



DEVON & SOMERSET FIRE & RESCUE AUTHORITY

E. Jackman
CLERK TO THE AUTHORITY

To: **The Chair and Members of the Devon & Somerset Fire & Rescue Authority**

(see below)

**SERVICE HEADQUARTERS
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Your ref :
Our ref : DSFRA/EJ/SS
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DEVON & SOMERSET FIRE & RESCUE AUTHORITY
(Annual General Meeting)

Monday, 12th June, 2023

The Annual General Meeting of the Devon & Somerset Fire & Rescue Authority will be held on the above date, **commencing at 10.00 am in The Committee Rooms, Somerset House, Devon & Somerset Fire & Rescue Service Headquarters, Exeter** to consider the following matters.

E. Jackman
Clerk to the Authority

A G E N D A

PLEASE REFER TO THE NOTES AT THE END OF THE AGENDA LISTING SHEETS

1 Apologies

2 Election of Chair

To elect a Chair to serve until the Authority's Annual Meeting in 2024.

3 Election of Vice Chair

To elect a Vice-Chair to serve until the Authority's Annual Meeting in 2024.

(**Note:** in accordance with the Authority's Standing Orders, the Vice-Chair must be from a different appointing constituent authority than the Chair).

4 Minutes

- a Devon & Somerset Fire & Rescue Authority Minutes (Budget Meeting) held on 15 February 2023 (attached) (Pages 1 - 16)
- b Devon & Somerset Fire & Rescue Authority (Extraordinary Meeting) held on 19 April 2023 (attached) (Pages 17 - 22)

5 Items Requiring Urgent Attention

Items which, in the opinion of the Chair, should be considered at the meeting as matters of urgency.

PART 1 - OPEN COMMITTEE

6 Review of Constitutional Governance Framework (Pages 23 - 72)

Report of the Monitoring Officer & Clerk to the Authority (DSFRA/23/12) attached.

7 Schedule of Appointments to Committees and Outside Bodies (Pages 73 - 78)

Report of the Monitoring Officer and Clerk to the Authority (DSFRA/23/13) attached.

8 Draft Calendar of Meetings 2023-24 (Pages 79 - 84)

Report of the Monitoring Officer & Clerk to the Authority (DSFRA/23/14) attached.

MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER

Membership:-

Councillors Atkinson, Best, Biederman, Brazil, Chesterton, Clayton, Coles, Cook-Woodman, Fellows, Gilmour, Hendy, Kendall, Kerley, Patel, Peart, Power, Radford, Randall Johnson, Roome, Sellis, Slade, Sproston, Sully, Tolchard and Trail BEM

NOTES

1. **Access to Information**

Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact the person listed in the “Please ask for” section at the top of this agenda.

2. **Reporting of Meetings**

Any person attending a meeting may report (film, photograph or make an audio recording) on any part of the meeting which is open to the public – unless there is good reason not to do so, as directed by the Chair - and use any communication method, including the internet and social media (Facebook, Twitter etc.), to publish, post or otherwise share the report. The Authority accepts no liability for the content or accuracy of any such report, which should not be construed as representing the official, Authority record of the meeting. Similarly, any views expressed in such reports should not be interpreted as representing the views of the Authority.

Flash photography is not permitted and any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chair or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.

3. **Declarations of Interests at meetings (Authority Members only)**

If you are present at a meeting and you are aware that you have either a disclosable pecuniary interest, personal interest or non-registerable interest in any matter being considered or to be considered at the meeting then, unless you have a current and relevant dispensation in relation to the matter, you must:

- (i) disclose at that meeting, by no later than commencement of consideration of the item in which you have the interest or, if later, the time at which the interest becomes apparent to you, the existence of and – for anything other than a “sensitive” interest – the nature of that interest; and then
- (ii) withdraw from the room or chamber during consideration of the item in which you have the relevant interest.

If the interest is sensitive (as agreed with the Monitoring Officer), you need not disclose the nature of the interest but merely that you have an interest of a sensitive nature. You must still follow (i) and (ii) above.

Where a dispensation has been granted to you either by the Authority or its Monitoring Officer in relation to any relevant interest, then you must act in accordance with any terms and conditions associated with that dispensation.

Where you declare at a meeting a disclosable pecuniary or personal interest that you have not previously included in your Register of Interests then you must, within 28 days of the date of the meeting at which the declaration was made, ensure that your Register is updated to include details of the interest so declared.

	NOTES (Continued)
4.	<p><u>Part 2 Reports</u></p> <p>Members are reminded that any Part 2 reports as circulated with the agenda for this meeting contain exempt information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s). Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Committee Secretary at the conclusion of the meeting for disposal.</p>
5.	<p><u>Substitute Members (Committee Meetings only)</u></p> <p>Members are reminded that, in accordance with Standing Orders, the Clerk (or his representative) must be advised of any substitution prior to the start of the meeting. Members are also reminded that substitutions are not permitted for full Authority meetings.</p>
6.	<p><u>Other Attendance at Committees)</u></p> <p>Any Authority Member wishing to attend, in accordance with Standing Orders, a meeting of a Committee of which they are not a Member should contact the Democratic Services Officer (see “please ask for” on the front page of this agenda) in advance of the meeting.</p>

DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Budget Meeting)

15 February 2023

Present:

Councillors Randall-Johnson (Chair), Aspinall, Best, Biederman, Brazil, Chesterton, Clayton, Coles, Cook-Woodman (Vice-Chair), Drear, Hannaford, Hendy, Kendall, Long, Peart, Power, Radford, Sellis, Shayer, Sully, Thomas and Trail BEM.

Apologies:

Councillors Kerley, McGeough, Prowse and Roome.

DSFRA/22/27 Minutes

RESOLVED that the Minutes of the meeting held on 12 December 2022 be signed as a correct record.

DSFRA/22/28 Minutes of Committees

a Audit & Governance Committee

The Chair of the Committee, Councillor Brazil, **MOVED** the Minutes of the meeting held on 18 January 2023 which had considered, among other things:

- The Authority's financial statements for the year ended 31 March 2022, together with the external audit findings on the financial statements;
- The final Annual Statement of Assurance 2021-22;
- A report on the Internal Audit Charter and Strategy 2022-23 and internal audit planning 2023-24; and
- A follow-up report to the internal audit of Home Fire Safety Visits.

RESOLVED that the Minutes be adopted in accordance with Standing Orders.

b People Committee

The Chair of the Committee, Councillor Hannaford, **MOVED** the Minutes of the meeting held on 25 January 2023 which had considered, among other things:

- A report as at Quarter 3 of the current (2022-23) financial year against those strategic priorities within the remit of the Committee; and
- A report on progress against the Action Plans to address both the Cause for Concern and Areas for Improvement within the remit of the Committee and as identified by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) following its last inspection of the Service;

RESOLVED that the Minutes be adopted in accordance with Standing Orders.

c Community Safety Committee

The Chair of the Committee, Councillor Chesterton, **MOVED** the Minutes of the meeting held on 31 January 2023 which had considered, among other things:

- A report on performance as at Quarter 3 of the current (2022-23) financial year against those strategic priorities within the remit of the Committee;
- A report on a change to the Key Performance Indicator (KPI) for risk-priority pumps;
- A report on progress against those Areas of Improvement within the remit of the Committee as identified by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) following its last inspection of the Service;
- A report on National Resilience exercising requirements; and
- A report on protection enforcement by the Service.

RESOLVED that the Minutes be adopted in accordance with Standing Orders.

d Resources Committee

The Chair of the Committee, Councillor Peart, **MOVED** the Minutes of the Budget meeting held on 6 February 2023 which had considered, among other things:

- A report on the proposed 2023-24 Revenue Budget and Council Tax levels;
- A report on the Capital Strategy;
- A report on the proposed Capital Programme 2023-24 to 2025-26;
- A report on the Treasury Management Strategy (including Prudential and Treasury Indicators) 2023-24 to 2025-26;
- A report on Treasury Management Performance as at Quarter 3 of the current (2022-23) financial year;
- A report on financial performance as at Quarter 3 against the approved budget for the current (2022-23) financial year; and
- A report on the financial performance of Red One Ltd. as at Quarter 3 against the approved budget for the current (2022-23) financial year.

RESOLVED

- (i). That the recommendations in the Minutes relating to:
 - a. The Capital Strategy;
 - b. The proposed 2023-24 Revenue Budget and Council Tax levels;
 - c. The proposed Capital Programme 2023-24 to 2025-26; and
 - d. The Treasury Management Strategy (including Prudential and Treasury Indicators) 2023-24 to 2025-26

be considered in conjunction with Minutes DSFRA//22/30 and DSFRA/22/31(a) to (c) inclusive, and respectively, below;

- (ii). That, subject to (i) above, the Minutes be adopted in accordance with Standing Orders.

(See also Minutes DSFRA/22/30 and DSFRA/22/31(a) to (c) inclusive below)

DSFRA/22/29 Medium-Term Financial Plan

The Authority considered a report of the Director of Finance, People & Estates (Treasurer) (DSFRA/23/1) setting out the Medium-Term Financial Plan for Authority funding, income and expenditure forecasts for the next five years, as required by the Fire & Rescue National Framework for England.

RESOLVED that the Medium-Term Financial Plan as detailed in report DSFRA/23/1, be endorsed.

(See also Minutes DSFRA/22/31(a) to (c), inclusive and DSFRA/22/34, below)

DSFRA/22/30 Capital Strategy

The Authority considered a report of the Director of Finance, People & Estates (Treasurer) (DSFRA/22/3) setting out a proposed capital strategy for the Authority, as required by the Chartered Institute of Public Finance and Accountancy Prudential Code (as revised).

The Strategy provided a high-level overview of how capital expenditure (and the way it is financed) contributes to the provision of services together with an overview of how associated risk would be managed and the implications for future financial sustainability. The Strategy also set out the governance processes for approval and monitoring of capital expenditure.

The Strategy was a key document for the Authority and formed part of the financial planning arrangements, reflecting the priorities of the Medium-Term Financial Plan.

The Resources Committee, at its budget meeting on 6 February 2023, had considered the strategy and resolved to commend it to the Authority for endorsement (Minute RC/22/15 refers).

RESOLVED that, as recommended by the Resources Committee budget meeting on 6 February 2023, the Capital Strategy as set out in report DSFRA/23/2 be approved.

(See also Minutes DSFRA/22/28(d) above and Minutes DSFRA/22/31(a) to (c) (inclusive) and DSFRA/22/34 below)

DSFRA/22/31 REVENUE AND CAPITAL BUDGETS

a 2023-24 Revenue Budget and Council Tax Levels

The Authority considered a joint report of the Director of Finance, People & Estates (Treasurer) and the Chief Fire Officer (DSFRA/23/3) on the draft 2023-24 revenue budget and associated Council Tax levels.

Two options were presented together with an accompanying budget book for each option:

Option A: that the level of council tax in 2023-24 for a Band D property be set at £91.79, as outlined in Option A, representing no increase over 2022-23 and representing a Net Revenue Budget Requirement for 2023-24 of £82.272m; or

Option B: that the level of council tax in 2023-24 for a Band D property be set at £96.79, as outlined in Option B, representing a £5 increase over 2022-23 and representing a Net Revenue Budget Requirement for 2023-24 of £85.413m.

A one-year Local Government Finance Settlement had been announced on 19 December 2022. This indicated a Settlement Funding Assessment for the Authority of £23.819m for 2023-24, a 1.268% increase on the settlement for 2022-23 but representing a 19.67% decrease on the settlement for 2015-16.

On 19 December 2022, the Department for Levelling Up, Housing and Communities (DLUCH) announced, as part of the provisional Local Government Settlement, the Council Tax limit to be applied in 2023-24. For the first time, the fire sector was given the option to increase Council Tax, for 2023-24 only, by up to £5 to assist with the pressures seen from inflation and pay awards. The Authority had also received a £0.445m share of the Rural Services Delivery Grant for 2023-24 together with £0.7m Section 31 grant funding to reduce the impact of the increase in social costs. These sums were included as income in the proposed revenue budget.

The Authority was advised that, should budget option A be selected, then the net spending requirement exceeded available funding by £3.141m. This shortfall could be met by a transfer from reserves in the short-term while a plan to implement spending reductions across all Service areas was developed. Option B, however, would not require any contribution from reserves.

The Medium-Term Financial Plan identified a requirement for further savings beyond 2023-24 to ensure that balanced budgets could be set in each year of the Spending Review period.

The strategic approach to deliver the required savings in future years was being developed following an efficiency review which had been initiated and would focus on the following priority areas:

- How resources were being utilised; productivity of Service staff and assets;
- Digitising and streamlining services to make them more efficient; and
- Evidencing value for money in the delivery of services.

As required by Section 65 of the Local Government Finance Act 1992, non-domestic ratepayers had been consulted on proposals for expenditure. Members of the public had also been consulted. The consultation results indicated that:

- 67% of businesses agreed that it was reasonable for the Authority to consider increasing its Council Tax charge for 2023-24, while 15% disagreed that it is reasonable for them to do so, resulting in a net agreement of +52%.
- 78% of residents agreed that it was reasonable for the Authority to consider increasing its Council Tax charge for 2023-24, while 11% disagreed, giving a net agreement of +67%.

Of those respondents who agreed that a Council Tax increase would be reasonable, 38% of businesses and 47% residents indicated they would support an increase of £5.

Additionally, the consultation results indicated that:

- 54% of businesses and 56% of residents agreed strongly that the Service provided good value for money; and
- 80% of businesses and 81% of residents were either very or fairly satisfied with the service provided.

The report also indicated that the budget for the current (2022-23) financial year was set on the basis of a 5% pay award for operational staff. Similarly, an estimated pay award of 2% has been used in preparing the proposed budget for 2023-24. The pay settlement for 2022-23 was, however, still subject to negotiation and should the final settlement for this year and 2023-24 ultimately exceed the indicated amounts, then – to deliver a balanced budget for both financial years - it was proposed that the Treasurer be delegated authority to meet the amounts from reserves, subject to this being reported for information to the next appropriate meeting of the Resources Committee.

Appended to the report was a statement on the robustness of the budget estimates and the adequacy of the levels of reserves and balances, as required by Section 25 of the Local Government Act 2003.

The Resources Committee, at its budget meeting on 6 February 2023, had considered an earlier version of the report alongside revised figures (subsequently incorporated into this report) reflecting the updated position on National Non-Domestic Rates. The Committee had resolved to recommend that the Authority approve Option B (Minute RC/22/14 refers).

Councillor Hannaford **MOVED** (with Councillor Peart seconding) that the recommendations as set out in report DSFRA/23/3 be approved, subject to recommendation (b)(i) being amended to read:

“that the Treasurer be delegated authority to draw on reserves to a maximum of £2.8m to balance the budget in the event that the final pay award settlements for 2022-23 and 2023-24 exceed the budgeted amounts for those years (5% and 2% respectively).

The Motion was put to the vote and declared **CARRIED**, whereupon it was

RESOLVED

- (i). That, as recommended by the Resources Committee at its budget meeting on 6 February 2023, the level of council tax in 2023-24 for a Band D property be set at £96.79, as outlined in Option B of report DSFRA/22/3, and that accordingly a Net Revenue Budget Requirement for 2023-24 of £85,412,600 be approved;
- (ii). That, as a consequence of (i) above:
- a. The tax base for payment purposes required from each billing authority for payment of a total precept of £60,798,019 (Option B), as detailed on page 3 of the respective budget booklet (circulated separately with the agenda for the meeting) and reproduced in the following table, be approved

Billing Authority	Tax Base used for Collection	Surplus/ (Deficit) for 2022-23	Precepts due in 2023-24	Total due in 2023-24
East Devon	61,653.00	140,335	5,967,394	6,107,729
Exeter	38,247.00	52,667	3,701,927	3,754,594
Mid Devon	29,832.98	7,255	2,887,534	2,894,789
North Devon	35,085.94	59,389	3,395,968	3,455,357
Plymouth City	74,891.00	84,453	7,248,700	7,333,153
Somerset Council	205,674.09	364,212	19,907,195	20,271,407
South Hams	39,949.00	117,000	3,866,664	3,983,664
Teignbridge	50,215.00	42,361	4,860,310	4,902,671
Torbay	46,620.10	54,934	4,512,359	4,567,293
Torridge	24,749.62	36,671	2,395,516	2,432,187
West Devon	21,225.87	103,000	2,054,452	2,157,452
	628,143.60	1,062,277	60,798,019	61,860,296

- b. The council tax for each of the property bands A to H associated with a total precept of £60,798,019 (Option B), as detailed on page 3 of the respective budget booklet and reproduced in the following table, be approved

Valuation Band	Ratio	Government Multiplier %	Council Tax £ p
A	6/9	0.667	64.53
B	7/9	0.778	75.28
C	8/9	0.889	86.04
D	1	1.000	96.79
E	11/9	1.222	118.30
F	13/9	1.444	139.81
G	15/9	1.667	161.32
H	18/9	2.000	193.58

- (iii). That the Treasurer's Statement on the Robustness of the Budget Estimates and the Adequacy of the Authority Reserves Balances, as set out in Appendix B to report DSFRA/22/3 and attached at Appendix A to these Minutes, be endorsed; and
- (iv). That, as the budget is subject to variations in the pay for operational staff:
 - a. The Treasurer be delegated authority to draw on reserves to a maximum of £2.8m to balance the budget in the event that the final pay award settlements for 2022-23 and 2023-24 exceed the budgeted amounts for those years (5% and 2% respectively); and
 - b. That any use of reserves so required be reported for information to the next appropriate meeting of the Resources Committee.

(See also Minutes DSFRA/22/28(d) and DSFRA/22/29 above and Minute DSFRA/22/34 below)

b Capital Programme 2023-24 to 2025-26

The Authority considered a report of the Director of Finance, People & Estates (Treasurer) (DSFRA/23/4) on the proposed Authority Capital Programme 2023-24 to 2025-26 and associated Prudential Indicators.

While the proposed programme and funding would increase the external borrowing requirement from the current level of £24.3million to £25.8million by 2025-26, the debt ratio of financing costs to the net revenue scheme, a key Prudential Indicator, would remain below the 5% maximum limit previously approved by the Authority throughout the period of the programme.

The report identified proposed expenditure on both estate and fleet capital projects over the period of the programme, with indicative expenditure (and associated Prudential Indicators) for a further two years (2025-26 and 2026-27).

There remained considerable difficulties in meeting the full capital expenditure needs for the Service and in maintaining the 5% debt ratio limit. The proposed capital programme had been constructed on the basis that revenue budget contribution to capital would be maintained in future years but this may not be possible. Unless capital assets were further rationalised, however, there would be a need for external borrowing in 2024-25. Decisions on further spending would be subject to annual review based on the financial position of the Authority.

The Resources Committee, at its budget meeting on 6 February 2023, had previously considered a version of this report and resolved to recommend that the Authority approval the Capital Programme 2023-24 to 2025-26 and associated Prudential Indicators (Minute RC/22/16 refers).

RESOLVED

- (a). that, as recommended by the Resources Committee, the Capital Programme 2023-24 to 2025-26 and associated Prudential Indicators, as summarised in Appendices A and B respectively of report DSFRA/23/4 and set out at Appendices B and C of these Minute, be approved;
- (b). that, subject to (a) above, the forecast impact on the proposed Capital Programme (from 2026-27 onwards) on the 5% debt ratio Prudential Indicator, as indicated in the report, be noted.

(See also Minutes DSFRA/22/28(d) and DSFR/22/30 above and Minutes DSFRA/22/31(c) and DSFRA/22/34 below)

c Treasury Management Strategy (Including Prudential and Treasury Indicators) 2023-24 to 2025-26

The Authority considered a report of the Director of Finance, People & Estates (Treasurer) (DSFRA/23/5) detailing:

- the proposed Treasury Management Strategy (including Prudential Indicators) and investment strategy for 2023-24;
- Prudential Indicators associated with the proposed Capital Programme 2023-24 to 2025-26;
- a Minimum Revenue Provision Statement 2023-24; and
- certification that none of the Authority's spending plans would include the acquisition of assets primarily for yield.

The proposed Strategy had been prepared in accordance with the requirements of the Local Government Act 2003 and the Treasury Management Code of Practice produced by the Chartered Institute of Public Finance and Accountancy.

The Resources Committee, at its budget meeting on 6 February 2023, had considered a version of this report and resolved to recommend that the Authority approve the Treasury Management and Annual Investment Strategy together with the Minimum Revenue Provision Statement (Minute RC/22/17 refers).

RESOLVED that, as recommended by the Resources Committee:

- (a). the Treasury Management Strategy and Annual Investment Strategy 2023-24 (including the Capital Financing Requirement and Estimated Authorised Borrowing Limit) as set out in report DSFRA/23/5 be approved;
- (b). the Prudential Indicators and Treasury Management Indicators as appended to the report and attached as Appendix C to these Minutes be approved; and
- (c). the Minimum Revenue Provision Statement 2023-24 as appended to the report and attached as Appendix D to these Minutes be approved.

(See also Minutes DSFRA/22/28(d), DSFR/22/30 and DSFRA/22/31(b) above and Minute DSFRA/22/34 below)

DSFRA/22/32 Localism Act 2011 - Pay Policy Statement 2023-24

The Authority considered a report of the Deputy Monitoring Officer (DSFRA/23/6) to which was attached the proposed Pay Policy Statement to operate for the Authority for the forthcoming (2023-24) financial year. The Localism Act 2011 required such a statement, setting out the Authority's policy towards a range of issues relating to the pay of its workforce (particularly senior staff and the lowest paid employees), to be approved prior to the commencement of each financial year and published, as a minimum, on the Authority's website.

The proposed Pay Policy Statement for 2023-24 had been updated to reflect current pay levels of senior officers and other staff but other than that was unchanged from the previous year.

RESOLVED

- (a). that the Pay Policy Statement for the 2023-24 financial year, as appended to report DSFRA/23/6, be approved and published on the Authority's website;
- (b). that the Director of Finance, People and Estates be delegated authority to make any consequential amendments to the Pay Policy Statement as may be necessitated by the resolution of any outstanding pay awards for 2022-23 and to publish a revised Statement, as necessary, on the Authority's website.

(In accordance with Standing Order 26(3), Councillor Biederman requested that his abstention from voting on this item be recorded)

DSFRA/22/33 Exclusion of the Press and Public

RESOLVED that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A (as amended) to the Act, namely information relating to the financial and business affairs of any particular person – including the authority holding that information.

DSFRA/22/34 Proposed Realisation of Capital Receipt

(An item taken in accordance with Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded from the meeting).

The Authority considered a report of the Director of Finance, People & Estates (DSFRA/23/7) on the proposed disposal of a property asset considered surplus to requirements.

The report identified:

- the legal considerations associated with the disposal;
- the Authority's current policy for disposal of property assets in accordance with these considerations;
- the indicative receipt from the asset; and
- the proposed method of disposal.

The Authority had been advised earlier in the meeting of the budgetary pressures both in the short and longer-term. Disposal of this property asset would realise a much-needed capital receipt for use in addressing these pressures.

RESOLVED

- (a). That disposal of the asset identified in report DSFRA/23/7 be approved; and
- (b). That the Director of Finance, People & Estates be authorised to dispose of the property asset for the best consideration that can reasonably be obtained.

(See also Minutes DSFRA/22/29 to DSFRA/22/31(c), inclusive, above)

The Meeting started at 10.00 am and finished at 12.37 pm

**APPENDIX A TO THE MINUTES OF THE AUTHORITY BUDGET
MEETING 15 FEBRUARY 2023**

**STATEMENT OF THE ROBUSTNESS OF THE BUDGET ESTIMATES AND THE
ADEQUACY OF THE DEVON AND SOMERSET FIRE AND RESCUE AUTHORITY
LEVELS OF RESERVES**

It is a legal requirement under Section 25 of the Local Government Act 2003 that the person appointed as the 'Chief Finance Officer' to the Authority reports on the robustness of the budget estimates and the adequacy of the level of reserves. The Act requires the Authority to have regard to the report in making its decisions.

THE ROBUSTNESS OF THE 2023-24 BUDGET

The net revenue budget requirement for 2023-24 has been assessed as £85.413m (Option B in report). In arriving at this figure, a detailed assessment has been made of the risks associated with each of the budget headings and the adequacy in terms of supporting the goals and objectives of the authority as included in the Community Risk Management Plan and the Fire and Rescue Plan. It should be emphasised that these assessments are being made for a period up to the 31 March 2023, in which time external factors, which are outside of the control of the authority, may arise which will cause additional expenditure to be incurred. The most significant example of this is the pay award for operational staff which is yet to be agreed. The majority of On-Call pay costs are dependent on the number of call outs during the year, which can be subject to volatility dependent on spate weather conditions. Other budgets, such as fuel and energy are affected by market forces that often lead to fluctuations in price that are difficult to predict. Details of those budget heads that are most at risk from these uncertainties are included in Table 1 overleaf, along with details of the action taken to mitigate each of these identified risks.

Local government and the fire sector are entering a period of significant uncertainty over funding and cost pressures such as pay awards, going forward. Unfunded pension schemes and legal challenges over pension terms represent a significant risk to the Authority. It is therefore vitally important that resourcing and investment decisions are made which minimise risks going forward to enable the Authority to be as resilient as possible in future years.

Whilst there is only a legal requirement to set a budget requirement for the forthcoming financial year, the Medium Term Financial Plan (MTFP) provides forecasts to be made of indicative budget requirements over a five year period covering the years 2023-24 to 2026-27. These forecasts include only prudent assumptions in relation future pay awards and prices increases, which will need to be reviewed in light of pay settlements and movement in the Consumer Prices Index.

TABLE 1 – BUDGET SETTING 2023-24 ASSESSMENT OF BUDGET HEADINGS MOST SUBJECT TO CHANGE

Budget Head	Budget Provision 2023-24 £m	RISK AND IMPACT	MITIGATION
Service Delivery staff costs	61.1	There is a high level of uncertainty around pay increases, particularly whether pay awards will be linked to a change to the Firefighter role map to include emergency medical response. Each 1% pay award is equivalent to £0.590m of additional pressure on the revenue budget.	Funding decisions for this model will need to be considered for future years.
Fire-fighter's Pensions	2.5	Whilst net pension costs funded by the government through a top-up grant arrangement, the Authority is still required to fund the costs associated with ill-health retirements, and the potential costs of retained firefighters joining the scheme.	In establishing a Pensions Reserve an allowance has been made for a potential overspend on this budget
Insurance Costs	0.9	The Fire Authority's insurance arrangements require the authority to fund claims up to agreed insurance excesses. The costs of these claims are to be met from the revenue budget. The number of claims in any one-year can be very difficult to predict, and therefore there is a risk of the budget being insufficient. In addition some uninsured costs such as any compensation claims from Employment Tribunals carry a financial risk to the Authority.	General Reserve
Fuel Costs	0.7	This budget has increased to take into account the rising cost of fuel. The Service is investing in new ways of working associated with the environmental strategy so will be introducing electric vehicles during 2023-24	General Reserve
Treasury Management Income	(0.5)	As a result of the economic downturn, the increase in bank rates over the last 12 months has seen a resultant increase in investment returns. The ability to generate much higher levels of investment returns over previous years has been achieved. This has resulted in an increase in the budget of £0.5m. There is a risk that market conditions could reduce should bank rates start to come down quicker than currently predicted.	The target income has been set at a prudent level of achieving only a 0.3% return on investments. Budget monitoring processes will identify any potential shortfall and management informed so as any remedial action can be introduced as soon as possible.
Income	(0.7)	Whilst the authority has only limited ability to generate income, the budget has been set on the basis of delivering £1.4m of external income. Due to economic uncertainty this budget line may be at risk.	Budget monitoring processes will identify any potential shortfall and management informed so as any remedial action can be introduced as soon as possible. A modest provision for doubtful debts is available to protect the Authority from potential losses.
Capital Programme	7.0	Capital projects are subject to changes due to number of factors; these include unforeseen ground conditions, planning requirements, necessary but unforeseen changes in design, and market forces.	Capital projects are subject to risk management processes that quantify risks and identify appropriate management action. Any changes to the spending profile of any capital projects will be subject to Committee approval in line with the Authority Financial Regulations.
Revenue Contribution to Capital	0.1	This amount from the revenue budget has been temporarily suspended to support the revenue budget. However, £0.3m of the contribution is dependent on maintaining trading income levels, if these are not achieved the capital budget will need to be reduced by this amount	Capital programme and strategy, £13.5m Capital Reserve

THE ADEQUACY OF THE LEVEL OF RESERVES

Total Reserve balances for the Authority as at April 2022 was £35.6m, made up of Earmarked Reserves (committed) of £31.6m, and General Reserve (uncommitted) of £4.1m. This will decrease by the end of the financial year as a result of planned expenditure against those reserves during the year. A General Reserve balance of £4.1m is equivalent to 5.5% of the total revenue budget for 2022-23 or 19 days of Authority spending, the figure is subject to a risk assessment annually.

The Authority has adopted an “in principle” strategy to maintain the level of reserves at a minimum of 5% of the revenue budget for any given year, with the absolute minimum level of reserves only being breached in exceptional circumstances, as determined by risk assessment. This does not mean that the Authority should not aspire to have more robust reserve balances based upon changing circumstances, but that if the balance drops below 5% (as a consequence of the need to utilise reserves) then it should immediately consider methods to replenish the balance back to a 5% level.

The Authority used an element of the general reserve during 2021-22 however, the pleasing note is there is no requirement to call on them for 2022-23 or 2023-24 to fund emergency spending. The plan being to increase the general reserve to ensure the 5% level is maintained as a minimum. The importance of holding adequate levels of general reserves has been highlighted on a number of occasions in recent times, the impact of the pandemic and the problems experienced by the global financial markets are just two examples of external risks which local authorities may need to take into account in setting levels of reserves and wider financial planning.

The Authority’s Reserves Strategy is reviewed annually and is available on the website www.dsfire.gov.uk.

CONCLUSION

It is considered that the budget proposed for 2023-24 represents a sound and achievable financial plan, and will not increase the Authority’s risk exposure to an unacceptable level. The estimated level of reserves is judged to be adequate to meet all reasonable forecasts of future liabilities.

SHAYNE SCOTT

Director of Finance, People and Estates (Treasurer)

**APPENDIX B TO THE MINUTES OF THE AUTHORITY BUDGET
MEETING 15 FEBRUARY 2023**

Capital Programme 2023/24 to 2027/28								
2022/23 £000 Budget	2022/23 £000 Forecast Outturn	Item	PROJECT	2023/24 £000 Budget	2024/25 £000 Budget	2025/26 £000 Budget	2026/27 £000 Indicative Budget	2027/28 £000 Indicative Budget
693	607	1	Site re/new build	1,880	3,000	0	0	0
3,957	1,876	2	Improvements & structural maintenance	4,109	800	100	100	100
4,650	2,483		Estates Sub Total	5,989	3,800	100	100	100
			Fleet & Equipment					
4,593	3,524	3	Appliance replacement	4,413	0	1,800	2,100	2,000
820	420	4	Specialist Operational Vehicles	2,979	2,300	2,000	0	0
317	37	5	ICT Department	570	400	700	0	0
5,730	3,981		Fleet & Equipment Sub Total	7,962	2,700	4,500	2,100	2,000
(1,800)	0	6	Optimism bias Sub Total	(1,200)	400	800	0	0
8,580	6,464		Overall Capital Totals	12,751	6,900	5,400	2,200	2,100
			Programme funding					
5,715	4,296	7	Earmarked Reserves:	11,418	1,405	846	0	0
1,200	140	8	Revenue funds:	50	2,050	2,050	2,050	2,050
300	663	9	Capital receipts:	0	0	0	0	0
1,365	1,365	10	Borrowing - internal	1,283	1,370	1,962	150	50
		11	Borrowing - external	0	2,075	542		
8,580	6,464		Total Funding	12,751	6,900	5,400	2,200	2,100

**APPENDIX C TO THE MINUTES OF THE AUTHORITY BUDGET
MEETING 15 FEBRUARY 2023**

PRUDENTIAL INDICATORS					
	2023/24	2024/25	2025/26	INDICATIVE INDICATORS	
	£m	£m	£m	2026/27	2027/28
	Estimate	Estimate	Estimate	Estimate	Estimate
Capital Expenditure					
Non - HRA	12.751	6.900	5.400	2.200	2.100
HRA (applies only to housing authorities)					
Total	12.751	6.900	5.400	2.200	2.100
Ratio of financing costs to net revenue stream					
Non - HRA	2.91%	2.97%	3.15%	2.67%	2.59%
HRA (applies only to housing authorities)	0.00%	0.00%	0.00%	0.00%	0.00%
Capital Financing Requirement as at 31 March	£000	£000	£000	£000	£000
Non - HRA	23,771	25,388	25,836	24,291	22,637
HRA (applies only to housing authorities)	0	0	0	0	0
Other long term liabilities	656	509	349	182	0
Total	24,426	25,897	26,186	24,473	22,637
Annual change in Capital Financing Requirement	£000	£000	£000	£000	£000
Non - HRA	(628)	1,471	289	(1,713)	(1,836)
HRA (applies only to housing authorities)	0	0	0	0	0
Total	(628)	1,471	289	(1,713)	(1,836)
PRUDENTIAL INDICATORS - TREASURY MANAGEMENT					
Authorised Limit for external debt	£000	£000	£000	£000	£000
Borrowing	25,553	27,215	27,321	27,151	26,475
Other long term liabilities	823	681	527	359	182
Total	26,376	27,897	27,848	27,509	26,657
Operational Boundary for external debt	£000	£000	£000	£000	£000
Borrowing	24,364	25,946	26,030	25,936	25,343
Other long term liabilities	791	656	509	349	182
Total	25,155	26,602	26,539	26,286	25,525
Maximum Principal Sums Invested over 364 Days					
Principal Sums invested > 364 Days	5,000	5,000	5,000	5,000	5,000

TREASURY MANAGEMENT INDICATOR	Upper Limit %	Lower Limit %
Limits on borrowing at fixed interest rates	100%	70%
Limits on borrowing at variable interest rates	30%	0%
Maturity structure of fixed rate borrowing during 2023/24		
Under 12 months	30%	2%
12 months and within 24 months	30%	2%
24 months and within 5 years	50%	14%
5 years and within 10 years	75%	1%
10 years and above	100%	81%

**APPENDIX D TO THE MINUTES OF THE AUTHORITY BUDGET
MEETING 15 FEBRUARY 2023**

MINIMUM REVENUE PROVISION STATEMENT 2023-24

Supported Borrowing

The Minimum Revenue Provision will be calculated using the regulatory method (option 1). Minimum Revenue Provision will therefore be calculated using the formulae in the old regulations, since future entitlement to RSG in support of this borrowing will continue to be calculated on this basis.

Un-Supported Borrowing (including un-supported borrowing prior to 1 April 2008)

The Minimum Revenue Provision in respect of unsupported borrowing under the prudential system will be calculated using the asset life method (option 3). The Minimum Revenue Provision will therefore be calculated to repay the borrowing in equal annual instalments over the life of the class of assets which it is funding. The repayment period of all such borrowing will be calculated when it takes place and will be based on the finite life of the class of asset at that time and will not be changed.

Finance Lease and PFI

In the case of Finance Leases and on balance sheet PFI schemes, the Minimum Revenue Provision requirement is regarded as met by a charge equal to the element of the annual charge that goes to write down the balance sheet liability. Where a lease of PFI scheme is brought, having previously been accounted for off-balance sheet, the Minimum Revenue Provision requirement is regarded as having been met by the inclusion of the charge, for the year in which the restatement occurs, of an amount equal to the write-down for the year plus retrospective writing down of the balance sheet liability that arises from the restatement. This approach produces a Minimum Revenue Provision charge that is comparable to that of the Option 3 approach in that it will run over the life of the lease or PFI scheme and will have a profile similar to that of the annuity method.

Minimum Revenue Provision will normally commence in the financial year following the one in which the expenditure was incurred. However, when borrowing to construct an asset, the authority may treat the asset life as commencing in the year in which the asset first becomes operational. It may accordingly postpone the beginning to make Minimum Revenue Provision until that year. Investment properties will be regarded as becoming operational when they begin to generate revenues.

Minimum Revenue Provision Overpayments

A change introduced by the revised MHCLG Minimum Revenue Provision Guidance was the allowance that any charges made over the statutory Minimum Revenue Provision, Voluntary Revenue Provision or overpayments, can, if needed, be reclaimed in later years if deemed necessary or prudent. In order for these sums to be reclaimed for use in the budget, this policy must disclose the cumulative overpayment made each year. Up until the 31 March 2020 the total Voluntary Revenue Provision overpayments were £nil.

DEVON & SOMERSET FIRE & RESCUE AUTHORITY

(Devon & Somerset Fire & Rescue Authority)

19 April 2023

Present:

Councillors Randall-Johnson (Chair), Aspinall, Best, Biederman, Chesterton, Coles, Cook-Woodman (Vice-Chair), Drean, Hannaford, Hendy, Kendall, Kerley, McGeough, Peart, Prowse, Radford, Roome, Sully and Thomas

Apologies:

Councillors Brazil, Clayton, Long, Power, Sellis, Shayer and Trail BEM

DSFRA/22/35 Application for Retirement/Re-employment

NB. The Clerk to the Authority (Director of Governance & Digital Services) left the room during the deliberation and decision on this item.

The Authority considered a report of the Chief Fire Officer setting out an application that had been received for retirement and re-employment at Executive Board level in accordance with the approved Pay Policy Statement for 2023-24 and requirements of the Localism Act 2011.

RESOLVED that the application for retirement and re-employment as set out at paragraph 2.3 of report DSFRA/23/8 be approved.

DSFRA/22/36 Exclusion of the Press and Public

RESOLVED that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public (with the exception of Bryony Houlden, Chief Executive of South West Councils for Minutes DSFRA/39 and DSFRA/40) be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in the following Paragraphs of Part 1 of Schedule 12A (as amended) to the Act:

- For Minute DSFRA/37, DSFRA/39 and DSFRA 40, Paragraph 1, namely information relating to a particular individual;
- For Minute DSFRA/37, DSFRA/39 and DSFRA/40, Paragraph 2, namely information likely to reveal the identity of an individual;
- For Minute DSFRA/37, DSFRA/38 and DSFRA/39, Paragraph 3, namely information relating to the financial or business affairs of any authority including the Authority holding the information; and
- for Minute DSFRA/39, Paragraph 4, namely information relating to consultations or negotiations or contemplated consultations in connection with a labour relations matter arising between the Authority or a Minister of the Crown and employees of or office holders under the Authority.

DSFRA/22/37 Appointment of Monitoring Officer and Clerk to the Authority

(An item taken in accordance with Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded from the meeting).

The Authority considered a report of the Chief Fire Officer (DSFRA/23/9) advising of the forthcoming retirement of the Monitoring Officer and setting out options for the discharge of the functions of both Monitoring Officer and Clerk to the Authority in future.

RESOLVED

- (a). That the Authority appoints Plymouth City Council to provide the services of Monitoring Officer and Clerk to the Authority from 2 May 2023 until the Authority's Annual Meeting in June 2024;
- (b). That the Authority confirms Emma Jackman as Monitoring Officer and Clerk to the Authority with effect from 2 May 2023; and
- (c). That the Clerk be authorised to make any consequential changes to Authority Constitutional Governance Framework documents (Standing Orders, Scheme of Delegations etc.) as may be necessitated by the decision of the Authority in relation to the discharge of the roles of Monitoring Officer and Clerk.

DSFRA/22/38 Digital Service Provision

(An item taken in accordance with Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded from the meeting).

The Authority considered a report of the Chief Fire Officer (DSFRA/23/10) setting out options for the delivery of the Service's Information Communication Technology (ICT) function in future which was a key enabler for all aspects of service delivery. This built on the report submitted to the Authority at its meeting on 12 December 2022 (Minute DSFRA/22/26 refers) which had set out options for digital transformation within the Service to facilitate progression of the Service's Target Operating Model being developed currently to ensure:

- the Service was affordable both now and in the future;
- the provision of core service delivery functions effectively; and
- that communities were kept safe.

Since the Authority meeting on 12 December 2022, two options had been subject to further consideration by the Service's Executive Board, including:

- An in-house proposal that introduced an organisational digital capability, harnessed by an "intelligent customer" function; and
- A shared service option which would see the transfer (via TUPE arrangements) of existing Service ICT staff to DELT Shared Services Ltd. – a publicly owned shared services organisation serving multiple public sector and charitable organisations in the South West.

It was noted that pursuance of the second option above would require the Authority to become a shareholder in DELT and the TUPE transfer of existing Service staff to DELT on their existing terms and conditions of employment (including pension entitlement). The DELT option would also require an “in principle” decision to join whereupon a full Business Case (to consider governance, shareholding, financial savings/investment and implementation) would be developed with key Gateway Reviews scheduled during this process.

Following a lengthy debate, it was suggested that, should the DELT option be pursued, the Gateway Reviews should include Authority involvement via a Member Working Party to work with Officers to progress the requisite Business Case, whereupon Councillor Hannaford **MOVED** (seconded by Councillor Peart) the recommendations set out within report DSFRA/23/10 with the addition of a new resolution at part (b):

- “(b). That a Member Working Party be established to work alongside Officers to oversee development of the Business Case for the DELT Shared Services option”.

Upon a vote, the motion was **CARRIED** unanimously.

RESOLVED

- (a). that the Authority approves, in principle, becoming a shareholder in DELT Shared Services Ltd. to facilitate ICT/Digital Services provision to the Service from DELT;
- (b). That a Member Working Party be established to work alongside Officers to oversee development of the Business Case for the DELT Shared Services option, membership to include Councillors Coles, Hendy, Peart, Randall Johnson and Thomas; and
- (c). that relevant Officers be delegated authority to implement, on behalf of the Authority, this in principle agreement subject to production of, and approval by the Executive Board, a satisfactory full Business Case identifying all relevant risks, costs and benefits to the Service.

DSFRA/22/39 Staffing Matter (1)

An item taken in accordance with Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded from the meeting).

NB. Bryony Houlden, Chief Executive of South West Councils and external adviser to the Authority’s Appraisal Panel and Appointments and Disciplinary Committee, was present for this item of business. The Chief Fire Officer left the room during the deliberation and decision on this item.

The Authority considered a report of the Chief Fire Officer (DSFRA/23/11) setting out details of an opportunity for the Chief Fire Officer to be seconded to the National Fire Chiefs Council on current terms and conditions until his retirement in September 2024.

Should such a secondment be agreed, it was noted that the Chief Fire Officer would provide regular updates on the progress being made on national issues. The Authority requested that any such updates, should the secondment be approved, be given in person.

During the debate, Councillor Kerley **MOVED** (seconded by Councillor Sully):

“that this item be deferred to facilitate the provision of further, detailed information on costings for the secondment”.

Upon a vote, this motion was declared **LOST**.

Councillor Randall Johnson **MOVED** the recommendations set out in report DSFRA/23/11 (seconded by Councillor Peart) with an amendment (duly **MOVED** by Councillor Roome and seconded by Councillor Coles) that:

“a part (b). be added to require that agreement of the secondment was subject to the immediate submission of the Chief Fire Officer’s letter of retirement with effect from 13 September 2024”.

Upon a vote, the recommendations set out in report DSFRA/23/11 with the inclusion of the amendment above were declared **CARRIED** whereupon it was:

RESOLVED

- (a). that the Chief Fire Officer be released on a full-time secondment on current terms and conditions, until his retirement on 13 September 2024, to inform Home Office/national Fire Chiefs Council strategic issues; and
- (b). that the above release on a full-time secondment be subject to the immediate submission of the Chief Fire Officer’s letter of retirement with effect from 13 September 2024”
- (c). that the Authority determines who is to be appointed as the temporary Chief Fire Officer/Head of Paid Service until a separate appointments process is completed during 2024.

DSFRA/22/40 Staffing Matter (2)

An item taken in accordance with Section 100A(4) of the Local Government Act 1972 during which the press and public were excluded from the meeting).

NB. Bryony Houlden, Chief Executive of South West Councils and external adviser to the Authority’s Appraisal Panel and Appointments and Disciplinary Committee, was present for this item of business.

The Authority considered the appointment of a new, temporary Chief Fire Officer, in light of the decision taken at Minute DSFRA/23/39 above resulting from the secondment of the existing Chief Fire Officer, to be effective until his retirement on 13 September 2024.

It was noted that a recommendation on this temporary appointment had been made by the Authority's Appointments & Disciplinary Committee which met on 3 April 2023 to consider applications received for this role. The recommendation of the Committee on this temporary appointment was reported to the Authority for consideration and **MOVED** by Councillor Randall Johnson (seconded by Councillor Hannaford).

In debating the matter further, the Authority expressed the view that the Chief Fire Officer should be operationally competent. In light of this, an amendment was **MOVED** by Councillor McGeough (seconded by Councillor Biederman):

“that the officer appointed should be operationally competent and that DCFO Gavin Ellis be appointed as the temporary Chief Fire Officer and Head of Paid Service for the next approximately 18 months over the period of secondment of the existing Chief Fire Officer”.

Upon a vote, the motion was declared **CARRIED**, whereupon it was:

RESOLVED that the officer appointed should be operationally competent and that DCFO Gavin Ellis be appointed to lead Devon & Somerset Fire & Rescue Service as temporary Chief Fire Officer and Head of Paid Service for the next approximately 18 months over the period of secondment of the existing Chief Fire Officer.

***DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 10.07 am and finished at 2.00 pm

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Agenda Item 6

REPORT REFERENCE NO.	DSFRA/23/12
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Annual Meeting)
DATE OF MEETING	12 JUNE 2023
SUBJECT OF REPORT	REVIEW OF CONSTITUTIONAL GOVERNANCE FRAMEWORK
LEAD OFFICER	Monitoring Officer and Clerk to the Authority
RECOMMENDATIONS	<p><i>(a). that the revisions to Financial Regulations as set out at Appendix A of this report be approved;</i></p> <p><i>(b). that the revisions to the Scheme of Delegations as set out at Appendix B of this report be approved;</i></p> <p><i>(c). that the revisions to the Terms of Reference for Committees as set out at Appendix C of this report be approved;</i></p> <p><i>(d). that, subject to (a) to (c). above, the Authority's constitutional governance framework documents as listed at paragraph 1.1 of this report be endorsed; and</i></p> <p><i>(e). that the Clerk be authorised to publish all revised constitutional governance framework documents on the website.</i></p>
EXECUTIVE SUMMARY	This report sets out information on the most recent review of the Authority's constitutional governance framework documents (Standing Orders, Financial Regulations etc.), which, while not a statutory requirement, is undertaken at least annually as a matter of good practice.
RESOURCE IMPLICATIONS	Nil.
EQUALITY RISKS AND BENEFITS ANALYSIS	The contents of this report are considered compatible with existing human rights and equalities legislation.
APPENDICES	<p>A. Revised Financial Regulations 2023</p> <p>B. Revised Scheme of Delegations 2023</p> <p>C. Revised Terms of Reference for Committees 2023</p>

BACKGROUND PAPERS

1. [Local Government Act 1972.](#)
2. [Localism Act 2011.](#)
3. [Local Government Association Model Councillor Code of Conduct.](#)
4. [The Fire and Rescue National Framework for England.](#)

1. **BACKGROUND**

1.1 The Authority's Constitutional Governance Framework documents include, amongst other things:

- The Accountabilities, Roles and Responsibilities of Members of the Devon & Somerset Fire & Rescue Authority
- Members' Code of Conduct;
- Protocol for Member/Officer Relations;
- Policy on Gifts and Hospitality;
- Scheme of Members Allowances;
- Standing Orders;
- Committee Terms of Reference
- Financial Regulations;
- Contract Standing Orders;
- Scheme of Delegations;
- Corporate Governance Code;
- Treasury Management Policy;
- Strategy on the Prevention and Detection of Fraud and Corruption; and
- "Whistleblowing" Code (Confidential Reporting Policy).

1.2 [The Authority Constitutional Governance Framework documents may be viewed here on the website.](#)

1.3 The documents referred to above were drafted by reference to a number of sources, some statutory; some based upon "models" issued either by central government or by professional bodies (e.g. the Chartered Institute for Public Finance Accountancy – CIPFA); and others based on "best practice" documents in use by other local authorities (including combined fire and rescue authorities).

1.4 While there is no legal requirement for the documents to be reviewed, they are nonetheless reviewed, in consultation with relevant officers, at least annually to ensure that they continue to be "fit for purpose". This process does not preclude making revisions at any time to any of the documents where this might be required by changes in legislation or internal structure; or the approval of new documents to enhance the governance framework.

1.5 At its annual meeting in 2022, the Authority approved changes to the following constitutional framework document:

- Financial Regulations.

2. **OUTCOME OF MOST RECENT REVIEW**

- 2.1 Each of the Authority's Constitutional Framework documents have again been subject to review over the last twelve months and will continue to be subject to ongoing review with any further proposed revisions submitted to future meetings of the Authority as required.
- 2.2 Since the previous review, the structure of the Executive Board has changed in light of the secondment of the Chief Fire Officer, Lee Howell, and further changes are proposed (see report on the agenda of the Ordinary Meeting of the Authority on 12 June 2023 – DSFRA/23/16 - refers). As a result, the constitutional documents have been updated to reflect such changes and also to consider whether any proposed delegation required amendment. The proposed revisions are set out below for consideration. All other constitutional documents as set out at paragraph 1.1 above remain unchanged.

3. **FINANCIAL REGULATIONS**

- 3.1. It is proposed that the financial thresholds shown in the appendix to the Financial Regulations be amended as summarised below for clarification purposes:

Maximum Delegated Approvals (all other items of income or expenditure are reserved to the full Authority)	Treasurer	Resources Committee	Authority
<u>Assets</u>			
(a) Material Asset of plant and equipment	£0.100m	£0.250m	>£0.250m
(b) Redundant Stock and Equipment – individual item or cumulative amount of the same item	£0.100m	£0.250m	>£0.250m
(c) Stock and equipment discrepancies – individual item or cumulative amount of the same item.	£0.100m	£0.250m	>£0.250m
Debt write off:	£0.050m	£0.100m	>£0.100m

- 3.2. There are also other, minor amendments in terminology as highlighted in yellow within Appendix A of this report.
- 3.3. The proposed, revised Financial Regulations are set out at Appendix A of this report for consideration and approval.

4. SCHEME OF DELEGATIONS

- 4.1. The approved Scheme of Delegations also requires amendments to align with the proposed new Executive Board structure. Such amendments to be implemented in conjunction with the approval of the recommendations contained in report DSFRA/23/16 on the Authority's ordinary meeting agenda for 12 June 2023.
- 4.2. There are other minor amendments as referred to in paragraph 5 of this report below and also as highlighted in yellow in the proposed, revised Scheme of Delegations at Appendix B of this report.

5. TERMS OF REFERENCE FOR COMMITTEES

- 5.1. The Terms of Reference for Committees require amendment under the Appointments & Disciplinary Committee to correct an error as this had indicated that the Committee could make the appointment of Chief Fire Officer rather than making a recommendation to the Authority to align with the Scheme of Delegations.
- 5.2. The proposed, revised Terms of Reference for Committees is set out at Appendix C of this report for consideration and approval.

6. CONCLUSION

- 6.1. The Service has a commitment to continuous improvement to achieve and sustain its stated ambition of being an "excellent" organisation. As part of this, the Authority's constitutional governance framework documents will continue to be subject to ongoing review with any further proposals for amendments being submitted as and when required.
- 6.2. In the meantime, the Authority is asked to approve the recommendations as set out in this report.

EMMA JACKMAN

Monitoring Officer & Clerk to the Authority

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DEVON & SOMERSET FIRE & RESCUE AUTHORITY

FINANCIAL REGULATIONS

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1. GENERAL INTRODUCTION

1. To conduct its business efficiently, the Devon & Somerset Fire & Rescue Authority (hereafter referred to as “the Authority”) needs to ensure that it has sound financial management policies in place and that they are strictly adhered to. Additionally, this Authority is committed to innovation, within the regulatory framework and providing that the necessary risk assessment and approval safeguards are in place.
2. These Financial Regulations aim provide clarity about the financial accountabilities of individuals – the Authority itself (or one of its Committees as the case may be), the Chief Fire Officer (as Head of Paid Service and Principal Executive Officer), the Treasurer (as the proper Financial Officer), the as Monitoring Officer and those other officers either on the Executive Board or on the Service Leadership Team responsible for service delivery.
3. These Regulations, together with other regulatory documents (for example, Standing Orders; the Scheme of Delegations; Members and Officers Codes of Conduct; Corporate Governance Code; Fraud and Corruption Strategy), are an integral part of the overall governance framework for the Authority.

2. STATUS OF FINANCIAL REGULATIONS

1. These Financial Regulations provide the framework for managing the Authority’s financial affairs. They apply to every Member and officer of the Authority and anyone acting on its behalf.
2. The Regulations identify the financial responsibilities of the Authority itself (or one of its Committees as the case may be), the Chief Fire Officer (as Head of Paid Service and Principal Executive Officer), the Treasurer (as the proper Financial Officer), the Monitoring Officer and those other officers on either the Executive Board or on the Service Leadership Team (Heads of Departments) responsible for service delivery. Officers as identified in these regulations should maintain a written record where decision making has been delegated to members of their staff, including seconded staff. Where such decisions have been delegated or devolved to other responsible individuals then references to the Officer in the Regulations should be read as referring to them.
3. All Members and staff have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, is properly authorised, provides value for money and achieves best value.

4. The Treasurer is responsible for maintaining a continuous review of the Financial Regulations and submitting any additions or changes necessary to the Authority for approval. The Treasurer is also responsible for reporting, where appropriate, breaches of the financial regulations to the Authority.
5. Officers on either the Executive Board or the Service Leadership Team are responsible for ensuring that all staff in their departments are aware of the existence and content of the Authority's Financial Regulations and other internal regulatory documents (e.g. Contract Standing Orders) and that they comply with them.
6. The Treasurer is responsible for issuing advice and guidance to underpin the Financial Regulations that Members, Officers and others acting on behalf of the Authority are required to follow.

3. FINANCIAL REGULATION A: FINANCIAL MANAGEMENT

Introduction

Financial management covers all financial accountabilities in relation to the running of the Authority, including the policy framework and budget.

The Authority

- A1. The Authority is responsible for approving its overall policy framework and budget within which it operates. It is also responsible for approving and monitoring compliance with an overall framework of accountability and control, including the adoption of a Members' Code of Conduct. The Authority is also responsible for the setting and measurement of appropriate performance targets.

Audit & Governance Committee

- A2. The Authority has delegated to this Committee, amongst other things, overall responsibility for internal audit. In turn, this Committee has delegated day-to-day responsibility for this to the **Treasurer in consultation with the Chief Fire Officer**. The **Treasurer**, or designated Service Director, consults the Committee as necessary on the content of the annual audit plans of both the internal and external auditors. The Committee is responsible for monitoring the delivery of both plans and any additional audit work undertaken during the year. It also reviews the internal auditors' annual report and the external auditors' statutory management letters and makes recommendations for appropriate action. The Committee considers the outcomes of any fraud investigations and action taken.
- A3. The Committee may initiate reviews of the adequacy of financial procedures and internal controls, including the adequacy of the audit function, and recommend to the Authority future policy options. As part of these reviews, officers on either the Executive Board or the Service Leadership Team may be required to account to the Committee for their actions or those of their staff.

Other committees

- A4. The Authority may establish committees to effectively and efficiently enable it to perform its functions. Any such committees will be established in accordance with Standing Orders and will have specified Terms of Reference setting out the limit of powers delegated to the Committee in question by the Authority.

The Statutory Officers

(a) Head of Paid Service and Chief Executive (the Chief Fire Officer)

- A5. The Chief Fire Officer, as Head of Paid Service and Chief Executive, is responsible for the corporate and overall strategic management of the Authority as a whole. They must report to and provide information for the Authority and is responsible for establishing a framework for management direction, style and standards and for monitoring the performance of the organisation. The Chief Fire Officer, as Head of Paid Service, is also responsible, together with the Clerk (as Monitoring Officer), for the system of record keeping in relation to all the Authority's decisions (see below).

(b) Monitoring Officer

- A6. The Monitoring Officer has responsibility for reporting any actual or potential breaches of the law or maladministration to the Authority, and for ensuring that procedures for recording and reporting decisions are operating effectively. Specifically, the Monitoring Officer role entails:
- advising all Members and Officers about who has authority to take a particular decision; and
 - advising the Authority about whether a decision is likely to be considered contrary or not wholly in accordance with the policy framework.
- A7. The Monitoring Officer (together with the Treasurer) is responsible for advising the Authority about whether a decision is likely to be considered contrary or not wholly in accordance with the budget. Actions that may be 'contrary to the budget' include:
- initiating a new policy;
 - committing expenditure in future years to above the budget level;
 - incurring interdepartmental transfers above virement limits;
 - causing the total expenditure financed from Authority tax, grants and corporately held reserves to increase, or to increase by more than a specified amount.
- A8. The Monitoring Officer, together with the Chief Fire Officer and the Treasurer, is responsible for ensuring that the constitutional governance documents of the Authority are up-to-date.

(c) Treasurer

- A9. The Treasurer, as proper financial officer, has statutory duties in relation to the financial administration and stewardship of the Authority. This statutory responsibility cannot be overridden and arises from:
- the Local Government Act 1972;

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- The Local Government Finance Act 1988;
- The Local Government and Housing Act 1989; and
- The Accounts and Audit Regulations.

A10. The Treasurer is responsible for:

- the proper administration of the Authority's financial affairs;
- setting and monitoring compliance with financial management standards;
- advising on the corporate financial position and on the key financial controls necessary to secure sound financial management;
- providing financial information;
- preparing the revenue budget and the capital programme (in consultation with the Executive Board);
- Treasury management.

A11. Section 114 of the Local Government Finance Act 1988 requires the Treasurer to report to the Authority if it or one of its officers:

- has made, or is about to make, a decision which involves incurring unlawful expenditure
- has taken, or is about to take, an unlawful action which has resulted or would result in a loss or deficiency to the authority
- is about to make an unlawful entry in the Authority's accounts.

A12. Section 114 of the 1988 Act also requires:

- the Treasurer to nominate a properly qualified member of staff to deputise should they be unable to perform the duties under Section 114 personally
- the Authority to provide the Treasurer with sufficient staff, accommodation and other resources – including legal advice where this is necessary – to carry out the duties under Section 114.

The Executive Board

A13. The Executive Board comprises those Service Directors who set the strategic direction of the organisation and provide the most senior officer-level of decision making on strategic planning and policy to deliver the organisations purpose and vision.

The Service Leadership Team

A14. The Service Leadership Team comprises those Heads of Department responsible for the day-to-day running and performance of the Service and making recommendations as appropriate for strategic change, based on service delivery and service support experience, to the Executive Board.

Other financial accountabilities

(a) Virement

- A15. In-year virements up to and including the maximum as indicated in the Schedule to these Regulations may be approved in accordance with the Scheme of Delegations.
- A16. In-year virements in excess of this amount must be approved by the Authority (or Committee so delegated to do so).

(b) Treatment of year-end balances

- A17. The Treasurer will report to the Authority on the outturn of expenditure and income in relation the previous year's revenue budget as soon as practicable after the end of the financial year. The Authority is responsible for agreeing procedures for carrying forward under- and overspendings on revenue budget headings.
- A18. The Treasurer in consultation with the relevant Executive Board officers with responsibility for the capital programme will report on the outturn of expenditure on individual schemes within the approved capital programme as soon as practicable after the end of the financial year.

(c) Accounting policies

- A19. The Treasurer is responsible for selecting accounting policies and ensuring that they are applied consistently.

(d) Accounting records and returns

- A20. The Treasurer is responsible for determining the accounting procedures and records for the authority.

(e) The annual statement of accounts

- A21. The Treasurer is responsible for ensuring that the annual statement of accounts is prepared in accordance with the *Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice* (CIPFA/LASAAC). The Authority (or Committee so delegated to do so) is responsible for approving the annual statement of accounts.

4. FINANCIAL REGULATION B: FINANCIAL PLANNING

Introduction

The Authority is responsible for agreeing its policy framework and associated budget requirements. In terms of financial planning, the key elements are:

- the Annual Service plan
- the budget
- the capital programme.

Policy framework

- B1. The policy framework comprises the following statutory plans and strategies:
- Community Risk Management Plan
 - Fire and Rescue Plan
 - Medium Term Financial Plan
 - Capital Programme
 - Capital Strategy
 - Reserves Strategy
 - Treasury Management Policy Statement
- B2. The Authority is also responsible for approving procedures to vary those approved budgets, plans and strategies that form the policy framework and for determining the circumstances in which a decision will be deemed to be contrary to the budget or policy framework. Decisions should be referred to the Authority by the Monitoring Officer.

Community Risk Management Plan

- B3. The Chief Fire Officer (as Head of Paid Service) is responsible – in conjunction with other officers on the Executive Board and on the Service Leadership Team - for developing and proposing this document to the Authority for approval.

Medium Term Financial Plan, Capital Programme, Capital Strategy, Reserves Strategy and Treasury Management Policy Statement

- B4. The Treasurer in conjunction with the Executive Board is responsible for the preparation and revision (as necessary) of these Plans and their submission to the Authority for approval.

Budgeting

(a) Budget format

- B5. The general format of the budget will be approved by the Authority and proposed on the advice of the Treasurer following consultation with the Executive Board. The draft budget submitted to the Authority for approval must include details of the allocation of resources to different services and projects, proposed taxation levels, the nature and level of contingency funds and reserves and the requirement to set the Prudential Code limits (in particular, the statutory borrowing limit) under the Local Government Act 2003.

(b) Revenue Budget preparation

- B6. The Treasurer in consultation with the Executive Board and the Service Leadership Team is responsible for ensuring that a revenue budget and Medium Term Financial Plan is prepared on an annual basis for consideration by the Authority. The Authority may amend the budget or ask for it to be revised before approving it, subject to compliance with the relevant statutory requirements for budget setting.

- B7. The Treasurer in consultation with the Executive Board is responsible for issuing guidance on the general content of the budget as soon as possible following approval by the Authority.
- B8. It is the responsibility of officers on the Executive Board and the Service Leadership Team, following consultation with the Treasurer, to ensure that budget estimates reflecting agreed service plans are submitted to the Authority.

(c) Capital Programme preparation

- B9. The Treasurer in consultation with the Executive Board is responsible for ensuring that a capital programme, covering a three to five year period (or as may otherwise be determined) is prepared/updated on an annual basis for submission to the Authority for approval. This submission will include consideration on the impact on the Prudential Indicators (which govern the financing of the Capital Programme) as required by the CIPFA Prudential Code.
- B10. The Authority may amend the Capital Programme or ask that areas of detail contained within it be reconsidered.
- B11. The Authority (or Committee as determined by the Authority) will monitor progress of schemes included in the approved Capital Programme.
- B12. The approval of the Authority (or Committee as determined by the Authority) will be sought:
- (a). where it is proposed to finance a capital scheme from the revenue budget and the level of expenditure to be incurred exceeds the limit shown in the schedule to these Regulations;
 - (b). where the estimated expenditure for any individual major scheme exceeds the capital programme provision for that scheme by the limit shown in the Schedule to these Regulations, subject to the additional expenditure being contained from within the overall capital programme limit for the year in question;
 - (c). where the overall expenditure on capital budgets is likely to exceed the approved budget provision in the financial year in question by the limit shown in the Schedule to these Regulations, subject to the additional expenditure being contained from within the overall capital programme limit for the year in question.

(d) Preparation Guidelines

- B13. The Treasurer is responsible for issuing to officers on the Executive Board and the Service Leadership Team guidelines for preparation of both the annual revenue budget and the Capital Programme. The guidelines will take account of:
- legal requirements;
 - medium-term financial planning prospects;
 - the Service plan;
 - available resources;

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- spending pressures;
- Best Value and other relevant government guidelines;
- other internal policy documents;
- cross-cutting issues (where relevant).

Resource allocation

- B14. The Treasurer is responsible for developing and maintaining a resource allocation process that ensures due consideration of the Authority's policy framework.
- B15. The prior approval of the Authority will be required for any new proposal which:
- (a). creates a financial commitment for future years which cannot be contained within existing approved budget limits or exceeds the in-year virement thresholds indicated in the Schedule to these Regulations; and/or
 - (b). represents a substantial policy change in Authority service provision.

Budget monitoring and control

- B16. The Treasurer is responsible for providing appropriate financial information to enable budgets to be monitored effectively. They must monitor and control expenditure against budget allocations.
- B17. It is the responsibility of Executive Board and Service Leadership Team officers to control income and expenditure within their area and to monitor performance, taking account of financial information provided by the Treasurer. They should also take any action necessary to avoid exceeding their budget allocation.
- B18. Executive Board and Service Leadership Team officers must provide the Treasurer with budget monitoring information, highlighting any problems or variances within their areas. In turn, the Treasurer is responsible for submitting appropriate and regular monitoring reports both to the Executive Board, the Service Leadership Team and to the Authority.
- B19. The Treasurer in consultation (as required) with the relevant Executive Board officer with responsibility for the capital programme will be responsible for submitting appropriate and regular reports monitoring progress against the approved Capital Programme to the Authority.

Maintenance of reserves

- B20. It is the responsibility of the Treasurer to advise the Authority on prudent levels of reserves. A Reserves Strategy will be prepared annually and submitted to the Authority for approval.

5. FINANCIAL REGULATION C: RISK MANAGEMENT AND CONTROL OF RESOURCES

Introduction

It is essential that robust, integrated systems are developed and maintained for identifying and evaluating all significant operational risks to the authority. This should include the proactive participation of all those associated with planning and delivering services.

Risk management

- C1. Risk management for the Service is designed to protect the assets of the Service, ensure service continuity and facilitate innovation and opportunity. The Service risk management approach encourages officers and managers to identify, understand and control risk.
- C2. In addition to departmental risk registers, the Service maintains a Corporate Risk Register capturing the Authority's most significant risks with a focus on cross-cutting and major projects. Risk management is integrated in the planning process as part of direction setting, activity and resource planning. The risk management process involves the identification, assessment and recording of risks and mitigating activities which are then incorporated into annual directorate statements and Service plans. Additionally, as part of the risk management process, appropriate insurance arrangements are put in place to off-set any exposure to liability. Monitoring of risks is undertaken at Service level, with the Audit & Governance Committee having delegated responsibility to monitor the Corporate Risk Register to ensure that corporate risks are effectively managed.

Internal control

- C3. Internal control refers to the systems of control devised by management to help ensure the Authority's objectives are achieved in a manner that promotes economical, efficient and effective use of resources and that the authority's assets and interests are safeguarded.
- C4. The Treasurer is responsible for advising on effective systems of internal control. These arrangements need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice. They should ensure that public funds are properly safeguarded and used economically, efficiently, and in accordance with the statutory and other authorities that govern their use.
- C5. It is the responsibility of Executive Board and Service Leadership Team officers to ensure that sound arrangements – in line with advice from the Treasurer – are in place for planning, appraising, authorising and controlling their operations in order to achieve continuous improvement, economy, efficiency and effectiveness and for achieving their financial performance targets.

- C6. The Authority (or Committee as determined by the Authority) is required to approve on an annual basis an Annual Statement of Assurance containing, amongst other things:
- a statement, in accordance with the Accounts and Audit Regulations, on measures – including the systems of internal control - taken by the Authority to ensure appropriate business practice, high standards of conduct and sound governance; and
 - in accordance with the Fire and Rescue Service National Framework requirements, an annual assurance statement on financial, governance and operational matters and showing how the Authority has had due regard to the expectations set out in their Community Risk Management Plan and the requirements included in the Framework.

Audit requirements

- C7. The Accounts and Audit Regulations issued by the Secretary of State for the Environment require every local authority to maintain an adequate and effective internal audit.
- C8. The Authority complies with relevant legislative requirements in relation to external audit.
- C9. The Authority may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Customs and Excise and the Inland Revenue, who have statutory rights of access.

Preventing fraud and corruption

- C10. The Treasurer and Monitoring Officer are jointly responsible for the development, maintenance and operation of an appropriate [strategy for the prevention and detection of fraud and corruption](#).

Assets

- C11. Executive Board and Service Leadership Team officers should ensure that records and assets are properly maintained and securely held. They should also ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place.
- C12. The Authority (or relevant Committee, as the case may be) will be required to approve:
- (a). the acquisition of land or buildings (or disposal of land or buildings considered surplus to requirements) where this involves a conveyance;
 - (b). the disposal of any material asset (other than land or buildings) as contained in the fixed asset register and exceeding the value as indicated in the threshold as set out in the Schedule to these Regulations;
 - (c). the writing off of any redundant stocks and equipment in excess of the value as indicated in the threshold as set out in the Schedule to these Regulations;

- (d). to write off any discrepancies between stocks and equipment actually held and the records of such stocks and equipment held where the discrepancies exceed the threshold as set out in the Schedule to these Regulations and subject to any such discrepancy having been investigated and pursued to a satisfactory conclusion;

C13. Material assets of plant and equipment as contained in the fixed asset register will be disposed of via one of the following approved methods:

- (a) donation to another fire and rescue service;
- (b) donation to a charity;
- (c) registered auction;
- (d) public auction;
- (e) the Defence Equipment Sales Authority or other recognised government disposal service;
- (f) sale to other UK (including the Republic of Ireland) fire and rescue service;
- (g) sale to or via Red One Ltd.

C14. In disposing of any short-term asset (i.e. any asset not on the fixed asset register), Departmental Heads must ensure that the disposal is in accordance with Service safety and security requirements and secures value for money.

Treasury management

C15. The Authority has adopted CIPFA's Code of Practice for Treasury Management in Local Authorities.

C16. The Authority is responsible for approving a Treasury Management Policy Statement in compliance with CIPFA's Code of Practice for Treasury Management in Local Authorities. The Treasurer has delegated responsibility for implementing and monitoring the statement.

C17. All money in the hands of the Authority is controlled by the officer designated for the purposes of Section 112 of the Local Government Finance Act 1988, referred to in the code as the Treasurer.

C18. The Treasurer has delegated responsibility for implementing and monitoring the Treasury Management Policy Statement. All decisions on borrowing, repayment, investment or financing shall be delegated to the Treasurer, who is required to act in accordance with CIPFA's Code of Practice for Treasury Management in Local Authorities.

Staffing

- C19. The Chief Fire Officer (as Head of Paid Service), through the Executive Board and the Service Leadership Team, is responsible for providing overall management to staff.
- C20. **The Chief Fire Officer or their designate** is responsible for determining and monitoring adherence to staffing policies and procedures and for ensuring that there is proper use of the evaluation or other agreed systems for determining the remuneration of a job.
- C21. Executive Board and Service Leadership Team officers are responsible for controlling total staff numbers by:
- **not exceeding the annual pay budget set by the Authority unless otherwise approved by the Treasurer and/ or the Authority;**
 - **the proper use of appointment procedures in line with advice from the Head of People Services or their designate.**
- C22. The Chief Fire Officer, in accordance with the Authority's approved Scheme of Delegations, has responsibility for:
- effecting variations in the establishment between uniformed and non-uniformed posts where this is in the best interests of the Service and subject, where necessary, to consultation with representative bodies and to there being no additional resource implications associated with the variation; and
 - effecting changes in the establishment structure subject to any financial implications being contained from within existing resources and to compliance with the virement thresholds as contained in the Authority's Financial Regulations.

6. FINANCIAL REGULATION D: SYSTEMS AND PROCEDURES

Introduction

Sound systems and procedures are essential to an effective framework of accountability and control.

General

- D1. The Treasurer is responsible for the operation of the Authority's accounting systems, the form of accounts and the supporting financial records. Executive Board and Service Leadership Team officers are responsible for the proper operation of financial processes in their own departments in line with advice issued by the Treasurer. Any changes to agreed procedures proposed by Executive Board or Service Leadership Team officers, to meet their own specific service needs, must be agreed with the Treasurer.
- D2. Executive Board and Service Leadership Team officers should ensure that their staff receive relevant financial training, as approved by the Treasurer.

- D3. Executive Board and Service Leadership Team officers must ensure that, where appropriate, computer and other systems are registered in accordance with data protection legislation and that their staff are aware of their responsibilities under Freedom of Information legislation.

Income and expenditure

- D4. It is the responsibility of Executive Board and Service Leadership Team officers to ensure that a proper scheme of delegation has been established within their area and is operating effectively. The scheme of delegation should identify staff authorised to act on the Executive Board or Service Leadership Team officer's behalf in respect of payments, income collection and placing orders, together with the limits of their authority.
- D5. The Authority is responsible for approving procedures for writing off debts as part of the overall control framework of accountability and control.
- D6. The approval of the Resources Committee or Authority, as appropriate, will be required:
- (a). to write off any debt in excess of the limit as set out in the Schedule to these Financial Regulations;
 - (b). for the making of any payment in advance of delivery of goods or services in excess of the limit as set out in the Schedule to these Financial Regulations
 - (c). for the making of any grant in excess of the limit as set out in the Schedule to these Financial Regulations

Payments to employees and Members

- D7. The Treasurer is responsible for all payments of salaries and wages to all staff, including payments for overtime, and for payment of allowances to Members.
- D8. The approval of the Resources Committee or Authority, as appropriate, will be required for the writing off of any overpayment of salary or allowance in excess of the limit as set out in the Schedule to these Regulations.
- D9. The approval of the People Committee or Authority, as appropriate, will be required prior to incurring any financial implications arising from the exercise of discretions under the Local Government Pension Scheme or Firefighters Pensions Schemes where these financial implications exceed the limit as set out in the Schedule to these Regulations.

Taxation

- D10. The Treasurer is responsible for advising all Executive Board and Service Leadership Team officers, in the light of guidance issued by appropriate bodies and relevant legislation as it applies, on all taxation issues that affect the Authority.

- D11. The Treasurer is responsible for maintaining directly or, where appropriate, ensuring that Executive Board and Service Leadership Team officers maintain the Authority's tax records and for making all tax payments, receiving tax credits and submitting tax returns by their due date as appropriate.

Trading accounts/business units

- D12. It is the responsibility of the Executive Board to advise on the establishment and operation of trading accounts and business units.

7. FINANCIAL REGULATION E: EXTERNAL ARRANGEMENTS

Introduction

The Authority contributes a distinctive role to the community and is involved in various partnership/joint working initiatives aimed at improving the social and environmental well-being of the area it serves.

Partnerships

- E1. The Authority is responsible for approving an overall framework for its involvement in all strategic partnerships/joint working initiatives with other local public, private, voluntary and community sector organisations to address local needs.
- E2. The Authority has delegated to the Executive Board and Service Leadership Team power to approve the fire and rescue service role, including officer representation and resource allocation, in individual partnerships/joint working arrangements subject to any restrictions contained in the overall framework.
- E3. The Monitoring Officer and the Treasurer are responsible for promoting and maintaining within all partnerships the same high standards of conduct with regard to legal, corporate governance and financial affairs as apply throughout the Authority.

External funding

- E4. The Treasurer is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the Authority's accounts.

Work for third parties

- E5. The Executive Board officer with responsibility for procurement will, in consultation with the Treasurer, be responsible for providing specific guidance to Executive Board and Service Leadership Team officers in respect of contractual arrangements for the provision of services to third parties or external bodies.

SCHEDULE TO FINANCIAL REGULATIONS

Maximum Delegated Approvals (<i>all other items of income or expenditure are reserved to the full Authority</i>)	Treasurer	Resources Committee	People Committee
<u>In-Year Virements</u>			
(a) Movement between objective budget headings (i.e. Service function headings)*	£0.500m	£1.000m	
(b) Movement between subjective budget headings (i.e. individual budget headings within objective headings)*	£0.200m	£0.500m	
* In the event of any virement between both objective and subjective budget headings, the lower limit will apply			
<u>Transfers to/from or between reserves</u>			
Alternate use of or unbudgeted transfers to/from reserves to/from the revenue budget	£0.200m	£0.500m	
Movements between Earmarked or General reserves	£0.200m	£0.500m	
<u>Capital Programme</u>			
(a) Financing of individual scheme from revenue budget	£0.200m	£0.500m	
(b) Excess of estimated expenditure for individual major capital scheme over approved Capital Programme provision*	10% or £0.100m (whichever is the lesser)	20% or £0.200m (whichever is the lesser)	

Maximum Delegated Approvals (<i>all other items of income or expenditure are reserved to the full Authority</i>)	Treasurer	Resources Committee	People Committee
(c) Excess of overall expenditure on generic capital budgets over approved budget provision.*	5%	10%	
* subject always to the additional expenditure being contained from within the overall Capital Programme limit for the year in question			
<u>Assets</u>			
(a) Material Asset of plant and equipment	£0.025m £0.100m	£0.100m £0.250m	
(b) Redundant Stock and Equipment – individual item or cumulative amount of the same item	£0.025m £0.100m	£0.100m £0.250m	
(c) Stock and equipment discrepancies – individual item or cumulative amount of the same item.	£0.025m £0.100m	£0.100m £0.250m	
<u>Income and Expenditure</u>			
Debt Write off	£0.010m-£0.050m	£0.100m	
Payment in advance of delivery of goods or services	£0.050m	£0.200m	
Making of Grants*	£0.010m	£0.050m	
Overpayment of salary or allowance	£0.010m	£0.050m	
Loans to Devon & Somerset Fire & Rescue Authority controlled organisations	£0.050m	£0.200m	
* Delegated to Chief Fire Officer in consultation with the Treasurer			

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Maximum Delegated Approvals (<i>all other items of income or expenditure are reserved to the full Authority</i>)	Treasurer	Resources Committee	People Committee
Settlement of Claims*			
Employee claims	£0.050m	£0.200m	
Ex gratia payments to employees	£0.010m	£0.200m	
All other claims	£0.010m	£0.050m	
* excludes claims to be settled under insurance arrangements. All other delegations to the Treasurer in this category are jointly reserved to the Chief Fire Officer and Treasurer.			
Financial Implications arising from exercise of discretions under the Local Government Pension Scheme or Firefighters Pensions Schemes, where the financial thresholds indicated relate either to a one-off payment or an annual cost (as the case may be). (NOTE: this is a delegation to the Chief Fire Officer)	£0.025m	N/A	£0.075m

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APPENDIX B TO REPORT DSFRA/23/12

DEVON & SOMERSET FIRE & RESCUE AUTHORITY

SCHEME OF DELEGATIONS

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DEFINITIONS

In this Scheme of Delegations:

"Chief Fire Officer" is the person duly appointed by the Authority as the executive, operational and administrative head of the Devon and Somerset Fire and Rescue Service and shall include such officers of the Service as the Chief Fire Officer specifically authorises for the purposes of this Scheme of Delegations.

"The Clerk" is that person so appointed by the Authority for the purpose of constitutional and administrative tasks related to the business of the Authority.

"Constituent authorities" means Devon County Council, Somerset County Council, Plymouth City Council and Torbay Borough Council.

"Devon and Somerset Fire and Rescue Authority" ("the Authority") is the body corporate constituted in accordance with the "Devon and Somerset Fire and Rescue Authority (Combination Scheme) Order 2006" (as amended) (hereafter referred to as the Order).

"Devon & Somerset Fire & Rescue Service", ("the Service"), comprises all staff employed to ensure that the statutory functions of the Authority are effectively and efficiently discharged;

The "Executive Board" (EB) comprises those Service Directors who, together with the Treasurer to the Authority, set the strategic direction of the Devon & Somerset Fire & Rescue Service ("the Service") and provide the most senior officer level of decision making on strategic planning and policy to deliver the organisation's purpose and vision;

"Member" is any councillor from the constituent authorities duly appointed to serve on the Authority. It also includes any Police & Crime Commissioner and any co-opted Member appointed by the Authority;

"Members' Code" means the Members' Code of Conduct approved by the Authority, as required by the Localism Act 2011 and Regulations made under that Act.

"Monitoring Officer" is that person duly appointed by the Authority to discharge those functions specified in Section 5 of the Local Government and Housing Act and who will have responsibility for providing or procuring appropriate legal advice and assistance to the Authority and its Officers to ensure compliance with all legal, statutory and judicial processes.

"Non-uniformed" means a member of staff whose employment terms are conditioned under the National Joint Council for Local Government Services (the "Green Book").

"Officer" shall mean all employees of the Authority including uniformed and non-uniformed staff of the Devon & Somerset Fire & Rescue Service.

The "Service Leadership Team" (SLT) comprises those uniformed Area Managers and non-uniformed Heads of Department responsible for the day-to-day running of the Service and making recommendations to the Executive Board on strategic change, based on service delivery and support experience and feedback.

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“Treasurer” is that person duly appointed by the Authority with responsibility for the administration of the Authority’s financial affairs.

“Uniformed” means a member of staff whose employment terms are conditioned under the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service (the “Grey Book”) OR the National Joint Council for Brigade Managers of Fire and Rescue Services Constitution and Scheme and Conditions of Service (the “Gold Book”) as appropriate.

1. INTRODUCTION

(a). General Principles

- 1.1 This Scheme of Delegations operates under Section 101 of the Local Government Act 1972 (applied by virtue of the Devon and Somerset Fire and Rescue Authority (Combination Scheme) Order 2006) (as amended) and authorises officers of the Authority to exercise the functions of the Authority as set out in this document.
- 1.2 The Scheme is without prejudice to the exercise of the Authority's functions by the Authority itself or by its committees/sub-committees.
- 1.3 An officer to whom functions have been delegated may authorise another officer to exercise those functions in their name. This authorisation will always be subject to the overall conditions of the Scheme of Delegations and a written record MUST be kept detailing the nature of the authorisation and the name of the officer so authorised.
- 1.4 In the absence of the post-holder, all matters in this Scheme of Delegations delegated to the Chief Fire Officer may be exercised by another member of the Executive Board, depending on availability.
- 1.5 An officer may, instead of exercising a delegated function, refer a matter to the Authority or one of its committees/sub-committees as appropriate.
- 1.6 Before exercising a delegated function an officer must consider whether to consult any other officer, particularly in relation to any matter with financial implications when the views of the Treasurer must be sought. In the event of a dispute between Officers as to the exercise of a delegated function the matter shall be referred to the next full meeting of the Authority or, in the event of the matter being urgent, to the Clerk following consultation with the Chair or Vice-Chair of the Authority.
- 1.7 Any reference in this Scheme to a statute includes any regulation or order made under it.
- 1.8 Any reference in this Scheme to a statute, statutory instrument, regulation, or order, rule or circular includes any modification, amendment or re-enactment of it.

(b). General Limitations

- 1.9 This Scheme does **not** delegate to officers:
 - any matter reserved to the full Authority;
 - any matter which by law may not be delegated to an Officer (e.g. setting the budget);

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- any matter expressly reserved to a Committee, Sub-Committee or Panel by Standing Orders, Financial Regulations or Contract Standing Orders;
- decisions on permanent savings in the budget to achieve Authority policies;
- the making of an order for the compulsory purchase of land;
- the acquisition of land in advance of requirements (i.e. **not** provided for by a scheme contained within the Authority approved Capital Programme);
- the confirmation of any order or the issue of any grant of any permission, consent, licence or other determination which is the subject of a statutory right of objection that has been duly exercised;
- to enter into contracts for the provision of goods and services by Red One Ltd. (the Authority's commercial trading arm) to third parties. Responsibility for entering into such contracts rests with the Board of Red One Ltd., subject to such contracts relating to the provision of those goods and services for which the full Authority has approved a business case to trade commercially.

1.10 The exercise of any function delegated by this Scheme is **subject to** and **must be** in accordance with the following:

- (a). the policies, practices and procedures of the Authority;
- (b). Standing Orders, Financial Regulations, Contract Standing Orders and the Treasury Management Policy;
- (c). the budget of the Authority;
- (d). Prior consultation with and involvement of other officers where their responsibilities are affected.

2. GENERAL – MATTERS DELEGATED TO THE CHIEF FIRE OFFICER, CLERK, MONITORING OFFICER AND TREASURER, JOINTLY AND SEVERALLY

- 2.1 To exercise all the functions of the Authority which can lawfully be delegated and which are consistent with the discharge of the officers responsibilities in accordance with his/her job description and/or principal accountabilities and the power to take such other action as an officer considers will facilitate or be conducive or incidental to the discharge of those functions. Without prejudice to the generality of this delegation, to exercise the functions set out in other parts of this Scheme subject to the qualifications therein.
- 2.2 To exercise the powers of the Authority under the Local Government Act 2003 and any Regulations/Orders made thereunder (powers to trade).

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- 2.3 To exercise the functions given by Standing Orders, Financial Regulations, Contract Standing Orders and the Treasury Management Policy.
- 2.4 To appoint consultants for work directly associated with the discharge of the officer's professional responsibilities.

3. MATTERS DELEGATED TO THE TREASURER OF THE AUTHORITY

- 3.1 "Proper officer" in relation to Section 112 of the Local Government Finance Act 1988, specifically the officer responsible for the proper administration of the Fire and Rescue Authority's financial affairs and the submission of reports to the Fire and Rescue Authority on the discharge of that responsibility.
- 3.2 The execution and administration of the Authority's approved Treasury Management Policy in accordance with CIPFA Standards of Professional Practice on Treasury Management.
- 3.3 Ensuring that arrangements are in place for the proper administration of the Local Government Pensions Scheme.
- 3.4 Be responsible for accounting records and control systems; and ensuring that appropriate internal audit arrangements are in place in accordance with Regulations 5 and 6 respectively of the Accounts and Audit Regulations 2015.
- 3.5 To certify operating leases and associated Purchase Agency Agreements entered into as required to finance relevant elements of the Authority's approved Capital Programme.
- 3.6 In conjunction with the Chief Fire Officer, to approve increases in line with uniformed staff pay increases to any scheme of authorised charges approved by the Authority in accordance with the Fire and Rescue Services (England) Order 2004 or any subsequent amending Order.
- 3.7 In conjunction with the Clerk, to review and report to the Audit & Governance Committee of the Authority on an annual basis on the adequacy and effectiveness of the Authority's Annual Statement of Assurance and the extent of compliance with it.
- 3.8 In accordance with Financial Regulations, to approve:
 - (a). in-year virements between objective (Service function) budget headings up to and including the limit indicated in Financial Regulations;

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- (b). in-year virements between subjective budget headings (individual budget headings within objective headings) from the limit as identified in Financial Procedures and up to and including the limit indicated in Financial Regulations. (**NOTE:** in the event of any virement between both objective and subjective budget headings, the lower limit will apply);
- (c). the alternate use of or unbudgeted transfers to/from reserves to/from the revenue budget up to and including the limit indicated in Financial Regulations;
- (d). movements between Earmarked or General reserves up to and including the limit indicated in Financial Regulations;
- (e). the financing of any individual capital programme scheme of up to and including the limit indicated in Financial Regulations from the revenue budget;
- (f). subject to the additional expenditure being contained from within the Capital Programme limit for the year in question, any excess of:
 - (i). estimated expenditure on an individual major capital scheme over and above approved Capital Programme provision up to the limit indicated in Financial Regulations; and
 - (ii). overall expenditure on Other Projects or Ring Fenced generic capital budgets over approved budget provision up to the limit indicated in Financial Regulations;
- (g). the disposal of any material asset of a value up to and including the limit indicated in Financial Regulations;
- (h). the writing off of any redundant stocks or equipment of a value up to and including the limit indicated in Financial Regulations;
- (i). the writing off of any discrepancies between stocks and equipment actually held and the records of such stock and equipment of a value up to and including the limit indicated in Financial Regulations;
- (j). debt write-off up to and including the limit indicated in Financial Regulations;
- (k). advance payments for goods and/or services up to and including the limit indicated in Financial Regulations;
- (l). overpayments of salary or allowance up to and including the limit indicated in Financial Regulations;
- (m). loans to Authority controlled organisations.

4. MATTERS DELEGATED TO THE CHIEF FIRE OFFICER

(a). General

- 4.1 To exercise the functions of Head of Paid Service.
- 4.2 In accordance with Standing Orders, to institute, defend or settle legal proceedings (either in the name of the Authority or an individual officer of the Authority) at common law or under any enactment, statutory instruments order or bye law conferring functions upon the Authority (or in respect of functions undertaken by it) and to lodge an appeal in respect of any such proceedings. For the avoidance of doubt, this delegation shall extend to the taking of all procedural steps including service of notices - statutory or otherwise - counter-notices, the Laying of Informations and to any proceedings which the Chief Fire Officer considers expedient to take for the protection of the interests of the inhabitants of the Authority's area. Any claim settled in accordance with this delegation will be subject to the provisions of paragraphs 4.7 and 4.8 below. (**NOTE:** this function may also be exercised by the Monitoring Officer).
- 4.3 To exercise the Authority's powers as consultee under any legislation including objecting to the issue of licences, consents, registrations or permissions and/or submitting responses or representations.
- 4.4 In the absence of the post-holder and subject to consultation with appropriate officers as indicated, power to exercise any of the functions delegated to the Clerk as detailed in Section 5 below.
- 4.5 In accordance with Standing Orders and in cases of urgency **ONLY**, power to act on behalf of the Authority (or its Committees), subject **always** to consultation with other officers of the Authority (as appropriate) and with the Authority/Committee Chair or Vice-Chair and to a report being submitted on any action so taken to the next ordinary meeting of the Authority/Committee.
- 4.6 In consultation with the Treasurer, to approve the making of any grant up to and including the limit as set out in Financial Regulations.
- 4.7 In consultation with the Treasurer, to settle employee claims up to and including the threshold as set out in the Schedule to Financial Regulations;
- 4.8 To negotiate and approve, in consultation with the Treasurer, the settlement of other claims against the Authority up to the thresholds as set out in the Schedule to the Financial Regulations.
- (**NOTE:** the delegations at 4.7 and 4.8 above **exclude** claims to be settled by officers under insurance arrangements).

4.9 In consultation with the Treasurer, to approve ex gratia payments up to the thresholds as set out in the Schedule to the Financial Regulations in the case of loss or damage to an employee's clothing and equipment during the course of employment (subject to there being no negligence on the part of the employee) or in relation to any incidental expenditure arising from assault/serious injury to employees at work.

4.10 In accordance with Standing Orders and following consultation with either the Authority or relevant Committee Chair (as the case may be), to establish any Working Party or "task and finish" group as considered conducive and timely to the work of the Authority (**NOTE:** this delegation may also be exercised by the Clerk).

(b). Operational

4.11 In accordance with the Fire and Rescue Services Act ("the Act") 2004:

- (a). to exercise power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any fire and rescue authority function in accordance with Section 5 of the Act;
- (b). to ensure that the core functions of the Authority as provided for by Sections 6 to 9 of the Act are duly exercised in accordance with the Authority's Integrated Risk Management Plan and any associated policies approved by the Authority;
- (c). to exercise power to respond to any other eventualities in accordance with Section 11 of the Act;
- (d). to provide other staff/equipment for other purposes as appropriate in accordance with Section 12 of the Act;
- (e). to enter into reinforcement schemes with other fire and rescue authorities in accordance with Section 13 of the Act;
- (f). to enter into arrangements with other employers of firefighters (excluding other fire and rescue authorities) for the discharge of firefighting, road traffic accidents or other emergencies in accordance with Section 15 of the Act;
- (g). to enter into arrangements for the discharge of functions by others in accordance with Section 16 of the Act;
- (h). to exercise powers at or under sea in accordance with Section 20 of the Act;
- (i). to provide information as requested to the Secretary of State in accordance with Section 26 of the Act;
- (j). to provide information in connection with pensions etc. in accordance with Section 35 of the Act;
- (k). to make arrangements for water supplies in accordance with Part 5, Sections 38 to 43 of the Act;

- (l). to authorise employees of the Authority for the purposes of Part 6, Sections 44, 45 and 46 of the Act (powers of entry in the event of an emergency and for information gathering/fire investigation purposes) and furnish them with evidence of authority.
- 4.12 To the extent not covered elsewhere in this Scheme of Delegations, decisions on operational deployment of staff, equipment etc. and the use of buildings in accordance with the approved Community Risk Management Plan. This delegation **does not** include the power to close a fire station unless that is explicitly mentioned in the approved Plan or has been the subject of a separate resolution by the Authority.
- 4.13 To enter into agreements in respect of fire alarm systems in circumstances where special arrangements are provided to transmit the call from the protected premises to the Fire and Rescue Service Mobilising Centre.
- 4.14 To offer training to outside bodies in aspects in which the Service has expertise.
- 4.15 To authorise the exercise of powers of entry, inspection and survey and the carrying out of emergency works by staff of the Service or contractors acting on behalf of the Fire and Rescue Authority and/or the Service on land or buildings.
- (c). Fire Safety**
- 4.16 To exercise all the powers of the Authority under the Regulatory Reform (Fire Safety) Order 2005 (“the Order”) including, amongst other things:
- (a). appoint inspectors in accordance Article 26(1) of the Order and furnish them with evidence of authority;
 - (b). in accordance with Article 26(3) of the Order, make arrangements with either the Health and Safety Commission or the Office of Rail Regulations for the for the performance of the Authority’s functions in relation to any particular premises;
 - (c). in accordance with Article 28(1) of the Order, to give consent to a duly appointed inspector (or any other person authorised by the Secretary of State) authorising in writing an employee of the fire and rescue service to exercise powers conferred on a fire inspector by virtue of Article 27 of the Order.
- (d). Asset Management**
- 4.17 To agree, following consultation with the **Treasurer and the** Monitoring Officer as necessary, the terms and arrangements for the acquisition (whether by purchase, lease or licence) of land and/or buildings required for Authority purposes subject to:
- (a). prior approval of the Authority for any acquisition involving a conveyance;

- (b). compliance with Financial Regulations and this Scheme of Delegations in relation to thresholds for capital expenditure.

4.18 To agree, following consultation with the **Treasurer and** Legal Adviser as necessary, the terms and arrangements for the disposal of Authority land and/or buildings considered surplus to requirements subject to:

- (a). prior approval of the Authority for any disposal involving a conveyance;
- (b). compliance with Section 123 of the Local Government Act 1972.

(e). Personnel

4.19 Subject to:

- (a). any statutory restrictions and requirements;
- (b). any conditions of Service requirements;
- (c). such policies, procedures and practices that may from time to time be determined by the Authority;
- (d). the provisions of paragraph 4.20 below

the power to deal with all matters relating to the appointment (including the method of appointment), suspension, dismissal, relegation, pay, promotion, supervision, compensation, conditions of service, redundancy, recruitment, qualification, training, health, safety, welfare, housing allowances and the provision of telephones and pay and any other matters relating to the paid employment of persons by the Service, both uniformed and non-uniformed. In particular, this delegation shall include the power to:

- (a). effect variations in the establishment between uniformed and non-uniformed posts where this is in the best interests of the Service and subject to consultation where necessary with representative bodies and to there being no additional resource implications associated with the variation;
- (b). effect changes in the establishment structure subject to any financial implications being contained from within existing resources and to compliance with the virement thresholds as contained in the Authority's Financial Regulations;
- (c). approve secondments to other organisations subject to agreed costs being met by the seconding agency. Authorisation to fill vacancies in the Service arising from substantive secondments;
- (d). determine applications submitted by individual members of the Service for approval to carry on outside employment and to determine those occupations likely to present any unacceptable risk of injury or unfitness and impose limitations as appropriate;

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- (e). exercise, in accordance with the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions and Service (the “Grey Book”), discretion on extensions of sick pay for uniformed firefighters;
 - (f). determine, in accordance with the Authority’s approved Pay Policy Statement, applications for the re-employment of any member of staff at Firefighter to Watch Manager level (or non-uniformed equivalent) and who has previously been made redundant or who has retired from the Service;
 - (g). exercise discretion over broken service with another authority for the purpose of calculating service for the long service bounty scheme;
 - (h). approve, subject to the statutory restrictions on politically restricted posts and any other associated statutory restrictions, either special paid or unpaid leave for:
 - attendance at meetings of a local authority, health authority or other public body to which the individual may have been elected; and
 - serving as a Justice of the Peace;
 - (i). exercise, subject to any directions and/or financial thresholds as may be set by the Authority, those delegations under Firefighters Pensions Schemes and Local Government Pension Scheme as may from time to time be approved by the Authority (NOTE: the most recent delegations in relation to the Local Government Pension Scheme were approved by the Authority at its meeting on 29 July 2015 – Minute DSFRA/21 refers. Delegations in relation to the Firefighters Pensions Schemes were initially approved by the Authority at its meeting on 7 October 2015 – Minute DSFRA/26I(ii) refers – and amended on 30 July 2018 – Minute DSFRA/16(a)(i) refers);
 - (j). approve, in consultation with the Treasurer, premature retirement of staff (other than uniformed firefighters) on grounds of permanent ill-health and/or the efficiency of the Service and where appropriate the exercise of discretion in respect of the award of added years.
- 4.20 The power in paragraph 4.19 above shall **not** include any matter:
- (a). relating to **posts appointed to the Executive Board**;
 - (b). relating to the statutory posts of Monitoring Officer and Chief Financial Officer (other than suspension of these Officers in accordance with Standing Orders;
 - (c). arising from a proposal for major restructuring;
 - (d). which is a major change in the Authority’s or Service’s policies, procedures or practices and

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(e). under the Superannuation Acts relating to the payment and enhancement of pensions.

(f). Commercial Activities

4.21 To exercise, on behalf of the Authority, any written approvals (other than the entering into of contracts for the provision of goods and services) as required by the Trading Company Contract between the Devon & Somerset Fire & Rescue Authority and Red One Ltd.

5. MATTERS DELEGATED TO THE CLERK

- 5.1 In accordance with the Devon & Somerset Fire & Rescue Authority (Combination Scheme) Order 2006 (as amended), to calculate annually the apportionment of places on the Authority to constituent authorities, using the most up-to-date local government electoral roll statistics available on the Office for National Statistics website, and to notify constituent authorities of the outcome of this in sufficient time to enable relevant appointments to be made at their annual meetings.
- 5.2 To receive and/or publish notices in accordance with the provisions of Standing Orders
- 5.3 In accordance with Standing Orders, to call an extraordinary meeting of the Authority if so required.
- 5.4 In accordance with Standing Orders and following consultation with either the Authority or relevant Committee Chair (as the case may be), to establish any Working Party or “task and finish” group as considered conducive and timely to the work of the Authority (**NOTE:** this delegation may also be exercised by the Chief Fire Officer).
- 5.5 “Proper Officer” for the purposes of Regulations 13 and 14 of the Local Government (Committees and Political Groups) Regulations 1990.
- 5.6 To approve and grant any dispensation to exempt a Member from the requirement in Standing Orders to attend at least one Authority meeting within a six month consecutive period, subject to the dispensation being approved and granted either prior to, or before the end of, the six month consecutive period concerned. For clarity, Authority meeting also includes Committee meetings of the Authority or any joint committee to which a Member has been appointed by the Authority.
- 5.7 In accordance with Standing Orders, to affix (and attest the affixing of) the Seal of the Authority to any relevant document.

6. MATTERS DELEGATED TO THE MONITORING OFFICER

- 6.1. To maintain a Register of Interests for Members and Co-opted Members in accordance with Section 29 of the Localism Act 2011 and to ensure that:
- (a). the Register is available for public inspection at all reasonable hours; and
 - (b). the Register is published on the Authority's website.
- 6.2. In accordance with Section 33(2)(a) of the Localism Act 2011, to grant a dispensation from the restriction either not to participate in discussion of, or participate in discussion of and vote on, any matter in which a Member or Co-opted Member has a disclosable pecuniary interest only in instances where, without the dispensation, the number of persons prohibited from participating in any particular business would be so great a proportion of the relevant body as to impede transaction of the business.
- 6.3. In relation to the [Members Code of Conduct](#) adopted in accordance with Section 27(2) of the Localism Act 2011, to:
- (a). receive any allegations of breaches of the Code and determine, in consultation with the "independent person" whether or not any such allegation should be investigated; and
 - (b). to arrange for the undertaking of any investigations as required and report as required on the outcomes of such investigations to the Standards Committee or Hearing Panel thereof.
- 6.4. To maintain a register of interests in contracts declared by Officers of the Devon and Somerset Fire and Rescue Authority in accordance with Section 117 of the Local Government Act 1972;
- 6.5. "Proper Officer" for the purposes of Part VA (sections 100A to 100K)(as inserted by the Local Government (Access to Information) Act, 1985) of the Local Government Act 1972, specifically as the officer who:
- (a) shall determine whether to exclude reports from agendas and connected reports of meetings of the Authority (or its committees or sub-committees) made available to public inspection on the grounds that the excluded report may, in his opinion, be considered by the meeting in the absence of the public;
 - (b) shall make a written summary (without disclosing exempt information) of the proceedings of any part of any meeting during which the public were excluded where the minute(s) of those proceedings does not provide the public with a reasonably fair and coherent record of the proceedings; and
 - (c) shall compile, and determine the contents of, lists of background papers used in the drafting of reports which are open to inspection by the public.

- 6.6. In accordance with Standing Orders, to institute, defend or settle legal proceedings (either in the name of the Authority or an individual officer of the Authority) at common law or under any enactment, statutory instruments order or bye law conferring functions upon the Authority (or in respect of functions undertaken by it) and to lodge an appeal in respect of any such proceedings. For the avoidance of doubt, this delegation shall extend to the taking of all procedural steps including service of notices - statutory or otherwise - counter-notices, the Laying of Informations and to any proceedings which the Monitoring Officer considers expedient to take for the protection of the interests of the inhabitants of the Authority's area. **(NOTE: this function may also be exercised by the Chief Fire Officer and Treasurer).**
- 6.7. In accordance with Standing Orders, to sign on behalf of the Authority any document necessary to any legal procedure or proceedings **unless:**
- (a). another person is required by law (e.g. Act of Parliament) to sign such a document; or
 - (b). the Authority has specifically authorised another officer to sign the document in question.

(NOTE: this function may also be exercised by the Chief Fire Officer and Treasurer).

- 6.8. To receive, return (if appropriate) and open tenders in accordance with Contract Standing Orders. **(NOTE: this function may also be exercised by the Chief Fire Officer and Treasurer).**
- 6.9. Following consultation with the Authority Chair, to suspend the Chief Fire Officer immediately in an emergency or if an exceptional situation arises whereby allegations of misconduct by the Chief Fire Officer are such that their continued presence at work poses a serious risk to the health and safety of others or to the resources, information or reputation of the Authority.

7. MATTERS DELEGATED TO THE HEAD OF PEOPLE SERVICES (OR EQUIVALENT POST-HOLDER) OR THEIR DESIGNATE

- 7.1. To exercise responsibility for the day-to-day management and administration of the firefighters pensions schemes.
- 7.2. To undertake an appropriate process to determine and subsequently appoint employee (Scheme Member) representatives to the Authority's Firefighters Pensions Schemes Local Pension Board.
- 7.3. To arrange appropriate training for both employer (Scheme Manager) and employee (Scheme Member) appointees to the Authority's Firefighters Pensions Schemes Local Pension Board to facilitate the effective and efficient discharge of the role of Board Member.

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8. MATTERS DELEGATED TO THE EXECUTIVE BOARD

- 8.1. To appoint Service Officer Non-Executive Directors to the Board of Red One Ltd.

9. MATTERS DELEGATED TO THE EXECUTIVE BOARD AND THE SERVICE LEADERSHIP TEAM JOINTLY AND SEVERALLY

- 9.1. To exercise the functions given specifically to designated officers by Standing Orders, Financial Regulations, Contract Standing Orders and the Treasury Management Policy.
- 9.2. To the extent not covered elsewhere in this Scheme of Delegations and subject to compliance with Standing Orders, Financial Regulations and Contract Standing Orders:
- (a) to take all necessary actions to implement Authority or Committee decisions including committing resources within agreed budgets in the case of financial resources;
 - (b) to take all operational decisions, within agreed Authority policies, in relation to the services for which they are responsible.

APPENDIX C TO REPORT DSFRA/23/12
DEVON & SOMERSET FIRE & RESCUE AUTHORITY

COMMITTEE TERMS OF REFERENCE

AUDIT AND GOVERNANCE COMMITTEE

COMMITTEE MAIN OBJECTIVES:

1. To scrutinise and monitor the internal and external audit performance of the Authority;
2. To scrutinise and monitor the management of corporate risks on behalf of the Authority;
3. To consider and approve the Annual Statement of Accounts and Annual Statement of Assurance; and
4. To discharge the Authority's statutory requirements for the promotion and maintenance of high standards of conduct by Authority Members.

Advisory ONLY

1. In accordance with the provisions of the Localism Act 2011, to develop, keep under review and make recommendations to the Authority on a Code of Conduct expected of Members and Co-opted Members of the Authority when acting in that capacity.
2. To keep under review the Authority's governance structure, recommending changes to the full Authority as required.

Matters with Delegated Power to Act

(a). Audit

1. To approve internal and external audit plans.
3. To receive the reports of internal and external audit and external assessments of the organisation, ensuring (through appropriate scrutiny arrangements) that any recommendations and findings are appropriately addressed, implemented and monitored.
4. To consider and approve the Authority's Statement of Accounts and Annual Governance Statement for the previous financial year.

(b). Corporate Risk

5. To receive regular corporate risk management reports and agree action to ensure that corporate risks are effectively managed.
6. To receive reports as may be required on the Corporate Risk Register entry on trading company arrangements and specifically:

- (a). in respect of escalated risks or concerns that cannot be resolved between the Company and the Service Executive Board on the use of Service staff, equipment or premises or the reputation of the Service, to consider and resolve such issues, with existing, approved Service resources; and
- (b). in respect of escalated risks or concerns that cannot be resolved between the Company and the Service Executive Board on contracting terms and/or the effective discharge of the Trading Company Contract, to consider and resolve such issues, including approval to any revised contracting terms and/or Trading Company Contract as may be required (again, within existing Service resources).

(c). Standards Issues

- 7. To oversee any actions considered necessary to discharge the statutory duty to promote and maintain high standards of conduct by Members and Co-opted Members of the Authority.
- 8. To oversee the arrangements for the assessment, investigation and determination (as appropriate) of allegations of any breach of the Code of Conduct.
- 9. To consider, in accordance with the Authority's approved procedure, any request for a dispensation either to talk or to talk and vote in relation to either a disclosable pecuniary interest or a personal interest.
- 10. In the event of "sensitive"/potentially compromised allegations of Code breach, to appoint from amongst its Membership a small Sub-Committee to determine, following consultation with the independent person, whether or not an allegation should be investigated.
- 11. To provide for membership of a Hearings Panel comprising three Members of the Committee (selected by the Monitoring Officer in consultation with the Committee Chair) to consider the findings of any investigation which has concluded a breach of the Code and indicative sanctions and, in accordance with the Authority's approved procedures, determine the matter.

(d). Other

- 12. To monitor, as required, operation of the Authority's policies for the prevention and detection of fraud and corruption and "whistleblowing" (confidential reporting).
- 13. To receive an annual report on use of the Authority's powers under the Regulation of Investigatory Powers (RIPA) legislation and make any amendments as required to the Authority's policies and procedures in relation to these powers.
- 14. To receive an Annual Report from the Local Pensions Board.
- 15. To approve responses to external consultation documents on issues within the remit of the Committee and as referred by officers.

Original Approval Date: 11 April 2007

Revision No. and Date: 1 (July 2007); 2 (May 2008); 3 (March 2009); 4 (Feb 2010); 5 (March 2010); 6 (July 2011); 7 (February 2012); 8 (May 2012); 9 (July 2012); 10 (Feb 2014); 11 (Dec 2014); 12 (Feb 2015); 13 (July 2015); 14 (Oct 2015), 15 (Feb 2016); 16 (May 2016); 17 (Dec. 2017); 18 (June 2018); 19 (July 2018); 20 (7 June 2019); 21 (28 June 2019); 22 (June 2021); 23 (September 2021); 24 (September 2022); 24 (12 June 2023)

COMMUNITY SAFETY COMMITTEE

COMMITTEE MAIN OBJECTIVE: to scrutinise and monitor the effectiveness of Service performance against the Authority-approved Community Safety Strategic Policy Objectives and Community Risk Management Plan.

Advisory ONLY

1. Acting as a Working Party, to consider with relevant officers the development of potential Strategic Community Safety policy objectives and associated performance measures for forthcoming years.
2. To consider and recommend for approval by Authority a Community Risk Management Plan, complying with any requirements as may be contained in the Fire and Rescue National Framework for England and/or any relevant guidance as may be issued by the National Fire Chiefs' Council.

Matters with Delegated Power to Act

1. To scrutinise and monitor the effectiveness of Service performance against the Authority approved Community Safety Strategic Policy Objectives and Community Risk Management Plan.
2. To approve responses to external consultation documents on issues within the remit of the Committee and as referred by officers.

PEOPLE COMMITTEE

COMMITTEE MAIN OBJECTIVE: To scrutinise and monitor the effectiveness of Service performance against the Authority approved People Strategic Policy Objectives.

Advisory ONLY

1. Acting as a Working Party, to consider with relevant officers the development of potential People Strategic Policy Objectives and associated performance measures for forthcoming years.
2. To consider and make recommendations to either the Resources Committee or the Authority, as appropriate, on any proposed changes in Service structure, terms and conditions of service, or issues in relation to equality, diversity and inclusion, pensions entitlements, health and safety and training of all employees where the financial implications of any such changes cannot be met from within existing resources or would require a virement(s) in excess of the threshold as set out in Financial Regulations.

Matters with Delegated Power to Act

1. To scrutinise and monitor the effectiveness of Service performance against the Authority approved People Strategic Policy Objectives.

Original Approval Date: 11 April 2007

Revision No. and Date: 1 (July 2007); 2 (May 2008); 3 (March 2009); 4 (Feb 2010); 5 (March 2010); 6 (July 2011); 7 (February 2012); 8 (May 2012); 9 (July 2012); 10 (Feb 2014); 11 (Dec 2014); 12 (Feb 2015); 13 (July 2015); 14 (Oct 2015), 15 (Feb 2016); 16 (May 2016); 17 (Dec. 2017); 18 (June 2018); 19 (July 2018); 20 (7 June 2019); 21 (28 June 2019); 22 (June 2021); 23 (September 2021); 24 (September 2022); 24 (12 June 2023)

2. Where a discretionary policy has been determined, to consider individual cases as may be referred by the Chief Fire Officer.
3. In accordance with the Authority's approved Pay Policy Statement, to determine applications for the re-employment of any member of staff from Station Manager to Area Manager level (or non-uniformed equivalent) and who has previously been made redundant or who has retired from the Service.
3. To oversee development and implementation of a Member Development Strategy.
4. To appoint from amongst its Members a Panel of three Members with delegated authority to consider and determine complaints made by individuals under Stage 2 of the Firefighters' Pensions Scheme Internal Dispute Resolution Procedure.
5. To approve the financial implications associated with the exercise of discretions under the Local Government Pension Scheme and Firefighters Pensions Schemes in accordance with the thresholds set out in the Financial Regulations.
6. To approve responses to external consultation documents on issues within the remit of the Committee and as referred by officers.

RESOURCES COMMITTEE

COMMITTEE MAIN OBJECTIVE: To scrutinise and monitor the effectiveness of Service performance against the Authority approved Efficiency Strategic Policy Objectives.

Advisory ONLY

1. Acting as a Working Party, to consider with relevant officers the development of potential Efficiency Strategic Policy Objectives and associated performance measures for forthcoming years.
2. Acting as a Working Party, to consider with relevant officers the development of the Service Environmental Strategy and associated performance measures for forthcoming years.
3. To give preliminary consideration to and recommend to the Authority: a provisional budget and Council Tax requirement; the Treasury Management and Investment Strategy; the Minimum Revenue Provision (MRP) Statement; and Reserves Strategy for the forthcoming year.
4. To consider in the first instance the financial implications of any proposals for which resources have not already been approved and to make recommendations on these as appropriate to the Authority.

Original Approval Date: 11 April 2007

Revision No. and Date: 1 (July 2007); 2 (May 2008); 3 (March 2009); 4 (Feb 2010); 5 (March 2010); 6 (July 2011); 7 (February 2012); 8 (May 2012); 9 (July 2012); 10 (Feb 2014); 11 (Dec 2014); 12 (Feb 2015); 13 (July 2015); 14 (Oct 2015), 15 (Feb 2016); 16 (May 2016); 17 (Dec. 2017); 18 (June 2018); 19 (July 2018); 20 (7 June 2019); 21 (28 June 2019); 22 (June 2021); 23 (September 2021); 24 (September 2022); 24 (12 June 2023)

5. To consider any Business Plan prepared by Red One Ltd. and make recommendations as appropriate to the Authority.
6. To make recommendations to the full Authority on the use of any dividend declared by the Board of Red One Ltd.

Matters with Delegated Power to Act

1. To scrutinise and monitor the effectiveness of Service performance against the Authority approved Efficiency Strategic Policy Objectives.
2. To scrutinise and monitor the effectiveness of the Service in meeting the Authority-approved Service Environmental Strategy objectives.
3. To consider monitoring reports of expenditure against the approved revenue budget and to approve any necessary modifications and specifically to authorise virements within the thresholds as set out in the Financial Regulations subject to all financial implications being contained within the overall revenue budget.
4. To consider quarterly financial performance reports relating to Red One Ltd. in terms of expenditure on operating costs, costs recovered and profit generated.
5. In accordance with Contract Standing Orders, to authorise any increase in high/low contract financial thresholds for the purpose of determining officer responsibility.
6. In accordance with Financial Regulations, to:
 - approve in-year virements within the thresholds as set out in the Schedule to the Regulations;
 - approve transfers to/from or between reserves within the thresholds as set out in the Schedule to the Regulations;
 - approve of the disposal of any material asset (excluding land) where the estimated disposal value is within the thresholds as set out in the Schedule to the Regulations;
 - write off any redundant stock and equipment within the thresholds as set out in the Schedule to the Regulations;
 - write-off any stock and equipment deficiencies within the thresholds as set out in the Schedule to the Regulations;
 - write-off any debt within the thresholds as set out in the Schedule to the Regulations;
 - write off any overpayment of salary or allowance within the thresholds as set out in the Schedule to the Regulations;
 - make any grant within the thresholds as set out in the Schedule to the Regulations;

Original Approval Date: 11 April 2007

Revision No. and Date: 1 (July 2007); 2 (May 2008); 3 (March 2009); 4 (Feb 2010); 5 (March 2010); 6 (July 2011); 7 (February 2012); 8 (May 2012); 9 (July 2012); 10 (Feb 2014); 11 (Dec 2014); 12 (Feb 2015); 13 (July 2015); 14 (Oct 2015), 15 (Feb 2016); 16 (May 2016); 17 (Dec. 2017); 18 (June 2018); 19 (July 2018); 20 (7 June 2019); 21 (28 June 2019); 22 (June 2021); 23 (September 2021); 24 (September 2022); 24 (12 June 2023)

7. To monitor the approved Capital Programme and in accordance with Financial Regulations to:
 - approve any proposal to finance a capital scheme from the revenue budget where the level of expenditure to be incurred is within the thresholds as set out in the Schedule to the Regulations;
 - approve any excess of estimated expenditure for an individual major capital scheme over approved Capital Programme provision within the thresholds as set out in the Schedule to the Regulations and subject to the additional expenditure being contained from within the overall capital programme limit for the year in question;
 - approve the excess of overall expenditure on Other Projects or Ring Fenced generic capital budgets over the approved budget provision within the thresholds as set out in the Schedule to the Regulations and subject to the additional expenditure being contained from within the overall capital programme limit for the year in question.
8. To implement and regularly monitor the Authority's Treasury Management Policies and Practices.
9. To ensure effective scrutiny of the Authority's Treasury Management Strategy and Policies.
10. To approve responses to external consultation documents on issues within the remit of this Committee and as referred by officers.

APPOINTMENTS AND DISCIPLINARY COMMITTEE

Matters with Delegated Power to Act

1. To consider and make recommendations to the Authority on the appointment of Chief Fire Officer, Monitoring Officer and Chief Financial Officer (Treasurer).
2. To determine all other Executive Board appointments.
3. To determine, in the first instance, whether any allegation of misconduct by a statutory officer should be subject to independent investigation;
4. To determine whether the statutory officer subject to the allegation should be suspended while any independent investigation is conducted;
5. To agree with the statutory officer subject to the allegation the designated independent person to investigate the allegation;
6. To consider the outcome of any resultant independent investigation and, on the basis of this, to either:
 - a. dismiss the allegation; or
 - b. uphold the allegation and determine a sanction short of dismissal; or
 - c. uphold the allegation and recommend dismissal to the full Authority.

Original Approval Date: 11 April 2007

Revision No. and Date: 1 (July 2007); 2 (May 2008); 3 (March 2009); 4 (Feb 2010); 5 (March 2010); 6 (July 2011); 7 (February 2012); 8 (May 2012); 9 (July 2012); 10 (Feb 2014); 11 (Dec 2014); 12 (Feb 2015); 13 (July 2015); 14 (Oct 2015), 15 (Feb 2016); 16 (May 2016); 17 (Dec. 2017); 18 (June 2018); 19 (July 2018); 20 (7 June 2019); 21 (28 June 2019); 22 (June 2021); 23 (September 2021); 24 (September 2022); 24 (12 June 2023)

7. To provide membership of a Chief Fire Officer's Appraisals Panel that will appraise the performance of the Chief Fire Officer against the strategic policy objectives set by the Authority and set any associated personal development objectives.

APPEALS COMMITTEE

Matters with Delegated Power to Act

1. To consider appeals against any sanction (other than dismissal) imposed by the Appointments and Disciplinary Committee and to determine whether:
 - (a). the sanction should be confirmed; or
 - (b). a lesser sanction should be imposed; or
 - (c). no sanction at all should be imposed.

(NOTE: the Membership of this Committee must be different to that of the Appointments and Disciplinary Committee).

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Agenda Item 7

REPORT REFERENCE NO.	DSFRA/23/13
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Annual Meeting)
DATE OF MEETING	12 JUNE 2023
SUBJECT OF REPORT	SCHEDULE OF APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES
LEAD OFFICER	Monitoring Officer & Clerk to the Authority
RECOMMENDATIONS	<p><i>(a) that the Authority confirms appointments to the Committees, Local Pension Board, Member Champion roles and Outside Bodies as indicated in the Schedule at Appendix A to this report, to serve until the Authority Annual Meeting in 2024 unless otherwise indicated; and</i></p> <p><i>(b) that, having determined Committee memberships, the Authority appoints, in accordance with Standing Order 34, Chairs and Vice-Chairs to Committees, the Term of Office to be until the Authority Annual Meeting in 2024.</i></p>
EXECUTIVE SUMMARY	<p>This report invites the Authority to make appointments, for the 2023-24 municipal year, to those Committees and outside bodies as indicated in Appendix A.</p> <p>The Authority is reminded that, in accordance with Standing Order 30(2), appointments to Committees should accord with the principles of political proportionality as defined in the Local Government and Housing Act 1989 (and associated Regulations).</p> <p>The Schedule now appended reflects appointments to positions during the 2023-24 municipal year (where the Members concerned are still serving, Authority Members). It is intended to circulate a populated Schedule with proposed appointments for the 2023-24 municipal year either prior to or at the meeting.</p>
RESOURCE IMPLICATIONS	Any resource implications associated with attendance at committee and outside body appointments etc. will be met from the approved budget for Members Allowances
EQUALITY RISKS AND BENEFITS ASSESSMENT	N/A
APPENDICES	A. Schedule of Appointments to Committees and Outside Bodies.
BACKGROUND PAPERS	None.

EMMA JACKMAN
Monitoring Officer & Clerk to the Authority

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SCHEDULE OF APPOINTMENTS TO COMMITTEES ETC. AND OUTSIDE BODIES – PROPOSED APPOINTMENTS

Note: Names shown reflect discussions at the Members' Forum meeting held on 30 May 2023.

PART (A) STANDING COMMITTEES***AUDIT & GOVERNANCE COMMITTEE (9 Members)***

Con (5)	LD (3)	Lab (1)	Ind. (0)
Vacancy	Brazil	Hendy	
Power	Kerley		
Vacancy	Roome		
Sellis			
Vacancy			

COMMUNITY SAFETY COMMITTEE (7 Members)

Con (4)	LD (2)	Lab (1)	Ind. (0)
Chesterton	Sully	Sproston	Biederman
Pat Patel			
Vacancy Torbay			
Radford			

PEOPLE COMMITTEE (7 Members)

Con (4)	LD (2)	Lab (1)	Ind.
Clayton	Best	Atkinson	
Peart	Kendall		
Vacancy Torbay			
Trail BEM			

RESOURCES COMMITTEE (7 Members)

Con (4)	LD (2)	Lab (1)	Ind.
Power	Coles	Gilmour	
Slade	Vacancy		
Peart			
Vacancy Torbay			

APPOINTMENTS & DISCIPLINARY COMMITTEE (4 Members)*

Con (2)	LD (1)	Lab (1)	Ind.
Randall-Johnson	Best	Hendy	
Cook-Woodman			

****This one needs consideration as the constitution states the Chair, with the other groups choosing a representative to join this Committee.***

APPEALS COMMITTEE (4 Members)

Con (2)	LD (1)	Lab (1)	Ind.
Cook-Woodman	Roome	Gilmour	
Power			

(Membership must differ from that of the Appointments & Disciplinary Committee)

PART (B) OTHER AUTHORITY APPOINTMENTS

SCHEME MANAGER APPOINTMENTS TO LOCAL PENSIONS BOARD

There are currently two Scheme Manager representative vacancies on the Board. The Authority is asked to:

- (a). appoint a Member to one of the vacancies; and
- (b). confirm the appointment of a member of the Executive Board to the second vacancy. *NB. Shayne Scott is already appointed as one of the Scheme Manager representatives in his capacity as Treasurer.*

EQUALITY AND DIVERSITY MEMBER CHAMPION

1 Member (previously Councillor Trail BEM). Trail/Atkinson

CLIMATE CHANGE AND SUSTAINABILITY MEMBER CHAMPION

1 Member (previously Councillor Clayton). Kendall

PART (C) APPOINTMENTS TO OUTSIDE BODIES

LOCAL GOVERNMENT ASSOCIATION (LGA)

(a) Fire Commission

2 Members – usually the Authority Chair and one other (previously Councillors Randall Johnson and Coles)

(Provisional dates of meetings in 2023-24 are indicated in the draft Calendar of Meetings).

(b) General Assembly

4 Members (usually the Authority Chair and three others) exercising the votes as shown.

<u>Member</u>	<u>No. votes exercised</u>	<u>(Previous Appointments)</u>
Authority Chair	1 Corporate and 1 Service	(Councillor Randall Johnson)
	1 Service	(vacancy)
	1 Service	(vacancy)
	1 Service	Vacancy

(NOTE: The General Assembly is held annually. Actual attendance by an Authority Member, as an approved duty, is subject to the inclusion of fire and rescue specific items in the business to be discussed).

SOUTH WEST COUNCILS

The South West Councils brings together the 41 local authorities in the region to:

- Provide a voice for constituent local authorities on major issues affecting the South West;
- Influence Government policy as it affects the region;
- Encourage partnership working between local authorities and other organisations and agencies in the South West on policy issues where a broader regional approach is required;
- Promote the sharing of good practice.

1 Member (usually the Authority Chair)

SOUTH WEST PROVINCIAL COUNCIL

The Provincial Council is the joint negotiating machinery for the South West. It comprises the employers' side (South West Employers) and the trade union side and provides a forum for discussion, debate and negotiation on human resource issues.

The Provincial Council meets twice yearly and the Employers' side has a Management Committee, which meets three times a year to continue business.

The functions of the Provincial Council are:

- To exchange ideas with the view of increasing the understanding of the two Sides;
- To promote good industrial relations practice and training, including the development of good personnel practice;
- To undertake tasks as required by the National Joint Council;
- To establish and give legitimacy to dispute and conciliation machinery;
- To facilitate, should the need arise, the negotiation of collective agreements;
- To issue advice, as appropriate, to Local Authorities and Unions;
- To provide a forum for discussion on key strategic issues affecting Local Government industrial relations/training/personnel.

1 Member (usually, Chair of the People Committee).

Agenda Item 8

REPORT REFERENCE NO.	DSFRA/23/14
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Annual Meeting)
DATE OF MEETING	12 JUNE 2023
SUBJECT OF REPORT	DRAFT CALENDAR OF MEETINGS 2023-24
LEAD OFFICER	Monitoring Officer & Clerk to the Authority
RECOMMENDATIONS	<i>That, subject to any amendments as may be indicated at the meeting, the draft Calendar of Authority Meetings for the 2023-24 Municipal Year be approved.</i>
EXECUTIVE SUMMARY	<p>Attached for consideration is a draft Authority Calendar of Meetings for the forthcoming (2023-24) municipal year.</p> <p>As in previous years, in compiling this Calendar efforts have been made to avoid obvious clashes with constituent authority meetings that may impact on Member availability. Similarly, efforts have been made (wherever practicable) to avoid holding meetings during periods of school holidays.</p> <p>The setting of the revenue budget has to be completed by the end of February 2024. This is owing to legislative constraints, the requirement for the Authority to have all relevant information on which to base the required reports and for the Authority to have determined it's budget and specifically Council Tax precept in sufficient time to inform the billing authorities ahead of their budget meetings.</p>
RESOURCE IMPLICATIONS	N/A
EQUALITY RISKS AND BENEFITS ANALYSIS	N/A
APPENDICES	A. Draft Authority Calendar of Meetings 2023-24 Municipal Year.
BACKGROUND PAPERS	Constituent Authority Calendars of Meetings (as available).

EMMA JACKMAN
Monitoring Officer & Clerk of the Authority

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DEVON & SOMERSET FIRE & RESCUE AUTHORITY

DRAFT CALENDAR OF MEETINGS 2023-24 MUNICIPAL YEAR

Please note that all meetings are held at Fire Service Headquarters, The Knowle, Clyst St George, Exeter unless otherwise indicated

DATE & TIME	MEETING
CYCLE 1	
JUNE 2023	
Friday 23 June 2023, 14.00hours	Members' Forum
JULY 2023	
Friday 7 July 2023, 11.00hours	LGA Fire Services Management Committee, Smith Square, London
Tuesday 18 July 2023, 15.00hours	Members' Forum
Friday 21 July 2023, 10:00hours	Audit & Governance Committee (AGC)
Friday 28 July 2023, 10.00hours	People Committee (PC)
School Holidays Wed 27 July – Wed 6 September 2022	
AUGUST 2023 – RECESS MONTH (NO MEETINGS)	
SEPTEMBER 2023	
Tuesday 5 September 2023, 10:00hours	Resources Committee (RC)
Friday 8 September 2023, 10.00hours	Community Safety Committee (CSC)
Monday 11 September 2023, 14:00hours	Chief Fire Officer's Appraisals Panel
Wednesday 13 September 2023, 15.00hours	Members' Forum
Friday 22 September 2023, 11.00hours	LGA Fire Commission, Smith Square, London
Monday 25 September 2023, 10:00hours	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
CYCLE 2	
SEPTEMBER 2023	
Friday 29 September 2023, 10.00hours	Audit & Governance Committee (AGC)
School Holidays Monday 23 to Friday 27 October	
OCTOBER 2023	
Friday 6 October 2023, 11.00hours	LGA Fire Services Management Committee, Smith Square, London
Monday 9 October 2023, 10:00hours	Members' Forum

Monday 30 October 2023, 10:00hours	People Committee (PC)
NOVEMBER 2023	
Friday 10 November 2023 10:00hours	Community Safety Committee (CSC)
Wednesday 15 November 2023, 14:00hours	Members' Forum
Wednesday 22 November 2023, 10.00hours	Resources Committee (RC)
Thursday 30 November 2023, 10.00hours	Audit & Governance Committee (AGC)
DECEMBER 2023	
Wednesday 6 December 2023, 11.00hours	LGA Fire Services Management Committee, Smith Square, London
Monday 11 December 2023, 10:00hours	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
CYCLE 3	
DECEMBER 2023	
Friday 15 December 2023, 14,00hours	Members' Forum
School Holidays Monday 22 December 2023 to Monday 2 January 2024 (inclusive)	
JANUARY 2024	
Friday 12 January 2024, 10:00hours	Members' Forum
Monday 22 January 2024, 14:00hours	Audit & Governance Committee (AGC)
Wednesday 24 January 2024, 10.00hours	People Committee (PC)
Friday 26 January 2024, 11.00hours	Members' Forum
Wednesday, 31 January 2024, 14.00hours	Community Safety Committee (CSC)
FEBRUARY 2024	
Monday, 5 February 2024, 10.00hours	Resources Committee (RC) (Budget Meeting)
Friday 16 February 2024, 10:00hours	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Budget Meeting)
Monday 19 February 2024, 10:00hours	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Budget Meeting) (Reserve Date)
CYCLE 4	
MARCH 2024	
Good Friday 29 March, Easter Monday 1 April 2024	
5/6 March 2024 – date tbc	LGA Annual Fire Conference
Monday 11 March 2024, 10.00hours –	Members' Forum

Monday 18 March 2024, 10:00hours	Chief Fire Officers' Appraisals Panel
APRIL 2024	
School Holidays Friday 29 March to Friday 12 April 2024	
Wednesday 17 April 2024, 11.00hours	Members' Forum
Friday 19 April 2024, 10.00hours	Audit & Governance Committee (AGC)
Wednesday 24 April 2024, 10.00hours	People Committee (PC)
Friday 26 April 2024, 10.00hours	Community Safety Committee (CSC)
MAY 2024	
Early May Bank Holiday 6 May 2024	
School Holidays Monday 27 May to Friday 31 May 2024	
Thursday 9 May 2024, 14:00hours	Resources Committee (RC)
Friday 17 May 2024, 11.00hours	LGA Fire Services Management Committee, Smith Square, London
Tuesday 28 May 2024, 14.00hours	Members' Forum
JUNE 2024	
Friday 7 June 2024, 11.00hours	LGA Fire Commission, Smith Square, London
Monday 10 June 2024, 10:00hours	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Annual Meeting and Ordinary Meetings)

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