Dates

The Review Sub-Committee shall meet on an ad hoc basis as and when required.

Terms of Reference

- a The Review Sub-Committee is established to review, upon the request of a person who has made an allegation that a member of the Authority has failed, or may have failed, to comply with the Authority's Code of Conduct, a decision of the Referrals Sub-Committee that no action be taken in respect of that allegation.
- b Upon receipt of each such request and any accompanying report by the Monitoring Officer, the Sub-Committee shall review the decision of the Referrals Sub-Committee and shall then do one of the following:
 - i refer the allegation to the Monitoring Officer, with an instruction that he/she arrange a formal investigation of the allegation, or specifying that he/she take an alternative action as permitted by Regulations;
 - ii refer the allegation to Standards for England;
 - iii decide that no action should be taken in respect of the allegation; or

- iv where the allegation is in respect of a person who is no longer a member of the Authority, but is a member of another relevant authority (as defined in Section 49 of the Local Government Act 2000), refer the allegation to the Monitoring Officer of that other relevant authority;

and shall instruct the Monitoring Officer to take reasonable steps to notify the person making the allegation and the member concerned of that decision.

- c Where the Sub-Committee resolves to do any of the actions set out in Paragraph b above, the Sub-Committee shall state its reasons for that decision.

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.

Appeals Committee

Quorum - 3

Members - 7

Although membership of the Committee is 7, the number of Members participating in any hearing will be limited to 3. Steps will be taken to ensure that wherever practicable political balance is achieved, i.e. that 2 Conservatives and 1 Independent or 1 Labour Member participates.

Terms of Reference

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
- The ill-health retirement or dismissal for health-related reasons of any employee
- Powers exercised under the Firemen's Pension Scheme 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, National Firefighters' Pension Scheme and the Firefighters' Compensation Scheme

To consider appeals against dismissal under the disciplinary process

Meeting Dates

There are no scheduled meeting dates for the Appeals Committee, which meets on an "ad hoc" basis as and when there are cases to consider.

Shropshire and Wrekin Fire and Rescue Authority Appeals Committee

Procedure for considering appeals against final written warning / dismissal / summary dismissal

Consideration of the case will be in private and will usually take the form of a review, not a complete rehearing of the case.

If the appellant does not attend, the Tribunal should consider whether it wishes to postpone the hearing to a later date to enable the appellant to state the grounds of his/her appeal. The Tribunal may, however, deal with a case in the absence of the appellant and / or colleague or Trade Union Representative.

The appeal hearing is not intended to repeat the detailed investigation that led to, or formed part of, the disciplinary meeting, but to focus on specific factors that the appellant has included in his/her appeal.

Present at the meeting will be:

Three Members of the Appeals Committee

To consider and decide upon the appeal

together with the following, none of whom will take part in the decision-making process.

Appellant and / or Colleague or Trade Union Representative

To state the grounds of the appeal

Deciding Officer

The officer, who took the decision to award a disciplinary sanction / dismiss, will explain the decision to do so.

Human Resources Manager

The Human Resources Manager will provide the background to the appeal, give a closing statement and advise on procedural matters.

Advisor

An advisor may also be present to advise on procedural / legal matters.

Committee Clerk

To take notes of the meeting and record the Appeals Committee's decision

On the day the hearing of the appeal will be conducted as follows:

- Introduction by the Chair of the Appeals Committee of all present
- **If the appellant is unaccompanied, the Chair should ask the following question:**

Can you please confirm that you have chosen not to be accompanied at this appeal hearing?
- Explanation by the Chair of the purpose of the meeting, i.e. to hear an appeal against final written warning / dismissal / summary dismissal. The appeal will only cover those elements raised by the appellant in the grounds for appeal.
- The Chair will ask the Human Resources Manager to give the background to the appeal.
- The Chair will give the appellant full opportunity to state the ground(s), on which the appeal is made.
- The Chair will ask the Deciding Officer to explain the decision to impose final written warning / dismissal / summary dismissal and respond to the grounds of appeal.
- The Chair will give Members the opportunity to ask any questions of the appellant and the Deciding Officer and also seek advice from the Human Resources Manager and / or Advisor.
- The Chair will give the Human Resources Manager the opportunity to make a closing statement, which must be confined to information already introduced to the Appeals Committee.
- The Chair will give the appellant the opportunity to make a closing statement, which must be confined to information already introduced to the Appeals Committee.
- The Chair will ask officers and the appellant and accompanying person to leave the meeting, whilst the Appeals Committee considers the case and reaches its decision. The Advisor (where present) will remain to advise the Appeals Committee on procedural matters, otherwise the Human Resources Manager will fulfil this role. The Committee Clerk will remain to minute the Appeals Committee's deliberations and decision. Neither will take part in the decision-making process.

- The Appeals Committee has the authority to maintain, quash or reduce a disciplinary penalty in accordance with the penalties specified in the Service's disciplinary procedure.
- All parties may be recalled prior to the Appeals Committee's reaching its decision, if further information is required.
- Wherever possible the Appeals Committee will attempt to provide the appellant with its decision on the day of the appeal hearing, in which case the following procedure will be adopted. Once the Appeals Committee has reached its decision, officers and the appellant will be invited back into the meeting. The Chair or the Advisor will then read out the decision of the Appeals Committee.
- In all cases the decision of the Appeals Committee will be notified to the appellant in writing by the Human Resources Manager no later than 14 days after the meeting.
- Where an appeal against dismissal fails, the effective date of termination shall be the date on which the employee was originally dismissed.

Urgency Committee

Quorum – 7

The quorum is all Members of the Committee.

Members – 7

Terms of Reference

In case of urgency a committee of seven Members shall have the power to exercise any powers and duties of the Authority with regard to matters relating to the Fire and Rescue Authority, Regional Control Centre Local Authority Controlled Company and the West Midlands Regional Management Board (WMRMB).

The first item on the agenda of all meetings of the Urgency Committee shall be to consider whether the items included on the agenda are of sufficient urgency to be considered by the Urgency Committee rather than waiting for the next appropriate Committee or Authority meeting.

The Urgency Committee shall have the following roles and functions:

To consider and make decisions on issues relating to the activities of the Fire and Rescue Authority from time to time

To consider and make decisions on issues relating to the activities of the Regional Control Centre Local Authority Controlled Company from time to time

To consider and endorse recommendations of the WMRMB from time to time

Delegation of Powers

The Urgency Committee has full delegated power to act within its defined role and function.

Meeting Dates

There are no scheduled meeting dates for the Urgency Committee, which meets on an “ad hoc” basis as and when required.

Working Groups

In addition to fully constituted committees and panels the Fire Authority has also established the following working groups:

Strategic Risk and Planning Working Group

Quorum – 4

Members – 7

Terms of Reference

To work closely with the Budget Working Group and make recommendations on strategic planning and Integrated Risk Management Planning to the Strategy and Resources Committee

To report any financial implications identified through the strategic planning and Integrated Risk Management Planning processes to the Strategy and Resources Committee

To recommend ways to deliver financial efficiencies identified by the Strategy and Resources Committee

To consider reports emanating from the strategic planning process when making recommendations

To ensure recommendations are assessed using Public Value criteria

To consider national, regional and local service delivery requirements

To review, monitor, and report on, existing strategic planning and Integrated Risk Management Planning strategies

To oversee, review, and make recommendations to the Strategy and Resources Committee on, foreseeable risks to the strategic planning and Integrated Risk Management Planning strategies

To consider value for money issues when making proposals

To review the Terms of Reference of the Working Group as required or at least annually and make recommendations to the Strategy and Resources Committee regarding amendments

To establish, and review annually, role descriptions for the Working Group's Chair and Vice-Chair and make recommendations to the Strategy and Resources Committee

To investigate and report upon 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 five consultation events per year.

Accountability

The Working Group will report, and make recommendations, to the Strategy and Resources Committee.

Budget Working Group

This Group is made up of the same membership as the Strategy and Resources Committee.

Members - 7

Terms of Reference and Meetings

The Group meets on an ad hoc basis to consider all aspects of the budget setting process and its recommendations are reported to the Strategy and Resources Committee.

Retained Review Implementation Group

Member Involvement - 3

Officers of the Service

Chief Fire Officer Paul Raymond
Temporary Assistant Chief Fire Officer Jon Wagstaff
Plus three other Officers

Terms of Reference and Meetings

To oversee the implementation of the recommendations made as a result of the recent Best Value Review on the Retained Duty System within Shropshire Fire and Rescue Service.

It was agreed at the Fire Authority meeting in April 2007 that the Retained Review Implementation Group would hold its final meeting in May 2007 and be mothballed until such time as it is required again.

West Midlands Regional Management Board

Constituent Authorities

Hereford and Worcester Fire and Rescue Authority
Shropshire and Wrekin Fire and Rescue Authority
Stoke-on-Trent and Staffordshire Fire and Rescue Authority
Warwickshire County Council
West Midlands Fire and Civil Defence Authority

Representation

3 Members and Chief Fire Officer from each Constituent Authority

Shropshire and Wrekin Fire and Rescue Authority Members

Chair of the Fire Authority
Vice-Chair of the Fire Authority
Leader of the Main Opposition Group

Substitutes - 3

Meeting Dates

13 January 2010 – Programme Board meeting
22 April 2010 – Programme Board meeting

Annual Meeting – To be Confirmed

Governance and Organisation Arrangements

Please see Section 5 of the Handbook.