



# DEVON & SOMERSET FIRE & RESCUE AUTHORITY

**M. Pearson  
CLERK TO THE AUTHORITY**

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**To: The Chair and Members of the Audit &  
Governance Committee**

**(see below)**

**SERVICE HEADQUARTERS  
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Your ref :  
Our ref : DSFRA/MP/SY  
Website : [www.dsfire.gov.uk](http://www.dsfire.gov.uk)

Date : 14 July 2022  
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**AUDIT & GOVERNANCE COMMITTEE**  
**(Devon & Somerset Fire & Rescue Authority)**

**Friday, 22 July, 2022**

A meeting of the Audit & Governance Committee will be held on the above date, **commencing at 10.00 am in Committee Room A, Somerset House, Devon & Somerset Fire & Rescue Service Headquarters** to consider the following matters.

M. Pearson  
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 Minutes (Pages 1 - 4)**

of the previous meeting held on 10 May 2022 attached.

**3 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**

**4 Government White Paper "Reforming Our Fire and Rescue Service" - Proposed Response (Pages 5 - 20)**

Report of the Chief Fire Officer (AGC/22/9) attached.

**5 Internal Audit 2022-23 Progress Report - Quarter 1 (Pages 21 - 30)**

Report of the Director of Governance & Digital Services (AGC/22/10) attached.

**6 Going Concern Review (Pages 31 - 36)**

Report of the Director of Finance, People & Estates (Treasurer) (AGC/22/11) attached.

**7 Annual Review of Authority Standards Arrangements (Pages 37 - 56)**

Report of the Director of Governance & Digital Services (AGC/22/12) attached.

**8 Revised Forward Plan 2022-23 (Pages 57 - 60)**

Report of the Director of Governance & Digital Services (AGC/22/13) attached.

### **MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER**

**Membership:-**

Councillors Brazil (Chair), Hendy, Kerley, Partridge (Vice-Chair), Power, Prowse, Roome, Sellis and Thomas.

## 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.

	<b>NOTES (Continued)</b>
<b>4.</b>	<p><b><u>Part 2 Reports</u></b></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>
<b>5.</b>	<p><b><u>Substitute Members (Committee Meetings only)</u></b></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>
<b>6.</b>	<p><b><u>Other Attendance at Committees )</u></b></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>

## **AUDIT & GOVERNANCE COMMITTEE**

(Devon & Somerset Fire & Rescue Authority)

10 May 2022

### Present:

Councillors Healey MBE (Chair), Brazil, Prowse (Vice-Chair) and Shayer.

### Also in attendance:

Barrie Morriss (Grant Thornton – External Audit).

### Apologies:

Councillors Parker-Khan and Roome.

#### \* **AGC/21/20** **Minutes**

**RESOLVED** that the Minutes of the meeting held on 7 March 2022 be signed as a correct record.

#### \* **AGC/21/21** **External Audit Plan for Year Ending 31 March 2022**

The Committee received for information a document provided by the external auditor (Grant Thornton) setting out an overview of the planned scope and timing of the statutory audit of the Devon & Somerset Fire & Rescue Authority's financial statements for the year ended 31 March 2022, for which the proposed audit fee was £47,280.

In discussing this item, the following points were noted:

- that the audit would be risk-based, with the significant risks identified in the document;
- that the audit of financial statements for 2021-22 would include Group Accounts for the first time. The external auditor was liaising with Red One Ltd. to clarify expectations;
- that the level of materiality for audit purposes had been assessed at 2% (circa. £1.8m).

#### \* **AGC/21/22** **Draft 2021-22 Annual Statement of Assurance**

The Committee considered a report of the Director of Governance & Digital Services (AGC/22/4) to which was appended the draft Annual Statement of Assurance for 2021-22.

The Statement had been prepared to comply with the requirements of the Accounts and Audit (England) Regulations 2015 (as amended) and the latest edition of the Fire and Rescue National Framework for England. The Statement examined and provided commentary on organisational systems of internal financial control, corporate governance and operational assurance.

In debating the report, the following points were made:

- that the Devon & Somerset Fire & Rescue Service had fared particularly well in the specific inspection undertaken by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services into the fire service response to the COVID pandemic and that this could be referenced in the Annual Statement of Assurance; and
- that the reference on page 26 of the draft Statement that "The Service uses an agency to draft and check recruitment adverts to ensure they don't inadvertently obstruct applications from people from under-represented groups" could be further clarified.

**RESOLVED** that, subject to inclusion of the amendments as indicated, the draft Annual Statement of Assurance 2021-22 as appended to report AGC/22/4 be approved in principle and submitted to the External Auditor alongside the draft financial statements for the same financial year.

\* **AGC/21/23** **Internal Audit 2021-22 Year-end Report**

The Committee received for information a report of the Director of Governance & Digital Services (AGC/22/5) on the closing internal audit annual report for the 2021-22 financial year. The report detailed progress made against the approved internal audit plan for that year together with additional review work undertaken.

Two risk-based amendments had been made to the internal audit plan to include the following two audits requested by Service Delivery:

- audit of the flexi-duty system; and
- organisational safeguarding assurance report.

Some six audits had been completed and the report also included the outcome of work during 2021-22 in relation to the National Fraud Initiative.

Based on the completed audit work to date, Internal Audit expressed a reasonable level of assurance in the systems in operation within the Devon & Somerset Fire & Rescue Service. Generally, there was a sound system of governance, risk management and controls in place. Where weaknesses had been identified, management had agreed the findings and/or recommendations or accepted the associated risks. All audit reports included an action plan, with a designated responsible officer and timescales for completion, to address issues identified.

Having debated the report, the Committee expressed its satisfaction with the level of assurance as identified.

\* **AGC/21/24** **Authority Policy for Regulation of Investigatory Powers Act (RIPA) 2000 - Review**

The Committee received for information a report of the Director of Governance & Digital Services (AGC/22/6) on operation by the Authority of its policy as required by the Regulation of Investigatory Powers Act (RIPA) 2000. The policy maintained by the Authority accorded with both the legislation and all current Codes of Practice. Since the last report in July 2021, there had been no use by the Authority of powers under RIPA.

\* **AGC/21/25**    **Draft Forward Plan**

The Committee received for information a report of the Director of Governance & Digital Services (AGC/22/7) to which was appended an indicative forward plan for submission of items to future meetings of this Committee during the forthcoming 2022-23 municipal year.

\* **AGC/21/26**    **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 representatives from the Devon Audit Partnership and Barrie Morriss [Grant Thornton]) 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 the following paragraphs of Part 1 of Schedule 12A (as amended) to the Act, namely:

- Paragraph 3 (information relating to the financial and business affairs of any particular person – including the authority holding that information); and
- Paragraph 4 (information relating to consultation or negotiations or contemplated consultation or negotiations 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).

\* **AGC/21/27**    **Internal Audit Service Provision**

(An item taken in accordance with the provisions of Section 100A(4) of the Local Government Act 1972 during which the press and public (with the exception of representatives of the Devon Audit Partnership and Barrie Morris [Grant Thornton]) were excluded from the meeting).

The Committee considered a report of the Director of Governance & Digital Services (AGC/22/8) on the outcome of an internal review into and options for the provision of the internal audit function for the Devon & Somerset Fire & Rescue Service. Options for provision as outlined in the report included:

- co-sourcing/partial out-sourcing;
- internal sourcing;
- outsourcing;
- membership of a partnership shared-service arrangement with the Devon Audit Partnership as a non-voting partner; and
- membership of a partnership shared-service arrangement with the Devon Audit Partnership as a full partner.

Each of these had been considered with reference to quality and cost of service.

The report outlined relevant legal considerations in relation to the preferred option, as supported by the Service Executive Board, to enter into a partnership shared-service arrangement with the Devon Audit Partnership as a full partner.

**RESOLVED** that the Committee supports, in principle, membership by the Authority of the Devon Audit Partnership (DAP) shared service arrangement as a full, voting partner, subject to:

- (a). final approval by the Authority following consideration of a full business case at the Authority ordinary meeting scheduled for 10 June 2022; and
- (b). confirmatory legal advice on any terms proposed for the Deed of Variation required for joining the Partnership.

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

The Meeting started at 2.00 pm and finished at 3.12 pm



# Agenda Item 4

<b>REPORT REFERENCE NO.</b>	AGC/22/9
<b>MEETING</b>	AUDIT & GOVERNANCE COMMITTEE
<b>DATE OF MEETING</b>	22 JULY 2022
<b>SUBJECT OF REPORT</b>	GOVERNMENT WHITE PAPER “REFORMING OUR FIRE AND RESCUE SERVICE” – PROPOSED RESPONSE
<b>LEAD OFFICER</b>	Chief Fire Officer
<b>RECOMMENDATIONS</b>	<i>That, subject to any amendments as may be made at the meeting, the final response from this Authority to the White Paper (a draft of which is attached at Appendix A to this report) be submitted to the Government by the deadline of 26 July 2022.</i>
<b>EXECUTIVE SUMMARY</b>	This report sets out a proposed response to the White Paper, for which submissions are invited by 26 July 2022.
<b>RESOURCE IMPLICATIONS</b>	Nil.
<b>EQUALITY RISKS AND BENEFITS ANALYSIS</b>	N/A
<b>APPENDICES</b>	Nil.
<b>BACKGROUND PAPERS</b>	<p><a href="#">Home Office White Paper “Reforming Our Fire and Rescue Service” published May 2022</a></p> <p><a href="#">Report DSFRA/22/14 (Government White Paper “Reforming our Fire and Rescue Service)</a> to the Authority Ordinary meeting held on 10 June 2022</p>

## **1. INTRODUCTION**

- 1.1. Following the initial announcement in the House of Commons in March 2021, the Home Office published the White Paper “Reforming Our Fire and Rescue Service” on 18 May 2022.
- 1.2. Responses are invited to some 48 questions posed in the White Paper by the closing date of 11.59hours on 26 July 2022.
- 1.3. The White Paper proposes reforms to drive change and improvement in three areas:
  1. People;
  2. Professionalism; and
  3. Governance.
- 1.4. The main themes of these areas were set out in a report to the Authority at its meeting on 10 June 2022 (Report DSFRA/22/14 and Minute DSFRA/22/9 refers). In view of the deadline for responses to the White Paper by 26 July 2022, the Authority delegated authority to this Committee to approve and submit a final response to the consultation.
- 1.5. The White Paper has been discussed at a Members’ Forum on 22 June 2022 will be discussed further at the Forum meeting on 19 July. Comments from the initial Forum are included in the appended draft response and any comments from the Forum meeting on 19 July will also be incorporated into t draft response as appropriate.
- 1.6. The proposed response is set out at Appendix A of this report for consideration and approval, subject to any amendments the Committee may wish to make at the meeting.

**LEE HOWELL**  
**Chief Fire Officer**

DEVON AND SOMERSET FIRE & RESCUE AUTHORITY

DRAFT RESPONSE TO THE WHITE PAPER “REFORMING OUR  
FIRE AND RESCUE SERVICES”

**Q1: To what extent do you agree/disagree that fire and rescue services should have the flexibility to deploy resources to help address current and future threats faced by the public beyond core fire and rescue duties?**

Strongly agree   Agree   **Neither agree nor disagree**   Disagree   Strongly disagree

Fire and Rescue Services already have statutory duties set out by Government.

It already has a power to respond to other eventualities and take any action it considers appropriate where the event or situation is one that causes or is likely to cause one or more individuals to die, be injured or become ill or harm to the environment.

Therefore, FRS already have the power to deploy resources to help address current and future threats faced by the public beyond core fire and rescue duties.

The Governments vision within the white paper is to focus on providing excellence in their core prevention, protection, response and resilience functions rather than broaden the role so arguably legal provisions already exist to deliver the vision as set out by the Government.

**Q2: To what extent do you agree/disagree that fire and rescue services should play an active role in supporting the wider health and public safety agenda?**

**Strongly agree**   Agree   Neither agree nor disagree   Disagree   Strongly disagree

Devon and Somerset FRS has been active in supporting the Ambulance Service during the C19 pandemic and can evidence over 170 lives having been saved within the region as a result. We have operated co-responding schemes for over 20 years where fire crews will be mobilised to life threatening calls by the Ambulance Service and this takes pressure from them and the wider health system. We have also been instrumental in shaping the covid response within the region through our participation and leadership of various sub groups. We continue to engage effectively with public health officials to develop sustainable ways to improve whole system improvements, recognising the pressures on the health service.

It is perhaps a missed opportunity that the Governments vision has not extended to build a more sustainable fire/ambulance model centrally, with HM Treasury support, enhancing the role of a Firefighter and improving outcomes for the public through a more centrally enabled mechanism.

At a local level, we have been able to build a model funded by the local Ambulance Service locally with Firefighters engaged on a voluntary basis.

We also provide joint police/fire roles (special constables/on call firefighters as well as PCSO/on call firefighters) so working with partners is embedded locally.

A wider national expectation/vision would enable delivery at local level as well as opening a cross Departmental debate at national level.

**Q3: To what extent do you agree/disagree that the business continuity requirements set out in the Civil Contingencies Act 2004 provide sufficient oversight to keep the public safe in the event of strike action?**

Strongly agree **Agree** Neither agree nor disagree Disagree Strongly disagree

Business continuity arrangements have been strengthened (and tested) in recent years, including during a national strike. Whilst there is always room for improvement, we believe that the Civil Contingencies Act 2004 provides a sufficient legal basis to keep the public safe in the event of strike action.

**Q4: To what extent do you agree/disagree that the current pay negotiation arrangements are appropriate?**

Strongly agree Agree Neither agree nor disagree **Disagree** Strongly disagree

**Q5: Please provide the reasons for your response.**

The arrangements need to improve. Discussions take place on an annual rather than multi year basis as the funding from Government is only allocated on an annual basis.

The timing of discussions often results in assumptions to budgets having to be made with actual awards made in year that have to be funded. A much better approach will be to agree a multi year approach which will mean that accurate budgeting can be made at a local level for decisions made at a national level.

The affordability of pay settlements is directly linked to (a) the amount of Government grant allocated or (b) the ability to raise council tax precept.

For many years, central Government has restrained public sector fire awards and without funding being provided through central grant or the ability to increase local tax raises, any pay rises agreed nationally need to be funded locally.

Inflation is running almost five times more than the Government set council tax cap (10% vs 2% currently permitted). Whilst technically it is possible to raise council tax above the level set by Government, this needs to be through a referendum first which with circa 18 billing authorities would cost over £1m just to undertake a referendum which is not viable.

The impact of current Government capping levels is to restrain the ability to fund nationally agreed pay awards at a local level. With the magnitude of pay claims currently being made (and others to follow), this will put real pressure on local budgets. As such, local council tax precept flexibility will provide Fire Authorities with more tools to meet such pay inflation if these are not to be met through central Government grant.

If Government grant increases and/or council tax capping levels is less than inflation, there will be limited ability to fund pay awards locally. The process for determining national pay awards also requires reform.

In the event that a national pay award body is determined, this should be independent of Government, unless Government wish to take a more direct approach in terms of setting national terms of employment which currently sit with the local employers. Having independent recommendations without the ability to fund pay awards will cause additional tension at a national/local level.

**Q6: To what extent do you agree/disagree that consistent entry requirements should be explored for fire and rescue service roles?**

Strongly agree   Agree   Neither agree nor disagree   **Disagree**   Strongly disagree

**Q7: Please provide the reasons for your response.**

Entry requirements should be a matter for employers who have duties under the Health & Safety Act to employ competent people. Different FRS have different recruitment pools that they can draw from e.g. where potential on call staff live/work. Having arbitrary standards, such as requiring a degree for example, may have a catastrophic impact on the ability for rural/semi rural fire services to operate.

What is important is an outcome based, competency standard. FRS will not compromise on professional standards and these should remain the focus of consistency at a national level as recent legal cases have confirmed that 'a firefighter is a firefighter' irrespective of duty system employed.

In addition, equality impact assessments are likely to show that some underrepresented groups are less likely to hold higher education qualifications so care should be taken to ensure any national standards are not discriminatory. Again, this responsibility will remain with local FRA's as the employer rather than Government.

**Q8: To what extent do you agree/disagree that other roles, in addition to station and area managers, would benefit from a direct entry and talent management scheme?**

Strongly agree   **Agree**   Neither agree nor disagree   Disagree   Strongly disagree

The abolishment of the previous Fire Service Appointment and Promotion Regulations at the time of the 2004 fire white paper, removed the requirement to have complete set command courses in order, starting with junior officer course. This effectively did away with single tier entry.

Direct entry is possible already and has been undertaken at senior roles (including Deputy Chief Fire Officer level) albeit on an infrequent basis. The complication arises where there is an operational command element associated with a senior position. If this is a requirement of the role (i.e. to provide senior operational command at major incidents), care will need to be taken that before putting an individual in a command position of a risk critical service that they are trained and competent to do so.

Failure to do so would result in a breach of the Health & Safety at Work Act. Development and training programmes, supported with relevant assessment do however allow progression for non traditional entrants and has been in place on an 'ad hoc'/local basis for many years.

There has been no centrally coordinated programme so consistency is limited and would benefit from a nationally coordinated approach. It doesn't have to be a full time program (this could make it cost prohibitive).

**Q9: To what extent do you agree/disagree with the proposed introduction of a 21st century leadership programme?**

Strongly agree **Agree** Neither agree nor disagree Disagree Strongly disagree

**Q10: Please provide reasons for your response.**

An Executive Leadership Programme replaced the former Brigade Command Course in 2008 and is the equivalent of the Police Strategic Command Course. Many officers also attend external leadership programmes such as the Winsor Leadership Trust which provides added value. However, the provision of centrally determined leadership programmes at all command levels (including junior levels) will provide consistency. In the meantime, local leadership programmes will continue.

**Q11: To what extent do you agree/disagree that completion of the proposed 21st century leadership programme should be mandatory before becoming an assistant chief fire officer or above?**

Strongly agree Agree Neither agree nor disagree **Disagree** Strongly disagree

This will restrict the ability to attract external talent into the Service at this level as they are highly unlikely to have completed such a course prior to application. If appointed on the basis that they will need to pass it as a condition of employment, they will be left without employment if they do not pass the course which will present a risk that may be too great for some to be prepared to take, thereby reducing external interest in the Fire Service. If the Governments approach is to facilitate external entrants at station and area managers only, making such a course mandatory would be feasible.

The most senior operational officer in most FRS is a Chief Fire Officer (who is also Head of Paid Service/Chief Executive in many areas). In a small number of FRS, a Chief Executive has been appointed who will attend multi agency Gold Command meetings but would not command operational incidents (This being delegated to an operationally competent officer).

Whilst this could save money in some areas as an operational allowance may not be required for those appointed as a Chief Executive rather than a Chief Fire Officer, there would need to be sufficient senior operational officers to provide out of hours cover. As such, savings in some areas may need to be used to offset by additional costs in others.

The ability to attract external candidates would therefore be restricted if a "21st century leadership programme should be mandatory before becoming an assistant chief fire officer or above".

**Q12: To what extent do you agree/disagree that each of the activities outlined above are high priorities for helping improve the use and quality of fire and rescue service data?**

A national data analytics capability.  
Data-focused training.  
Consistent approaches to structuring data  
Clear expectations for data governance  
Securing data-sharing agreements.

Strongly agree **Agree** Neither agree nor disagree Disagree Strongly disagree

**Q13: What other activities, beyond those listed above, would help improve the use and quality of fire and rescue service data? Please give the reasons for your response.**

A funded team, possibly within the College of Fire, will support the evolution of fire and rescue services, enabling services to respond and adapt to the increasingly digital world we live in. It would support the delivery of the White paper vision by developing nationally consistent services and capabilities enabled by technology.

e.g. The Police Digital Service is the delivery vehicle for the [National Policing Digital Strategy](#). The Police Digital Service harnesses the power of digital, data and technology to enable UK policing to better protect the communities it serves. They have a team of experts in commercial services, technical assurance, data, digital transformation and innovation, with unique experience in policing and national programme delivery. Together with our public and private sector colleagues, they are driving 12 of the 15 'in-flight' national programmes.

**Q14: To what extent do you agree/disagree that each of the activities outlined above are high priorities for improving the use and quality of fire evidence and research?**

Collaborating  
Commissioning  
Conducting  
Collating

Strongly agree **Agree** Neither agree nor disagree Disagree Strongly disagree

**Q15: What other activities, beyond those listed above, would help improve the use and quality of evidence and research on fire and other hazards? Please provide the reasons for your responses.**

This should extend to centrally enabling procurement frameworks so that FRS can draw down from centrally agreed mechanisms with good practice evaluated, captured and shared. Having a national mechanism to draw down developers/business analysis and data scientists will benefit the public purse and ensure that knowledge is shared nationally.

**Q16: To what extent do you agree/disagree with the creation of a statutory code of ethics for services in England?**

Strongly agree **Agree** Neither agree nor disagree Disagree Strongly disagree

The Police have values embedded in all training and development and this reinforces the code of ethics.

Any code of ethics should be consistent with the Seven Principles of Public Life outline the ethical standards those working in the public sector are already expected to adhere to. They were first set out by Lord Nolan in 1995 in the first report of the Committee on Standards in Public Life and they are included in a range of codes of conduct across public life.

Q17: To what extent do you agree/disagree that placing a code of ethics on a statutory basis would better embed ethical principles in services than the present core code of ethics?

Strongly agree **Agree** Neither agree nor disagree Disagree Strongly disagree

Having a statutory code will set requirements of behaviour and provide a framework against which performance (good and bad) can be judged.

Q18: To what extent do you agree/disagree that the duty to ensure services act in accordance with the proposed statutory code should be placed on operationally independent chief fire officers?

Strongly agree **Agree** Neither agree nor disagree Disagree Strongly disagree

This would provide a statutory basis against which performance can be assessed through performance development reviews.

Q19: To what extent do you agree/disagree with making enforcement of the proposed statutory code an employment matter for chief fire officers to determine within their services?

Strongly agree **Agree** Neither agree nor disagree Disagree Strongly disagree

This would provide a statutory basis against which performance can be assessed through performance development reviews.

Q20: To what extent do you agree/disagree with the creation of a fire and rescue service oath for services in England?

Strongly agree Agree Neither agree nor disagree **Disagree** Strongly disagree

Q21: Please give the reasons for your response.

The Seven Principles of Public Life (also known as the Nolan Principles) apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office. The principles also apply to all those in other sectors delivering public services.

**Selflessness.** Holders of public office should act solely in terms of the public interest.

**Integrity** - Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

**Objectivity** - Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

**Accountability** - Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

**Openness** - Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

**Honesty** - Holders of public office should be truthful.

**Leadership** - Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.



Members of the judiciary swear their allegiance to the queen, and to her heirs and successors; police officers in England and Wales pledge their allegiance to the queen, but not her heirs and successors.

The Hippocratic Oath has been eclipsed as a document of professional ethics by more extensive, regularly updated ethical codes issued by national medical associations, such as the AMA Code of Medical Ethics and the British General Medical Council's Good Medical Practice. These documents provide a comprehensive overview of the obligations and professional behaviour of a doctor to their patients and wider society. Doctors who violate these codes may be subjected to disciplinary proceedings, including the loss of their license to practice medicine.

Therefore, the statutory code of ethics (outlined above) would form the basis of employment expectations and failure to uphold these may lead to disciplinary action. This would be determined locally. An oath could be a requirement for new employees as a condition of employment. To require this as part of a contract of employment would require a variation to contract (which is voluntary).

The alternative of issuing new contracts of employment would not be conducive to driving positive behavioural change. Much better to set a standard (code of ethics) and then hold people to it.

**Q22: To what extent do you agree/disagree that an Oath would embed the principles of the Code of Ethics amongst fire and rescue authority employees?**

Strongly agree   Agree   Neither agree nor disagree   **Disagree**   Strongly disagree

As outlined above.

**Q23: To what extent do you agree/disagree with an Oath being mandatory for all employees?**

Strongly agree   Agree   Neither agree nor disagree   **Disagree**   Strongly disagree

As outlined above.

**Q24: To what extent do you agree/disagree that breach of the fire and rescue service oath should be dealt with as an employment matter?**

Strongly agree   Agree   Neither agree nor disagree   **Disagree**   Strongly disagree

As outlined above.

**Q25: To what extent do you agree/disagree that the five areas listed above are priorities for professionalising fire and rescue services?**

Leadership

Data

Research

Ethics

Clear Expectations

Strongly agree   Agree   Neither agree nor disagree   **Disagree**   Strongly disagree

Whilst leadership and ethics are the top priorities, training standards and health & safety of staff working in a risk critical industry (all outcomes) we feel should feature more strongly than data, research and clear expectations (which are important but should be enablers).

Q26: What other activities, beyond the five listed above, could help to professionalise fire and rescue services?

See above.

Q27: To what extent do you agree/disagree with the creation of an independent College of Fire and Rescue to lead the professionalisation of fire and rescue services?

Strongly agree **Agree** Neither agree nor disagree Disagree Strongly disagree

Q28: Please provide your reasons for your response

The Fire Service College was sold in 2012 as the focus of the Government of the day was to 'let a 1000 flowers bloom' rather than create a centrally focused training facility. Fire and Rescue Services were seen very much as a Local Authority based service with little central coordination required or desired. Since that time, there is a recognised need to provide consistent standards and national operational guidance to improve the delivery of Fire and Rescue Services.

Q29: To what extent do you agree/disagree that Government should transfer responsibility for fire and rescue services in England to a single elected individual?

Strongly agree Agree Neither agree nor disagree Disagree **Strongly disagree**

Strongly disagree. Whilst there is always room for improvement, the Fire Authority model works effectively and at a much lower cost than the cost of having a directly elected official which can be circa £1.4m to run an office.

No Council in Devon have agreed to proceed with a directly elected Mayor. In Torbay where a directly elected Mayor was previously in place, a recent decision has been made to remove the post and revert to a Cabinet style approach. A similar approach has been agreed in Bristol with a move away from an elected Mayor.

Q30: What factors should be considered when transferring fire governance to a directly elected individual?

Please provide the reasons for your response.

See above. There is no democratic mandate to move to a directly elected individual.

Q31: Where Mayoral Combined Authorities already exist, to what extent do you agree/disagree that fire and rescue functions should be transferred directly to these MCAs for exercise by the Mayor?

Strongly agree Agree Neither agree nor disagree Disagree Strongly disagree

This is a matter for Mayoral Combined Authorities

Q32: To what extent do you agree/disagree that Government should transfer responsibility for fire and rescue services in England to police and crime commissioners?

Strongly agree Agree Neither agree nor disagree Disagree **Strongly disagree**

Strongly disagree. Whilst there is always room from improvement, the Fire Authority model works effectively and at a much lower cost than the cost of having a directly elected official which can be circa £1.4m to run an office.

**Q33: Apart from combined authority mayors and police and crime commissioners, is there anyone else who we could transfer fire governance that aligns with the principles set out above?**

No.

**Q34: If yes, please explain other options and your reasons for proposing them.**

Not applicable.

**Q35: To what extent do you agree or disagree that the legal basis for fire and rescue authorities could be strengthened and clarified?**

Strongly agree **Agree** Neither agree nor disagree Disagree Strongly disagree

**Q36: Please provide the reasons for your response.**

Unless the Governments vision is to enhance the contribution of the Fire & Rescue Service within the wider societal system of public and health protection, most of the current legislative basis for Fire Authorities can be seen to be appropriate. The point however at Q2 is reiterated here.

If Chief Fire Officers are to have operational independence and possibly become corporation sole (i.e. the employer), this will require legislative amendments. A Fire Authority – Chief Fire Officer Protocol (similar to the PCC – Chief Constable Protocol) will provide clarity as to the arrangement. This may require changes to be made to the National Framework and/or statutory instruments.

**Q37: To what extent do you agree/disagree that boundary changes should be made so that fire and rescue service areas and police force/combined authorities (where present) areas are coterminous?**

Strongly agree Agree Neither agree nor disagree Disagree **Strongly disagree**

We feel that the model works well as is currently the case. We do not believe the case has been made for boundary changes just to enable changes to governance.

**Q38: To what extent do you agree/disagree with ring-fencing the operational fire budget within fire and rescue services run by county councils and unitary authorities?**

Strongly agree Agree Neither agree nor disagree Disagree Strongly disagree

**Q39: Please provide the reasons for your response.**

This is a matter for County Councils/Whole Unitary Councils to take a view on.

**Q40. To what extent do you agree with this proposed approach (as outlined in the table above)?**

Strongly agree Agree Neither agree nor disagree **Disagree** Strongly disagree

Opening and closing fire stations needs to be clarified as it is not clear as to where the decision lies in the proposed consultation. At present, opening and closing fire stations is a reserved matter for Fire Authorities who take operational advice from officers but it is the Fire Authority who 'decides' as directly elected representatives of the community.

Rather than have the option as written, it would be better to clearly delineate who is to make decisions as to closing on fire stations. The table could be amended to clarify that opening and closing fire stations is a matter for the Fire Authority after reviewing the professional advice from the Chief Fire Officer. This is the 'as is' model.

Allocating responsibility to both the Fire Authority and the CFO as a joint matter would indicate that there needs to be agreement. Operational independence would see the professional head of the Service providing advice to which elected politicians would give due regard to the risk presented, professional view expressed and public feedback.

As the budget is set by the Fire Authority (working within the financial parameters set by central government), there may be occasions where the only way that the CFO can meet the budget requirement is to close fire stations/change crewing arrangements. At present there exists clarity as to who is responsible for closure of fire stations.

It may be worthwhile in clarifying that any changes in crewing arrangements that result in a worse service being provided to the public (i.e. moving from 24/7 crew to day crew which will result in a delayed response time), that this be a reserved matter for the Fire Authority. The alternative where this is delegated to the CFO may see a deeply unpopular change applied by officers with no ability by those elected politicians to affect the decision that would have public impact.

In terms of appointment of staff, as the CFO is the Head of Paid Service/Chief Executive and is held to account by the Fire Authority, it would seem entirely reasonable for the CFO to appoint the staff that report to them (and for who they are accountable). This is the model used by the Police as the Chief Constable appoints all staff. Whilst the Chief Constable is a 'corporation sole', the same effect can be generated within a Fire context through amendments to Schemes of Delegation to allow the Fire Authority to remain as the employer but delegating the appointment of all staff to the Chief Fire Officer.

**Q41. Do you have any other comments to further support your answer?**

See above

**Q42. Are there any factors we should consider when implementing these proposals?**

See above.

**Q43: What factors should we consider when giving chief fire officers operational independence? Please provide the reasons for your opinions.**

In terms of operational activity, the Health & Safety at Work Act requires competent staff to be employed. This is particularly important for risk critical industries such as the Fire and Rescue Service. As such, the person making operational decisions needs to be trained and

competent to do so and will be held to account in a criminal and civil court for their actions as a result in the event that things go wrong and people get hurt.

If the operational plan refers to how the resources (finances and people) are to be directed, managed and deployed, there will need to be associated scrutiny of operational decisions. This is currently undertaken through a series of Fire Authority Committees and Full Authority at present.

A clear 'scheme of delegation' will outline **what** sits with the Chief Fire Officer and what is reserved for the 'Executive Leader' (Fire Authority). In terms of **how** decisions are made will be supported by the Code of Ethics and the Fire Authority – Chief Fire Officer Protocol. In addition, the Seven Principles of Public Life.

Devon and Somerset Fire Authority is currently reviewing its Scheme of Delegation and anticipates incorporating the principles outlined within the white paper in terms of separation of roles between the elected body (Fire Authority) and the Head of Paid Service (Chief Fire Officer).

At present HMICFRS inspect Fire Services. Fire Services are provided with a budget from Fire Authorities who also agree the Community Risk Management Plan. Operational independence would provide greater clarity in this respect.

**Q44: What factors should we consider should we make chief fire officers corporations sole?**

The Chief Fire Officer would have overall responsibility for leading the Service, creating a vision and setting direction and culture that builds public and organisational confidence and trust, and enables the delivery of a professional, effective and efficient fire and rescue service. The Chief Fire Officer would hold direct accountability for the operational delivery of fire services and the effective command and leadership of the fire and rescue response to major incidents.

Clarity as to roles and expectations, including that within 'schemes of delegation' will need to outline what sits with the Chief Fire Officer and what is reserved for the 'Executive Leader' (Fire Authority). In terms of how decisions are made will be supported by the Code of Ethics and the Fire Authority – Chief Fire Officer Protocol.

**Q45: To what extent do you agree or disagree that the responsibility for strategic and operational planning should be better distinguished?**

Strongly agree **Agree** Neither agree nor disagree Disagree Strongly disagree

The strategic plan is a Community Risk Management Plan, supported by the Medium Term Financial Plan. These have been quite detailed in the past and combined operational aspects with strategic context and intent.

There is a need to clarify what aspects of changes to service delivery need to be consulted on as arrangements for the three emergency services differ significantly in this respect. If the public are consulted on the strategic plan to include measures against which the Service will be held to account, issues such as changes to the number, type and distribution of fire engines should be left to operational managers to determine to meet the strategic intent/objectives required. Closure of fire stations clearly is an exception as outlined above which would require local (proportionate) consultation.

Moving forward, the Strategic Plan may need to look more like the Police and Crime Plan which is a legal document that the Office of the Police and Crime Commissioner (OPCC) must produce under the Police Reform and Social Responsibility Act 2011. One of the PCC's legal duties is to issue a Police and Crime Plan for the force area.

Clarifying what elements should sit within a strategic and operational plans will be essential.

**Q46: To what extent do you agree or disagree that the strategic plan should be the responsibility of the fire and rescue authority?**

Strongly agree **Agree** Neither agree nor disagree Disagree Strongly disagree

**Q47: To what extent do you agree or disagree that the operational plan should be the responsibility of the chief fire officer?**

Strongly agree **Agree** Neither agree nor disagree Disagree Strongly disagree

**Q48: Please provide the reasons for your response.**

In terms of operational activity, the Health & Safety at Work Act requires competent staff to be employed. This is particularly important for risk critical industries such as the Fire and Rescue Service. As such, the person making operational decisions needs to be trained and competent to do so and will be held to account in a criminal and civil court for their actions as a result in the event that things go wrong and people get hurt.

If the operational plan refers to how the resources (finances and people) are to be directed, managed and deployed, there will need to be associated scrutiny of operational decisions. This is currently undertaken through a series of Fire Authority Committees and Full Authority at present.

A clear 'scheme of delegation' will outline **what** sits with the Chief Fire Officer and what is reserved for the 'Executive Leader' (Fire Authority). In terms of **how** decisions are made will be supported by the Code of Ethics and the Fire Authority – Chief Fire Officer Protocol. In addition, the Seven Principles of Public Life

About you

Please use this section to tell us about yourself

Full name

Mike Pearson

Job title or capacity in which you are responding to this consultation exercise (for example, member of the public)

Clerk & Monitoring Officer

Date

Company name/organisation (if applicable)

Devon and Somerset Fire Authority

Address

Service Headquarters  
Clyst St George  
Exeter

Postcode

EX3 0NW

If you would like us to acknowledge receipt of your response, please tell us.

Address to which the acknowledgement should be sent, if different from above

If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent.

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# Agenda Item 5

<b>REPORT REFERENCE NO.</b>	<b>AGC/22/10</b>
<b>MEETING</b>	<b>AUDIT &amp; GOVERNANCE COMMITTEE</b>
<b>DATE OF MEETING</b>	<b>22 JULY 2022</b>
<b>SUBJECT OF REPORT</b>	<b>INTERNAL AUDIT 2022-23 PROGRESS REPORT – QUARTER 1</b>
<b>LEAD OFFICER</b>	<b>Director of Governance &amp; Digital Services</b>
<b>RECOMMENDATIONS</b>	<i>That the Committee reviews and considers the outcomes of the work completed as set out in this report and indicates whether it requires any further assurance.</i>
<b>EXECUTIVE SUMMARY</b>	This report sets out the progress that has been made up to and including Quarter 1 of the current (2022-23) financial year against the approved Internal Audit Plan for 2022-23 in addition to completion of the 2021-22 Internal Audit Plan.
<b>RESOURCE IMPLICATIONS</b>	Nil.
<b>EQUALITY RISKS AND BENEFITS ANALYSIS</b>	Not applicable
<b>APPENDICES</b>	A. Definitions of Audit Assurance Opinion Levels.
<b>BACKGROUND PAPERS</b>	<a href="#">Report APCR/21/3 (2021-22 Draft Internal Audit Plan)</a> to the [then] Audit & Performance Review Committee meeting on 5 March 2021 (and the Minutes of that meeting). <a href="#">Report AGC/22/1</a> to the Audit & Governance Committee on 7 March 2022 (and the Minutes of that meeting).

## **1. INTRODUCTION**


- 1.1. The Internal Audit Plan forms the principal work of the Internal Audit Service and is a significant source of assurance of the effectiveness of the internal control environment. The Plan sets out the combined scope of internal audit work to be completed by the Devon & Somerset Fire & Rescue Service Internal Audit team (“the team”) and the Devon Audit Partnership.
- 1.2. The 2021-22 Internal Audit plan was approved by the [then] Audit & Performance Review Committee on 5 March 2021. The delivery of the 2021-22 plan was impacted in quarter 4 by Covid-19 related sickness for Internal Audit, DAP and Service colleagues and deferral of annual leave to quarter 4. This resulted in delay to completion for some audits impacting the start of the 2022-23 Internal Audit Plan which was approved by the Audit & Governance Committee on 7 March 2022.
- 1.3. The team and the Devon Audit Partnership are accountable for the delivery of the Plan and the Internal Audit Charter includes the requirement to report progress to this Committee at least three times per year.
- 1.4. The aim of this report is to update the Committee on progress in completing the 2021-22 Plan and delivery against the 2022-23 plan. This report therefore presents a summary of audit work undertaken to date and the current stage of the audit work. Where an audit report has been issued, it includes an audit assurance opinion on the adequacy and effectiveness of the internal control environment. Definitions of Audit Assurance Opinion Levels and Recommendation Priority can be found at Appendix A.
- 1.5. The team can confirm that there are no significant facts or matters that impact on its independence as auditors that it is required to, or wishes to, draw to the attention of the Committee. The team confirms that it is independent and able to express an objective opinion on all statements provided.
- 1.6. The opinions contained within this report are based on audit examination of restricted samples of transactions/records and discussions with officers responsible for the processes reviewed.

## **2. DELIVERY OF THE 2021-22 AUDIT PLAN**

- 2.1 Table 1 below shows the detailed status of the audits in progress or completed and their associated reported summaries for the remainder of the 2021-22 Plan.

**Table 1**

<b>AUDIT PLAN 2021-22</b>		
<b>Audit Area and Assurance Summary</b>	<b>Audit Opinion</b>	<b>Management Response</b>
<p><b>Community Safety – Fire Prevention</b> <i>Direction of travel: No previous reviews</i></p> <p>The team gained resource in 2019 with the introduction of ten additional home safety technicians. Whilst this has supported the quantity of checks completed, there are continued management gaps highlighted in data quality review, risk-based escalation culture, action logs and process that limit the effectiveness of fire prevention.</p> <p>The lack of accessibility of data and lack of skilled resource within the Prevention Team to analyse the Home Fire Safety data collected has limited the ability of the team to be able to challenge and manage performance or to ensure that vulnerable people are re-visited.</p> <p>The Community Safety Team is self-aware of many of the gaps identified in this audit, with many actions awaiting the introduction of Management of Risk Information (MORI) and reliant on the capacity of ICT to update the data management system that will support extraction of key data to align resource to risk. Implementation of the audit recommendations and the Prevention Team’s strategy are highly dependent on the capacity of the Strategic Analysis / data team to support with the introduction and continued use of MORI.</p>	<p><b>Limited Assurance</b></p>	<p>A data review has taken place with the aim of providing assurance that data submitted to external bodies is correct.</p> <p>Quality Assurance Manager appointed who is now working with the Business Analyst and the Strategic Analysis Team to resolve inaccuracies in data, to review what reports are required and to review data for external submission. Process improvements have been identified which will improve the ability to report on data for the HMICFRS 2022 Autumn submission.</p> <p>The Strategic Analysis Team is now providing Power BI performance management data for the Community Safety Team.</p> <p>The Community Safety Team is currently transitioning to a new structure and strategy which will need to be embedded and reviewed to understand capacity to deliver against risk.</p>

AUDIT PLAN 2021-22		
Audit Area and Assurance Summary	Audit Opinion	Management Response
<p><b>Personal Protective Equipment (PPE)</b></p> <p><i>Direction of travel: No previous reviews</i></p> <p>Firefighters within the Service are provided with fit for purpose, personal use, operational PPE. However, the Service cannot fully assure itself that adequate training is provided in how to use, store, and maintain this PPE in accordance with the PPE at Work Regulations 1992.</p> <p>Examples were identified of staff wearing incorrect PPE to an incident or using it in a way that increases the risk of injury. This suggests that if training is taking place, refresher sessions and management intervention are required to maintain a higher level of assurance of compliance.</p> <p>Policies and procedures meet legislative requirements. However, there is a lack of assurance that they are read and understood by relevant members of staff.</p> <p>The storage of PPE varies across stations with PPE either stored in the appliance bay or a designated area. A lack of segregation of clean / dirty PPE and storing PPE in the appliance bay does not comply with regulations.</p> <p>Future PPE audits are proposed to be undertaken over the next few years to cover topics not included in the scope of this audit such as contaminants, shared use and specialty PPE.</p>	<p><b>Limited Assurance</b></p>	<p>Training material to be developed and processes established to ensure that all PPE training is recorded.</p> <p>Completion of PPE log books will be reviewed via the Operational Assurance Station Preparedness annual assessment and also form part of the Group Commanders' monthly performance meeting.</p> <p>Over the next 12 months, PPE storage will be reviewed via the Health &amp; Safety Team premises audits and completion of RA9 risk assessments by local managers.</p>
<p><b>Fleet Management</b></p> <p><i>Direction of travel:</i> </p> <p>Further to previous audit work (2019) in this area and the implementation of the fleet strategy, assurance was needed</p>	<p><b>Reasonable Assurance</b></p>	<p>One review to be completed is that relating to Specialist vehicles. These vehicles are included in the fleet capital</p>

AUDIT PLAN 2021-22		
Audit Area and Assurance Summary	Audit Opinion	Management Response
<p>that improvements are being embedded. The audit found that good progress has been made, raising the level of assurance from 'Limited Assurance' to 'Reasonable Assurance'.</p> <p>With the implementation of a Fleet Service Plan, a Fleet and Equipment Strategy and a 10-year capital plan, the risk has decreased. The plans and strategies that are now in place look at short, medium, and long-term goals for the team and are set to become rolling projects with annual updates.</p> <p>The number of front-line vehicles has been reduced from 121 to 112, improving Fleet Management efficiency and saving the Service money.</p>		<p>replacement plan and the Fleet and Research &amp; Development teams are well placed to progress this in accordance with the prioritisation plan for replacement of vehicles.</p> <p>The Community Risk Management Plan has indicated the need to undertake a separate review on specialist activities which may impact progress of these plans.</p>
<p><b>Flexi Duty Rota</b></p> <p><i>Direction of travel: No previous reviews</i></p> <p>In accordance with the Grey Book requirements, a Flexible Duty System (FDS) is in operation for officers at the Station Manager rank and above. Those utilising the Flexible Duty System undertake duties which can be split into two key types: Managerial duties - referred to as 'positive' hours and Standby duties - where the officer is on call to carry out managerial duties as necessary. Standby duties require a set number of 'positive' hours to be worked, primarily used to provide support to stations within Commands, for instance attending a drill night at a station during an on-call shift.</p> <p>The audit concluded that the FDS, as operated within DSFRS, may not always be in the spirit in which the system was intended. Contingencies which the Policy states should be exceptional, have in many cases</p>	<b>Limited Assurance</b>	<p>A full and complete review of the Flexi Duty Officer rota has been commissioned with a view to introducing a new policy, guidance and framework as well as a rota pattern for the rota.</p>

<b>AUDIT PLAN 2021-22</b>		
<b>Audit Area and Assurance Summary</b>	<b>Audit Opinion</b>	<b>Management Response</b>
<p>become the norm. There are potential risks to officer welfare and to the effective delivery of incident response.</p> <p>The output from the audit will help inform the planned internal project to review the FDS and provide some helpful pointers regarding inconsistencies and areas where improvements may be possible.</p>		
<p><b>Organisational Safeguarding Assurance</b></p> <p>Safeguarding responsibility currently sits within the Community Safety department and work carried out within the Prevention team's remit; this current process and operational structure offers little support to safeguarding the rest of the organisation.</p> <p>A full policy review has been recommended and the Service is awaiting appointment of a Safeguarding Manager.</p>	<b>Draft Report</b>	<p>A Strategic Safeguarding Board is being established with the first meeting planned for 8 September, chaired by the Deputy Chief Fire Officer. This meeting will consider the draft report recommendations in full and the management response to those recommendations.</p>
<p><b>Information Security – Availability of systems</b></p> <p>Information security is the foundation for high-scoring items on the Corporate Risk Register (CR037 &amp; CR044). This is an area of increasing risk to all organisations, and with rapid increases in remote working and reliance on ICT, good security practices are essential.</p>	<b>Draft Report</b>	<p>Management responses are in the process of being collated.</p>
<p><b>Use of Data</b></p> <p>Wherever possible the Service's work should be data driven to determine how activity is prioritised to ensure that services are provided effectively and efficiently. This data should be readily available, accurate and up to date.</p>	<b>Draft Report</b>	<p>Management responses are in the process of being collated.</p>

**3. DELIVERY OF THE 2022-23 AUDIT PLAN**

3.1 The delays in completion of the 2021-22 Audit Plan have created a delay to the commencement of the 2022-23 annual audit plan. The current status of the 2022-23 audit work in progress is as follows:

- Station-based Testing Regime - Terms of Reference completed and awaiting scope approval; fieldwork due to start in July.
- Crewing Pool - Terms of Reference, scope, objectives and audit programme completed; fieldwork due to start in July.
- Application of Learning - fieldwork has commenced and the draft report is proposed to be completed by the end of July 2022.

3.2 The chart overleaf provides an overview of the planned timeline for completion of the 2022-23 Internal Audit Plan.

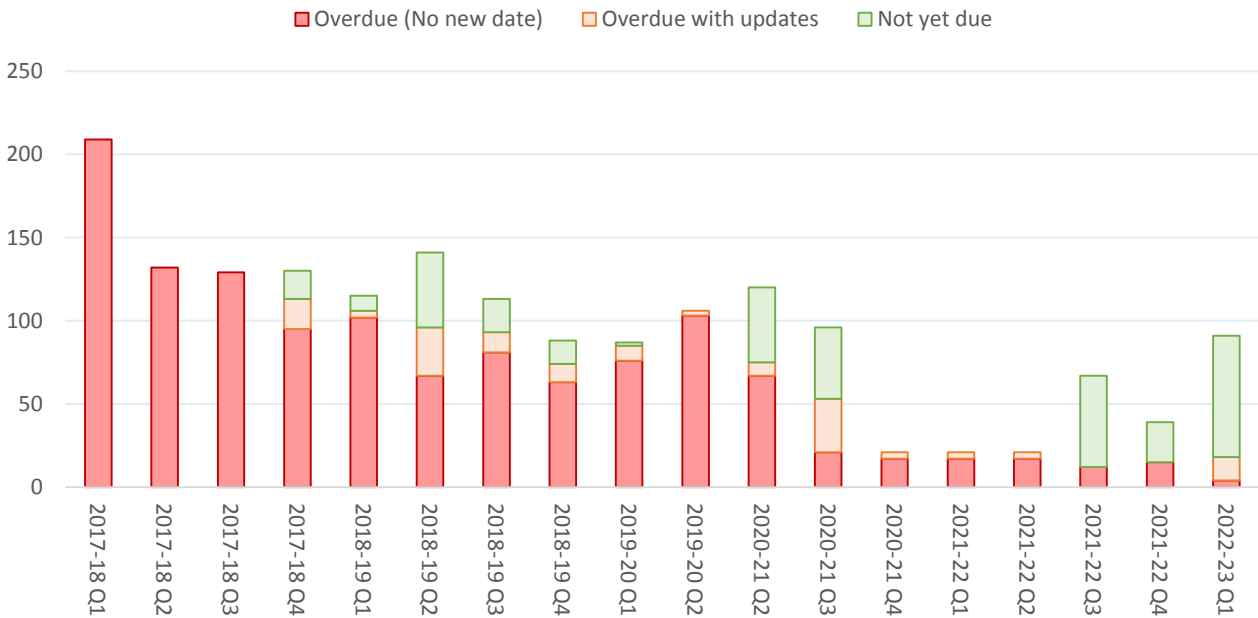
Audit	May	June	July	Aug	Sept	Q3	Q4
Crewing Pool		In Progress	In Progress	In Progress			
Station-Based Testing Regime		In Progress	In Progress	In Progress			
Station compliance - Environmental / waste management				Planned start date	Planned start date		
Review the operation of the critical messaging process				Planned start date	Planned start date		
Community Safety – Schools & Engagement					Planned start date	Planned start date	
Control of Working Hours					Planned start date	Planned start date	
Firefighter Fitness Training Review						Planned start date	
PPE Contaminants							Planned start date
Behavioural Risk							Planned start date
Support the Service's response to the HMI 2022 report findings							Planned start date
Application of HR policy and procedure							Planned start date
<b>DAP – Application of Learning</b>	In Progress	In Progress	In Progress				
<b>DAP - Key Financial Systems (Inc. Payroll)</b>						Planned start date	

 - In Progress                       - Planned start date

**4. ACTION TRACKING OF AUDIT AND REVIEW RECOMMENDATIONS**

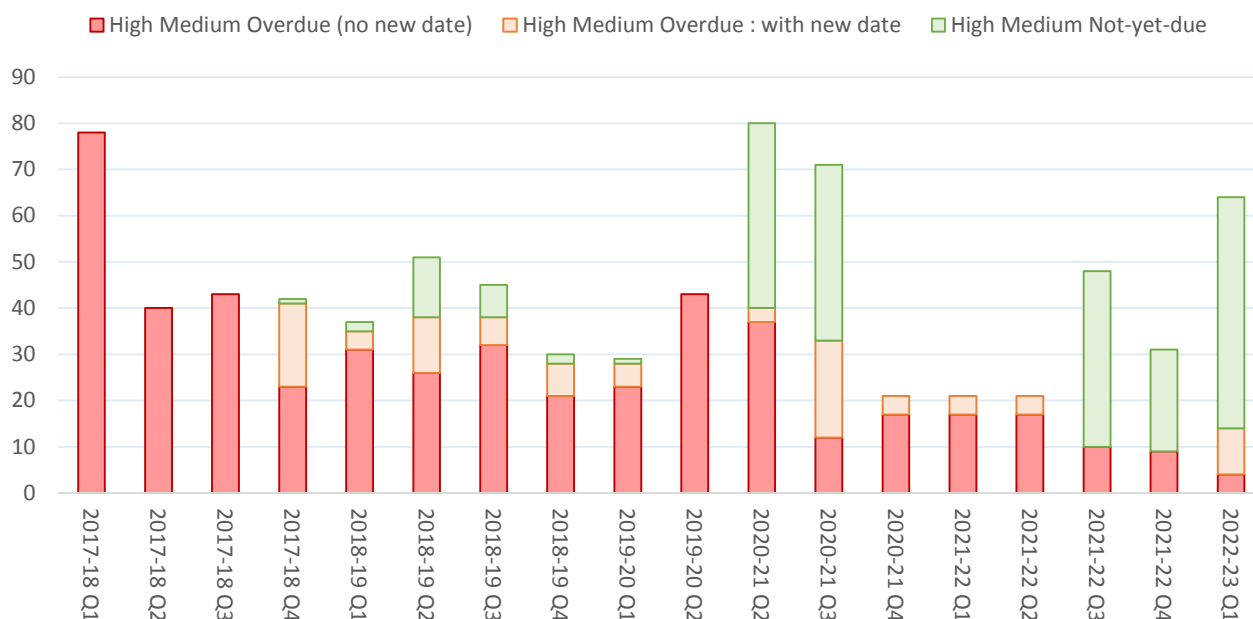
- 4.1 The Audit Tracker records all recommendations and agreed actions arising from internal audit work. The Audit Tracker is available to all employees through the Intranet Service Sharepoint.
- 4.2 Updates are focussed on the higher priority items (such as those which are associated to high risks, or have deadlines provided by external bodies). Any overdue actions recorded are largely linked to longer term project work and introduction of new processes that remain ongoing. These are monitored through the assurance tracking process and no areas are identified as non-responsive.
- 4.3 Additionally, some open actions have been superseded by changes to the Service structure, digital transformation, and other upgrade/changes. Work is ongoing to ensure that actions that have been superseded are documented and recorded as closed. This piece of work is ongoing with reviews completed on a regular basis.
- 4.4 The tables below show the number of open items on the Assurance/Audit Tracker. There has been a substantial increase in the number of total actions due to the number of audits completed within quarter 4 2021-22 and quarter 1 2022-23.
- 4.5 The majority of actions are 'not yet due' and a decrease in overdue actions with no new date is noticeable. This has been driven by the regular review by the Internal Audit team.

Number of Open Items (*All priorities*)





## Number of Open Items (*High / Medium High priorities*)



## 5. **CONCLUSION AND RECOMMENDATIONS**

5.1 Where recommendations for improvements have been made, action plans have been agreed with management and regular reviews conducted.

5.2 It is important that the internal audit service seeks to add value whenever it can. Feedback obtained from those audited during the year to date consider that the team are able to add value by:

- Providing objective and relevant assurance.
- Contributing to the effectiveness and efficiency of the governance, risk management and internal control processes.

5.3 The team would like to express its thanks and appreciation to all those who provided support and assistance during the audits. The team would also like to thank Devon Audit Partnership for all its efforts and commitment in working with the Service.

5.4 It is recommended that the Committee reviews and considers the outcomes of the work completed and whether they require any further assurance.

5.5 The progress made against the agreed Audit Plan will be reported back to this Committee at regular intervals.

**MIKE PEARSON**  
**Director of Governance & Digital Services**




**Definitions of Audit Assurance Opinion Levels**

Assurance	Definition
Substantial Assurance	A sound system of governance, risk management and control exists, with internal controls operating effectively and being consistently applied to support the achievement of objectives in the area audited.
Reasonable Assurance	There is a generally sound system of governance, risk management and control in place. Some issues, non-compliance or scope for improvement were identified which may put at risk the achievement of objectives in the area audited.
Limited Assurance	Significant gaps, weaknesses or non-compliance were identified. Improvement is required to the system of governance, risk management and control to effectively manage risks to the achievement of objectives in the area audited.
No Assurance	Immediate action is required to address fundamental gaps, weaknesses or non-compliance identified. The system of governance, risk management and control is inadequate to effectively manage risks to the achievement of objectives in the area audited.

**Devon & Somerset Fire and Rescue Service**

The Service Internal Audit team aims to be recognised as a high-quality internal audit service in the public sector and Fire Service. The team works by providing a professional internal audit service that will assist departments in meeting their challenges, managing their risks and achieving their goals. In carrying out its work, the team is required to comply with the Public Sector Internal Audit Standards along with other best practice and professional standards. The team is committed to providing high quality, professional customer services to all; if you have any comments or suggestions on the team’s service, processes or standards, the Audit Manager would be pleased to receive them at [cweeks@dsfire.gov.uk](mailto:cweeks@dsfire.gov.uk)

**Direction of Travel Indicators**

Indicator	Definitions
	No Progress has been made.  The action plan is not being progressed at this time, actions remain outstanding.
	Progress has been made but further work is required.  The action plan is being progressed though some actions are outside of agreed timescales or have stalled.
	Good Progress has/is being made.  Good Progress has continued.

# Agenda Item 6

<b>REPORT REFERENCE NO.</b>	APRC/22/11
<b>MEETING</b>	AUDIT AND GOVERNANCE COMMITTEE
<b>DATE OF MEETING</b>	22 JULY 2022
<b>SUBJECT OF REPORT</b>	GOING CONCERN REVIEW
<b>LEAD OFFICER</b>	DIRECTOR OF FINANCE, PEOPLE & ESTATES (TREASURER)
<b>RECOMMENDATIONS</b>	<i>That the report be noted.</i>
<b>EXECUTIVE SUMMARY</b>	<p>The Authority's External Auditors have requested a formal response from management over the ability of the Authority to continue as a going concern.</p> <p>This is the fourth such report which has been prepared and contains a review of the financial position as at 31 March 2022 alongside an assessment of the ability of the Authority to continue operating for the foreseeable future.</p> <p>As we move out of the COVID-19 pandemic, it is probable the recovery will have a significant impact on financial risk in the coming years but the Authority is well placed to respond to these.</p>
<b>RESOURCE IMPLICATIONS</b>	As indicated within this report.
<b>EQUALITY RISKS AND BENEFITS ANALYSIS</b>	N/A
<b>APPENDICES</b>	None
<b>BACKGROUND PAPERS</b>	<a href="#">Report AGC/22/4 (Draft 2021-22 Annual Statement of Assurance)</a> and the <a href="#">Appendix to that report</a> as submitted to the Committee meeting held on 10 May 2022.

## **1. INTRODUCTION AND BACKGROUND**

- 1.1. Under International Audit Standards auditors are required to “obtain sufficient appropriate audit evidence regarding, and conclude on, the appropriateness of management's use of the going concern basis of accounting in the preparation of the financial statements”, and to conclude, based on the audit evidence obtained, whether a material uncertainty exists about the entity's ability to continue as a going concern.
- 1.2. This report is the fourth such report made to the Audit and Performance Review Committee and will consider the Authority’s ability to continue as a “Going Concern” i.e. to deliver its functions and services for the foreseeable future, particularly focussing on the 12 month period following the Statement of Accounts balance sheet date of 31 March 2022.
- 1.3. The sustained period of Austerity since 2010 and resulting reductions to funding across Local Government now pose a significant threat to public sector organisations. As a consequence, the External Auditors, Grant Thornton LLP, are placing greater emphasis on the Authority’s ability to continue as a Going Concern. There have also been several high profile cases of Local Authorities struggling to meet their financial and service delivery obligations which makes the ability to continue as a Going Concern of greater relevance. The COVID-19 Pandemic has had a significant impact on public sector finances and the Authority as a whole. This is covered in more detail below.

## **2. GOING CONCERN REVIEW**

- 2.1. This report will consider the following factors which underpin the Authority’s ability to operate as a going concern:
  - (a) The current financial position;
  - (b) The projected financial position;
  - (c) The balance sheet and Cash Flow;
  - (d) Governance Arrangements; and
  - (e) The regulatory and control environment.
- 2.2. Each of these elements will be considered in greater detail in the following sections.

## **3. THE CURRENT FINANCIAL POSITION**

- 3.1. Total revenue spending in 2021-22 was £75.601m compared to an agreed budget of £74.222m, resulting in an overspend of £1.379m, equivalent to 1.86% of total budget. To ensure the revenue position was balanced at year-end, it was necessary to use reserves. A review was also undertaken of provisions held for bad debt and pensions which were also reduced to assist with the overspend position.

- 3.2. The Authority has previously delivered, consistently, underspends against the Revenue Budget and has therefore built-up Earmarked Reserves of £31.759m and General Reserves of £4.050m as at 31 March 2022. The strategy for use of those reserves and adequacy of the general fund is outlined in the Authority's Reserves Strategy which was reviewed and approved by the Authority on 29 September 2021. The next iteration of this is in development and will be presented to the Resources Committee at its forthcoming meeting. The risk assessment of the general fund offers assurance that the Authority will be able to cover any unforeseen liabilities in the short to medium term.
- 3.3. The Authority has set a balanced budget for 2022-23 of £77.289m with £1.665m planned use of Reserves in respect of grants received in advance of need. On top of this, £1.244m of the Capital Reserve has been utilised to invest in new equipment and Included within the On top of this, £1.302m has been drawn from some of the Reserves held specifically to assist in funding future year's budgets. At this early stage in the financial year, forecasts suggest that spending will be £1.2M greater than the agreed budget figure. Plans are in train with managers to reduce discretionary spend where appropriate, coupled with a temporary slow-down of recruitment which is felt will ensure the budget is balanced at year-end with no further depletion of Reserves to support revenue expenditure.
- 3.4. The Authority's main sources of funding are Council Tax and Business Rates income and central government grant funding. Levels of funding are agreed and set as part of the budget setting process which offers a guarantee that the income will be received for 2022-23. Any adjustments to Council Tax and Business Rates income are made via the collection fund budgeting process so will impact on future years.
- 3.5. Because there is surety of funding from billing authorities and central government, the main area of risk to the short term financial position of the Authority is its ability to control expenditure. There are robust financial monitoring processes in place to review spend against budget, with reports presented monthly to the Executive Board and quarterly to the Resources Committee.

#### **4. THE PROJECTED FINANCIAL POSITION**

##### ***Revenue Budgets***

- 4.1. As outlined above, the predicted financial position for 2022-23 as year-end is for spend to be within the revenue budget. Expenditure from reserves is anticipated to be £11.7m within the financial year with projected balances of circa £22.0m at year-end.
- 4.2. In considering its annual budget requirement, the Authority reviews the Medium Term Financial Plan (MTFP). In February 2022, a potential funding gap of between £10.1m and £12.4m was identified as shown in the chart overleaf. In order to close the funding gap, significant savings will need to be identified, the Authority's change programme, has been tasked with finding efficiencies along with potential changes to progress towards a model which will fit future funding.



- 4.3. The Authority has published its Medium Term Financial Plan, which articulates the basis of the forecast, funding scenarios and the assumptions made. The Medium Term Financial Plan covers the five year period to 2025-26.
- 4.4. Until further information is available to inform financial strategy such as flexibility to increase the Precept by more than the current 1.99%, new targets cannot be established. However, the Authority has sufficient reserves which could be repurposed over the medium term to fund budget gaps. This is not a sustainable long-term solution. Going forwards, the Authority will need to reconsider savings programmes.
- 4.5. One of the current concerns to the Authority is inflation. The 2022-23 revenue budget was built with an assumption of 2% inflation on all items, including payroll except for energy which was presenting large increases by February 2022 when the budget was agreed. The Consumer Price Index (CPI) increased by over 9% in June, with forecasts suggesting that it will increase further. This will impact on the already stretched budgets.

### **Capital Budgets**

- 4.6. Capital Budgets are set annually by the Authority as part of the budget setting process and are published alongside an indicative programme for the following three financial years. Funding requirements are identified as part of that planning cycle and for 2022-23 consist of a Revenue Contribution of £0.300m, Application of Existing Borrowing of £1.365m, Capital Receipts of £0.300m and use of Earmarked Reserves of £5.089m.
- 4.7. In considering the Capital Programme over a longer time period, a healthy earmarked reserve of £12.3m is anticipated to be available for 2023-24 and beyond. However, the need to progress assets following a pause in replacement means that the Authority may need to borrow in 2024/25. There is sufficient funding to support capital expenditure in the short term with a need to rationalise assets if the programme is to be accelerated.
- 4.8. The long-term strategy of the Authority is to fully support the Capital programme through Revenue Contributions. This is going to prove to be a challenge given the size of the current capital programme coupled with the pressure on the revenue budget.

## **5. THE BALANCE SHEET AND CASH FLOW**

### ***Balance Sheet Review***

- 5.1. The draft unaudited Financial Statements of the Authority have been published on the website. They show a balance sheet deficit of £784.4m including a pension scheme deficit of £921.1m which must be included under accounting rules. Were the pension scheme deficit to be excluded, net assets of £136.7m would be reported, representing a small increase of £0.3m over 2020-21.
- 5.2. Useable reserves were £35.8m as at 31 March 2022, a decrease of £9.9m since 2020-21. Reserves expenditure was on target with the plan for the year.
- 5.3. In order to determine and reach the conclusion that the Balance Sheet is robust specific areas of consideration were identified and reviewed, which were:
- Debts owed to the Authority;
  - Net worth of the Authority;
  - Adequacy of provisions held;
  - Reserves set aside – either earmarked or not and whether actually committed; and
  - The adequacy of the General Fund Balance to meet unforeseen expenditure.

### ***Cash Flow***

- 5.4. Financial Assets (excluding debtors) of the Authority were £35.2m as at 31 March 2022 (a decrease of £1.8m since 2020-21) and are held as a mixture of short and long term investments. Income from central government and billing authorities is received throughout the year which enables robust forecasting of cash flow.
- 5.5. Cash flow is reviewed by officers on a daily basis so any risks can be identified and mitigated. In 2021-22 there were no instances where the bank accounts were overdrawn and no short-term borrowing took place.
- 5.6. The Cash Flow forecast for the next 12 months has been reviewed. A continued healthy cash position is anticipated given the profile of income, revenue and reserves expenditure.

## **6. GOVERNANCE ARRANGEMENTS**

- 6.1. The Authority publishes, as part of its suite of year end reporting, an Annual Statement of Assurance. The Annual Statement of Assurance is reviewed taking account of external and internal audit reviews. Statements of assurance in the performance of internal controls and risk are sought from Service management. The effectiveness of the Authority's governance arrangements are reviewed annually together with the evidence to support it and then presented to this Committee. The last Annual Statement of Assurance (for the financial year 2021-22) was presented in draft form to this Committee at its meeting on 10 May 2022 (Minute \*AGC/21/22 refers).

- 6.2. Whilst it is not possible to secure absolute assurance, the annual review of the statement and assurance reports received during the year offers evidence that arrangements are fit for purpose and effective.

## **7. THE REGULATORY AND CONTROL ENVIRONMENT**

- 7.1. The Authority is required to operate within a highly legislated and controlled environment and particular emphasis of this can be exemplified and demonstrated with the financial controls in place. Examples of controls include the requirement of the Full Authority to approve a balanced annual budget, but within that to consider and have regard via assurance from the Treasurer as to the robustness of the budget, its estimates and the adequacy of reserves held.
- 7.2. The control environment is supported by the role of External Audit in auditing of the financial statements, the review of value for money and financial resilience. Further detail on the control environment of the Authority is available in the draft Annual Statement of Assurance as reported to the last meeting of this Committee.
- 7.3. The Service is also subject to a new inspection regime by Her Majesty's Inspectorate of Constabulary, Fire and Rescue Services (HMICFRS). The latest inspection was undertaken during quarter 2, 2021. The inspection report is due to be published soon. It will make reference to the performance of the Service in three areas: Effectiveness, Efficiency and People. The resulting improvement plan will be incorporated into the Authority's performance management reporting.

## **8. CONCLUSION**

- 8.1. The Authority operates within a robust control environment which can be evidenced by reviews of its assurance arrangements such as External and Internal Audit processes, neither of which have identified any significant issues in the past year.
- 8.2. In addition to backwards looking assurance, financial and operational monitoring processes are in place to mitigate risks within the financial year and are regularly reported to management and those charged with governance.
- 8.3. While inflation is causing some concern at present, the review of the financial indicators contained within this report together with planning assumptions for the Medium Term Financial Plan, Cash Flow and Reserves Strategy mean that there is a high level of confidence that the Authority will be able to continue as a going concern for the foreseeable future.

**Shayne Scott**  
**Director of Finance, People & Estates**  
**(Treasurer)**



# Agenda Item 7

<b>REPORT REFERENCE NO.</b>	<b>AGC/22/11</b>
<b>MEETING</b>	<b>AUDIT &amp; GOVERNANCE COMMITTEE</b>
<b>DATE OF MEETING</b>	<b>22 JULY 2022</b>
<b>SUBJECT OF REPORT</b>	<b>ANNUAL REVIEW OF AUTHORITY STANDARDS ARRANGEMENTS</b>
<b>LEAD OFFICER</b>	<b>Director of Governance &amp; Digital Services</b>
<b>RECOMMENDATIONS</b>	<i>That the report be noted.</i>
<b>EXECUTIVE SUMMARY</b>	<p>This paper identifies the Standards arrangements adopted by the Authority to secure compliance with the legislative provisions of the Localism Act 2011 and associated Regulations.</p> <p>It also provides an overview of operation of the regime during the last (2021-22) financial year.</p>
<b>RESOURCE IMPLICATIONS</b>	Nil.
<b>EQUALITY RISKS AND BENEFITS ANALYSIS</b>	Not applicable.
<b>APPENDICES</b>	A. Government response to the Committee for Standards in Public Life review report on Local Government Ethical Standards
<b>BACKGROUND PAPERS</b>	<p><a href="#">The Localism Act 2011 (the Act)</a></p> <p><a href="#">The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (the Regulations)</a></p> <p><a href="#">The Committee on Standards in Public Life review of Local Government Ethical Standards</a></p>

## **1. GENERAL INTRODUCTION**

- 1.1. This report represents the first annual report on the Authority's Standards regime in accordance with the provisions of the Localism Act 2011 and associated regulations and the operation of the regime during the last (2021-22) financial year.

## **2. LEGISLATIVE BACKGROUND**

- 2.1. The Localism Act 2011 introduced a new ethical standards regime for all local authorities. The former regime under the Local Government Act 2000 provided, amongst other things, for a Model Code of Conduct which applied across all authorities together with an independent external body – the Standards Board for England – which administered arrangements for dealing with complaints that Members had failed to follow the Code of Conduct. The Standards Board for England was able, in cases where breaches of the Model Code were established, to impose a range of sanctions up to and including suspensions.
- 2.2. The Localism Act 2011 (“the Act”) saw the old regime completely abolished, with local authorities placed under a duty to promote and maintain high standards of conduct by Members and co-opted members of the authority and so doing to:
- adopt a code dealing with the conduct expected of authority Members and co-opted members when acting in that capacity (Section 27(2) of the Act);
  - ensure that the code so adopted is, when viewed as a whole, consistent with the seven “Nolan” principles of public life (Section 28(1));
  - include provision in the code of registering and disclosing pecuniary and other interests (Section 28(2));
  - have in place arrangements to investigate and make decisions on allegations of breaches of the code of conduct adopted (Section 28(6));
  - appoint one or more “independent persons” whose views:
    - must be taken into account by the authority before it makes a decision on an allegation which has been investigated (Section 28(7)(a)); and
    - may be sought by the authority in other circumstances (to be determined by the authority in question) and by a Member or co-opted member subject to an allegation (Section 28(7)(b));
  - maintain and publish on its website a register detailing for each Member and co-opted member (including the spouse or civil partner of the Member or co-opted Member or anyone with whom the Member or co-opted member is living either as husband or wife or as if they were civil partners) a register of disclosable pecuniary interests and any other interests as determined by the authority (Sections 29 and 30).

- 2.3. Section 31 of the Act requires all Members and co-opted members with a disclosable pecuniary interest to declare this interest at meetings when matters where the interest exists are being discussed and not to participate in the debate or vote on such matters. The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (“the Regulations”), made under Section 30 of the Act, identifies disclosable pecuniary interests that must be both registered and declared at meetings. Section 34 of the Act makes failure to register and/or declare a disclosable pecuniary interest an offence which may only be instituted by the Director of Public Prosecutions and which is punishable, on summary conviction, of a fine not exceeding level 5 on the standard scale (currently £5,000).
- 2.4. The Act removed the ability for Members to be suspended or disqualified for proven breaches of the code of conduct. Consequently, sanctions currently available to local authorities (including this Authority) include public censure, apology, training, removal from committee and/or outside body responsibilities and withdrawal of access to facilities and resources.
- 2.5. Other than the requirements of Section 28, there are no prescriptions in the Act either in relation to the contents of the code of conduct to be adopted by an authority or the nature of arrangements for dealing with allegations of non-compliance with the code.

### **3. APPLICATION TO THIS AUTHORITY**

- 3.1. As required by the Act, this Authority initially adopted a Code of Conduct and procedures for dealing with alleged breaches of the Code in July 2012. These have undergone a number of revisions over the years, informed by practical experience in dealing with complaints and by external reports such as the report on local government ethical standards published in 2019 by the Committee on Standards in Public Life.

#### ***Code of Conduct***

- 3.2. The Authority’s current Code of Conduct is published both on the website and the Service intranet. Since initial publication, revisions have included:
- (a). in June 2019, to include revisions reflecting two of the best practice recommendations for local authorities made by the Committee on Standards in Public Life following its review of local government ethical standards. It should be noted here that the current Code now aligns fully with the best practice recommendations for local authorities as set out in the Committee on Standards in Public Life report;
  - (b). in June 2021. This was largely a reformatting exercise to align the Code with the Model Code issued by the Local Government Association. In this respect, it should be noted that
    - production of a Model Code by the Local Government Association was a specific recommendation by the Committee on Standards in Public Life; and

- there is no obligation to adopt the LGA Model Code. The Localism Act still provides that it is for individual authorities to determine their own Code of Conduct. The LGA Model Code is, however, considered a de minimis best practice Code. The current Authority Code contains all the features of the LGA Model Code, adapted and expanded as required to fit the Authority's current processes and Standards requirements; and
- (c). in December 2021, to reflect a change in wording for the descriptor on the Leadership principle of the Nolan principles, to emphasise treating others with respect, as recommended by the Committee on Standards in Public Life.

### ***Complaints Procedure***

- 3.3. A guide on [how to make a complaint](#), together with [guidance on how complaints are handled](#), are published on the website.
- 3.4. The complaints procedure was subject to significant review in 2019, informed by previous experience in complaints processed, constituent authority practices and procedures and recommendations contained in the Committee on Standards in Public Life report.

## **4. COMMITTEE ON STANDARDS IN PUBLIC LIFE REPORT – GOVERNMENT RESPONSE**

- 4.1. As previously referenced, the Committee on Standards in Public Life published its report on local government ethical standards in 2019. This report contained some 26 recommendations for improvements, the majority of which would require government intervention, together with fifteen best practice recommendations for local authorities.
- 4.2. This report was considered by the (then) Standards Committee in April 2019 following which a number of revisions to the Authority's Code of Conduct and complaints procedure were subsequently approved by the Authority.
- 4.3. The Authority's Code of Conduct now complies fully with the best practice recommendations and the LGA Model Code (production of which was, itself, a recommendation by the Committee on Standards in Public Life). Additionally, the Authority's complaints procedure was similarly amended.
- 4.4. The government published its response to the Committee on Standards in Public Life earlier this year. A copy of this response is attached at Appendix A.
- 4.5. In relation to the 26 recommendations which the Committee for Standards on Public Life considered required government intervention, it should be noted that the Authority's current Code of Conduct:
  - (a). complies with the Model Code produced by the Local Government Association (recommendation 1);
  - (b). contains sections dealing with:

- i. recommendation 4 (code applying when acting or purporting to act as a Member);
- ii. recommendation 5 (unpaid directorships, management roles in charities etc.) - albeit not as pecuniary interests;
- iii. recommendation 6 (registration of gifts);
- iv. recommendation 7 (non-participation at meetings where an interest would be perceived as likely to prejudice impartial decision making); and

4.6. The Authority's approved procedures also comply with:

- (a). recommendation 8 (term of office of Independent Persons);
- (b). recommendation 9 (recording views of Independent Person in minutes and/or decision notice);
- (c). recommendation 11 (indemnity for Independent Persons); and
- (d). recommendation 23 (inclusion of contact for external auditor in the Authority's Whistleblowing Policy).

4.7. The remaining recommendations, notably those relating to sanctions (recommendation 16); the abolition of the criminal offence for Code breaches relating to disclosable pecuniary interests (recommendation 18); and powers of the Ombudsman to deal with appeals from councillors who had a suspension sanction imposed (recommendation 14) would require government intervention in the form of legislative change. In its response, however, the government has indicated that it is not minded to introduce such changes at this stage.

4.8. The government has also indicated that it agrees with the principle behind recommendation 2 (removing the requirement for a Member to publicly disclose their home address). This is currently a disclosable pecuniary interest as per the Regulations so, until the government determines to change this, it remains a requirement for Members of this Authority when submitting their Registration of Interests.

4.9. In this context, it should also be noted that:

- The issue of intimidation and abuse of elected councillors has again, recently, been prominent in certain media (notably, evidence submitted by Cornwall Council to the Local Government Association); and
- Section 32 of the Localism Act 2011 provides the ability for the Monitoring Officer to redact details of a "sensitive" interest (as defined in the Act) where the Monitoring Officer, in conjunction with the Member concerned, considers that disclosure of the details could lead to the Member (or a person associated with them) being subject to violence or intimidation. This power does not allow for a blanket redaction of such details for all Members, however. Rather, it requires consideration on a case-by-case basis.

## **5. OPERATION OF THE STANDARDS REGIME FOR THE 2021-22 FINANCIAL YEAR**

5.1. Recommendation 15 of the Committee on Standards in Public Life review of local government ethical standards proposed that the Local Government Transparency Code should be amended to require local authorities to publish, annually, details on the number of Code of Conduct complaints received, what the complaints broadly relate to, the outcome of the complaints and any sanctions applied.

5.2. In its response to the recommendations, the government has indicated that it feels this is better addressed by the sector adopting such annual reporting as a matter of best practice.

5.3. Consequently, this report identifies the current regime operated by the Authority and provides an overview of its operation during the last financial year. It is intended that a similar report should be submitted on an annual basis.

### ***Code of Conduct Complaints***

5.4. Historically, the Authority has not received nor had to process a significant number of complaints relating to alleged breaches of the Code of Conduct.

5.5. It is pleasing to note that, for the 2021-22 financial year, no complaints were received.

### ***Registration of Interests***

5.6. The Act requires that Members register those disclosable pecuniary interests as per the Regulations and any other registerable interests as may be specified by the Authority within 28 days of appointment to the Authority. The Act also requires that such Registrations are made publicly available.

5.7. At the time of producing this report, Registers of Interest have been published for each Member currently serving on the Authority. Annual reminders are also issued to all serving Members to ensure that their published Register of Interests is up to date. It should be noted, however, that – while there is a requirement to publish the Registers of Interest – the onus is on individual Members to ensure that all registerable interests are duly recorded and to notify the relevant officer of any change in interests so published as soon as the Member becomes aware of the change.

5.8. In addition to the published Register of Interests, all Members are required to declare relevant interests in items that may be under discussion at meetings attended. Such interests, when declared, are recorded in the Minutes of the meeting which are published on the website.

## **6. CONCLUSION**

6.1. The Authority has in place a robust Code of Conduct and procedures for dealing with alleged breaches. These are fully compliant with the provisions of the Localism Act 2011 and – where practicable/legal – the recommendations stemming from the Committee on Standards in Public Life report on local government ethical standards.

- 6.2. The Code and associated procedures are kept under constant review. Any changes as may be required will be reported to the Authority at the earliest opportunity.
- 6.3. Code requirements also feature as part of the induction programme for all Authority Members.
- 6.4. Historically, the Authority has not dealt with many complaints and it is pleasing to note that no complaints were submitted for the last financial year.
- 6.5. It remains the case, however, that the duty to promote and maintain high standards of conduct rests with the Authority, collectively and at an individual Member level. The arrangements currently in place are considered robust, proportionate and appropriate to enable the Authority to fully discharge this duty.

**MIKE PEARSON**  
**Director of Governance & Digital Services**  
**(Monitoring Officer)**

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Department for Levelling Up,  
Housing & Communities

**Kemi Badenoch MP**

*Minister of State for Equalities and Levelling Up  
Communities*

***Department for Levelling up, Housing and  
Communities***

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Lord Evans of Weardale, KCB, DL  
Chair Committee on Standards in Public Life  
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Dear Lord Evans,

On behalf of the Government, I would like to thank the Committee on Standards in Public Life for its report and the recommendations arising from its review of Local Government Ethical Standards, and to all those who engaged with the Committee's work. Attached is the Government response to the Committee's individual recommendations that were directed at Government.

Vibrant local democracies flourish where the reputation of the local authority is held in high regard, where councillors' decision-making is transparent, valued and trusted by the communities they serve, and where people are willing and confident to put themselves forward as potential candidates. The standards and conduct framework within which local authorities operate must drive out corruption and promote commitment to the principles on standards in public life, and tolerance to the differing views of others. In responding to the review, the Government has taken into account the importance of protecting free speech and freedom of association within the law.

The Government is committed to working with local authorities and their representative organisations to ensure that local government is supported in reinforcing its reputation for ethical local standards.

The fact that this review had been conducted in such a collaborative way with the sector has been apparent from the outset and is borne out in the final report. I am keen that Government builds on the sector-wide enthusiasm for improvement.

The Government agrees with the Committee's conclusion that there have been benefits from local authorities being responsible for ethical standards, including the flexibility and

discretion to resolve standards issues informally. However, we also recognise the role of Government in ensuring that the system is robust.

The number of requests for legislation in the Committee's recommendations to strengthen the standards and conduct framework and its safeguards is considerable. As indicated in this response, the Government believes that some of these suggestions do not need a legislative response but can be more appropriately, effectively, and swiftly taken forward by local authorities as best practice. The Committee will recognise that the Government and Parliament has taken a different view on these matters when it legislated for the Localism Act 2011.

I thank the Committee for their work on the review and for their patience whilst Government carefully considered their recommendations, and I personally look forward to continuing to work with you as Government progresses the commitments made in this response with the sector.

Yours sincerely,

A handwritten signature in black ink that reads "Kemi Badenoch". The signature is written in a cursive, flowing style.

**KEMI BADENOCH MP**

**Minister of State for Equalities  
and Levelling Up Communities**

# Government response to the Committee on Standards in Public Life review of local government ethical standards

This Government response confines itself to the Committee's recommendations directed at Government, other than with regards to the first recommendation. The response to recommendations 10, 12, 13, 14 and 16 have been grouped together and therefore appear out of numerical order below.

## **Recommendation 1**

**The Local Government Association should create an updated model code of conduct, in consultation with representative bodies of councillors and officers of all tiers of local government.**

The Localism Act 2011 states that relevant authorities must promote and maintain high standards of conduct by members and co-opted members. It requires these authorities to adopt a code of conduct for their councillors.<sup>1</sup> Authorities can determine the content of their own code of conduct. However, codes must conform to the seven 'Nolan' principles of standards in public life: selflessness, integrity, objectivity, accountability, openness, honesty, and leadership. Relevant authorities for the purposes of these requirements include local authorities in England, namely county councils, district councils, London borough councils and parish and town councils.

It is for individual councils to set their own local code, in line with the Act. The Government has previously published a light-touch illustrative code of conduct.

The Local Government Association has worked with sector representative bodies to update its own suggested code of conduct, with the intention that this new suggested code could establish a consistent benchmark that local authorities can amend or add to as they see fit to reflect local circumstances and priorities. The Local Government Association published the updated code of conduct in January 2021. However, it remains a local decision on whether this model code is adopted.

## **Recommendation 2**

**The government should ensure that candidates standing for or accepting public offices are not required publicly to disclose their home address. The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 should be amended to clarify that a councillor does not need to register their home address on an authority's register of interests.**

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<sup>1</sup> References to councillors in this document also should be deemed to include elected mayors.

This issue was brought up in the Committee's work on intimidation in public life, and the Government has already taken forward several steps in this regard. The Government is open and receptive to further steps to help prevent intimidation.

The Government agrees with the principle behind this recommendation – which safeguards elected representatives - and considers amending the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 would be an option to achieve it.

The Government will engage with interested parties on the best means to ensure that candidates and councillors are not required publicly to disclose their home address.

Notwithstanding, it is important that home addresses are internally registered with monitoring officers, to help avoid conflicts of interest.

### **Recommendation 3**

**Councillors should be presumed to be acting in an official capacity in their public conduct, including statements on publicly accessible social media. Section 27(2) of the Localism Act 2011 should be amended to permit local authorities to presume so when deciding upon code of conduct breaches.**

The Government's view is that it is for individual local authorities to consider if their code of conduct is adequate in addressing the issue of inappropriate use of social media.

As the Government outlined to Parliament in March 2021 on tackling intimidation in public life: 'It is important to distinguish between strongly felt political debate on the one hand, and unacceptable acts of abuse, intimidation and violence on the other. British democracy has always been robust and oppositional. Free speech within the law can sometimes involve the expression of political views that some may find offensive': a point that the Government has recognised in a Department for Education policy paper<sup>2</sup>. But a line is crossed when disagreement mutates into intimidation, which refuses to tolerate other opinions and seeks to deprive others from exercising their free speech and freedom of association.'

It is important to recognise that there is a boundary between an elected representative's public life and their private or personal life. Automatically presuming (irrespective of the context and circumstances) that any comment is in an official capacity risks conflating the two.

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<sup>2</sup> Higher education: free speech and academic freedom Feb 2021  
<https://www.gov.uk/government/publications/higher-education-free-speech-and-academic-freedom>

#### **Recommendation 4**

**Section 27(2) of the Localism Act 2011 should be amended to state that a local authority’s code of conduct applies to a member when they claim to act, or give the impression they are acting, in their capacity as a member or as a representative of the local authority.**

The Government agrees that local authority elected representatives should act in good faith in the public interest and not seek to influence decisions for personal gain, for malicious intent or to further the interests of any business or any other organisations which they may be affiliated with.

The Local Government Association have updated their [own suggested code of conduct](#) to state that the code applies when “[a member’s] actions could give the impression to a reasonable member of the public with knowledge of all the facts that [they] are acting as a [member]”.

It is for individual local authorities to ensure that their codes of conducts are regularly updated, comprehensive and fit for purpose. Elected members receive the necessary training to make them aware of their personal responsibilities in upholding the code.

The Government will keep this matter under review but has no immediate plans to amend the regulations.

#### **Recommendation 5**

**The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 should be amended to include: unpaid directorships; trusteeships; management roles in a charity or a body of a public nature; and membership of any organisations that seek to influence opinion or public policy.**

The electorate must have confidence that the decisions of their elected representatives are being made in the best interests of the community they have been elected to serve. Unpaid roles may need to be declared if it is relevant to council business, and councillors should recuse themselves if necessary if discussions relate to private bodies, they are involved in.

The Government is mindful that councillors have a right to a private life, and rights of freedom of association outside their role as a councillor. It is frequently the case that people in public life have a complex pattern of interests and play a variety of roles with different types of organisations, including community interest groups and charities.

The Government will keep this matter under review but has no immediate plans to amend the regulations.

## **Recommendation 6**

**Local authorities should be required to establish a register of gifts and hospitality, with councillors required to record gifts and hospitality received over a value of £50 or totalling £100 over a year from a single source. This requirement should be included in an updated model code of conduct.**

The Local Government Association's suggested code of conduct published in January 2021 includes a requirement for members to "register... any gift or hospitality with an estimated value of at least £50". However, it did not contain any requirements relating to the total value of gifts or hospitality received from the same source over a sustained period.

Local authorities have the autonomy to set gifts and hospitality requirements in their own codes of conduct. The Government accepts that there is merit in best practice guidance on the thresholds for gifts and hospitality and agrees that a register of gifts and hospitality should be publicly available.

## **Recommendation 7**

**Section 31 of the Localism Act 2011 should be repealed, and replaced with a requirement that councils include in their code of conduct that a councillor must not participate in a discussion or vote in a matter to be considered at a meeting if they have any interest, whether registered or not, "if a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it is likely to prejudice your consideration or decision-making in relation to the matter".**

Section 31 of the Localism Act 2011 requires that a councillor must not participate in a discussion or vote on a matter where they have a disclosable pecuniary interest in any matter to be considered at the meeting. Section 30(3) of the Localism Act 2011 further provides that any relevant pecuniary interests of a councillor's spouse or partner are considered as a disclosable pecuniary interest of the councillor.

The Committee's report reflects concerns that the disclosable pecuniary interest arrangements infringe on the privacy of a councillor's spouse or partner. Where there would be a potential conflict of interest, the principle of integrity requires that any such interests should nevertheless be declared and resolved.

The Government will keep this matter under review but has no immediate plans to repeal Section 31 of the Localism Act 2011.

## **Recommendation 8**

**The Localism Act 2011 should be amended to require that Independent Persons are appointed for a fixed term of two years, renewable once.**

The Government does not accept this recommendation as appropriate for legislation on the basis that it would be likely to be unworkable. The Government's view is that it would be more appropriately implemented as a best practice recommendation for local authorities.

In principle, it may be attractive to limit the terms Independent Persons serve to keep their role and contribution "fresh" and avoid them becoming too closely affiliated with the overriding organisational culture. However, discussions with Monitoring Officers indicate that in practice most local authorities would likely find servicing this rate of turnover unachievable. There is frequently a small pool of people capable and willing to undertake the role, who also fit the stringent specifications of being amongst the electorate, having no political affiliation, no current or previous association with the council, and no friends or family members associated with the council.

When local authorities have found effective Independent Persons who demonstrate the capability, judgement and integrity required for this quite demanding yet unpaid role, it is understandable that they may be reluctant to place limitations on the appointment.

## **Recommendation 9**

**The Local Government Transparency Code should be updated to provide that the view of the Independent Person in relation to a decision on which they are consulted should be formally recorded in any decision notice or minutes.**

The Government does not agree with this. The Local Government Transparency Code is a statutory requirement to publish information; it does not regulate the content of councils' minutes or decision notices.

The substantive policy suggestion has merit but will depend on circumstances. In cases where there is no case to answer from an unfounded complaint, it should not necessarily be a legal requirement to publish details of that unfounded complaint.

## **Recommendation 10**

**A local authority should only be able to suspend a councillor where the authority's Independent Person agrees both with the finding or a breach and that suspending the councillor would be a proportionate sanction.**

## **Recommendation 12**

**Local authorities should be given the discretionary power to establish a decision-making standards committee with voting independent members and voting members from dependent parishes, to decide on allegations and impose sanctions.**

## **Recommendation 13**

**Councillors should be given the right to appeal to the Local Government Ombudsman if their local authority imposes a period of suspension for breaching the code of conduct.**

## **Recommendation 14**

**The Local Government Ombudsman should be given the power to investigate and decide upon an allegation of a code of conduct breach by a councillor, and the appropriate sanction, an appeal by a councillor who has had a suspension imposed. The Ombudsman's decision should be binding on the local authority.**

## **Recommendation 16**

**Local authorities should be given the power to suspend councillors, without allowances, for up to six months.**

There is no provision in current legislation for a sanction to suspend a councillor found to have breached the code of conduct, and this was a deliberate policy decision by the Coalition Government at the time of the Localism Act 2011 to differentiate from the previous, failed Standards Board regime. The Standards Board regime allowed politically motivated and vexatious complaints and had a chilling effect on free speech within local government. These proposals would effectively reinstate that flawed regime.

It would be undesirable to have a government quango to police the free speech of councillors; it would be equally undesirable to have a council body (appointed by councillors, and/or made up of councillors) sitting in judgment on the political comments of fellow councillors.

On the rare occasions where notable breaches of the code of conduct have occurred, local authorities are not without sanctions under the current regime. Councillors can be barred from Cabinet, Committees, or representative roles, and may be publicly criticised. If the elected member is a member of a political group, they would also expect to be subject to party discipline, including being removed from that group or their party. Political parties are unlikely to reselect councillors who have brought their group or party into disrepute. All councillors are ultimately held to account via the ballot box.



As part of the Government's response to the Committee's report on intimidation in public life, the Government recommended that every political party establish their own code of conduct for party members, including elected representatives.

The Government will engage with sector representative bodies of councillors and officers of all tiers of local government to seek views on options to strengthen sanctions to address breaches of the code which fall below the bar of criminal activity and related sanctions but involve serious incidents of bullying and harassment or disruptive behaviour.

### **Recommendation 11**

**Local authorities should provide legal indemnity to Independent Persons if their views or advice are disclosed. The government should require this through secondary legislation if needed.**

The Government agrees in principle.

Initial soundings with the sector indicate that some local authorities already provide legal indemnity for Independent Persons.

The Government endorses providing legal indemnity for Independent Person as local authority best practice but does not currently see the need to require this through secondary legislation.

### **Recommendation 15**

**The Local Government Transparency Code should be updated to require councils to publish annually: the number of code of conduct complaints they receive; what the complaints broadly relate to (e.g., bullying; conflict of interest); the outcome of those complaints, including if they are rejected as trivial or vexatious; and any sanctions applied.**

The Government believes that this is better addressed through the sector adopting as best practice a regular pattern of annual reporting by Standard Committees of the cases and complaints handled and would encourage this as best practice by the sector.

The Government does not believe that there is a requirement to prescribe to local authorities the form and content of such Standard Committee annual reports.

### **Recommendation 17**

**The government should clarify if councils may lawfully bar councillors from council premises or withdraw facilities as sanctions. These powers should be put beyond doubt in legislation if necessary.**

The criminal law, overseen by the police and courts, provides for more appropriate and effective action against breaches of public order, for anti-social behaviour, and against harassment.

The occasion where councils would seek to bar councillors from council premises are thought to be extremely rare. We will consider this further.

### **Recommendation 18**

#### **The criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished.**

It is a criminal offence to fail to declare pecuniary interests, which acts as a strong deterrent against corruption.

The Government does not agree with this recommendation, but rather believes the criminal offence of a non-disclosure of pecuniary interest to be a necessary and proportionate safeguard and deterrent against corruption.

The high bar of police involvement has served to discourage politically motivated and unfounded complaints.

### **Recommendation 20**

#### **Section 27(3) of the Localism Act 2011 should be amended to state that parish councils must adopt the code of conduct of their principal authority, with the necessary amendments, or the new model code.**

The Government does not agree that this is necessary and has no plans to repeal Section 27(3) of the Localism Act 2011.

The Government considers that the adoption of the principal authority's code or the new model code is a matter for local determination.

There are merits in achieving consistency within principal authority areas to eliminate potential confusion amongst constituents and elected members but there may be instances where a parish council may want to add to the code of their principal authority to reflect local circumstances.

## **Recommendation 21**

**Section 28 (11) of the Localism Act 2011 should be amended to state that any sanction imposed on a parish councillor following the finding of a breach is to be determined by the relevant principal authority.**

The Government has no current plans to repeal Section 28 (11) of the Localism Act 2011 but will give this matter further consideration.

## **Recommendation 22**

**The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 should be amended to provide that disciplinary protections for statutory officers extend to all disciplinary action, not just dismissal.**

The three statutory officers in local government are the Monitoring Officer, the Head of Paid Service (Chief Executive) and the Chief Finance Officer (often referred to as the Section 151 Officer).

Under the current disciplinary arrangements for statutory officers, any decision to dismiss a statutory officer must be taken by full council, following a hearing by a panel that must include at least two Independent Persons. The Committee consider that the disciplinary protections for statutory officers should be enhanced, by extending disciplinary protections to all disciplinary actions (such as suspension or formal warnings), not just dismissal.

The Government agrees in principle with this recommendation and recognises this will be pertinent to Monitoring Officers who may not necessarily be afforded the same seniority in the organisational hierarchy of a local authority as the two other statutory officers (Head of Paid Service and the Section 151 Officer), and who may be subject to personal pressures when conducting high profile breach of conduct investigations.

The Government will engage with sector representative bodies of all tiers of local government to seek views on amending the Local Authorities (Standing Orders) (England)(Amendment) Regulations to provide disciplinary protections for statutory officers.

## **Recommendation 23**

**The Local Government Transparency Code should be updated to provide that local authorities must ensure that their whistleblowing policy specifies a named contact for the external auditor alongside their contact details, which should be available on the authority's website.**

The Government agrees with the principle that openness is essential.

Most local authorities already publish their whistleblowing policy, procedures and a named contact on their websites, and Government is recommending that this is adopted as a best practice recommendation.

The Government published the UK National Action Plan for Open Government 2021 – 2023 in January 2022. This includes a commitment on local transparency.<sup>3</sup> The Department for Levelling Up Housing and Communities (DLUHC) will work with the local government community to develop a set of specific actions to advance transparency in the sector. DLUHC will support local government to solidify their transparency policies and processes and encourage proactive publication of open data across councils.

## **Recommendation 24**

### **Councillors should be listed as ‘prescribed persons’ for the purposes of the Public Interest Disclosure Act 1998.**

Prescribed persons are individuals or organisations that a worker may approach outside their workplace to report suspected or known wrongdoing and still be protected by the rights afforded to them under whistleblowing legislation. They are prescribed by an order made by the Secretary of State (for Business, Energy and Industrial Strategy) for this purpose. A complete list of prescribed persons is available here: <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>.

Local councillors would not meet the criteria of being external to an individual’s workplace in relation to matters affecting the council and could therefore not be considered as a ‘prescribed person’ for the purposes of the Public Interest Disclosure Act 1998. Disclosures relating to local authorities can be made to the external auditor of the relevant authority, the Comptroller and Auditor General (National Audit Office), or a Member of Parliament.

However, the Government recognises that this may provide a further check and balance against council corruption or wrongdoing and is open to further representations on the matter on how local accountability can be strengthened in this regard.

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<sup>3</sup> <https://www.gov.uk/government/publications/uk-national-action-plan-for-open-government-2021-2023/uk-national-action-plan-for-open-government-2021-2023#local-transparency>

# Agenda Item 8

<b>REPORT REFERENCE NO.</b>	<b>AGC/22/13</b>
<b>MEETING</b>	<b>AUDIT &amp; GOVERNANCE COMMITTEE</b>
<b>DATE OF MEETING</b>	<b>22 JULY 2022</b>
<b>SUBJECT OF REPORT</b>	<b>REVISED FORWARD PLAN</b>
<b>LEAD OFFICER</b>	<b>Director of Governance &amp; Digital Services</b>
<b>RECOMMENDATIONS</b>	<i>That, subject to any additions/amendments as indicated at the meeting, the revised Forward Plan 2022-23 as appended to this report be approved.</i>
<b>EXECUTIVE SUMMARY</b>	The appendix to this report sets out the draft Forward Plan for submission of items to meetings of this Committee during the next (2022-23) municipal year
<b>RESOURCE IMPLICATIONS</b>	Nil.
<b>EQUALITY RISKS AND BENEFITS ANALYSIS</b>	Not applicable.
<b>APPENDICES</b>	A. Revised Forward Plan 2022-23
<b>BACKGROUND PAPERS</b>	<a href="#">Report AGC/22/7 (Draft Forward Plan)</a> and <a href="#">Appendix A to that report</a> as submitted to the Committee meeting on 10 May 2022 (and the Minutes of that meeting)

## **1. INTRODUCTION**

- 1.1. The current Terms of Reference for this Committee provide that it has responsibility for, amongst other things:
- internal and external audit arrangements for the Authority (including approval of annual financial statements);
  - Standards arrangements (Members' Code of Conduct);
  - Corporate Risk Register;
  - the Authority's arrangements under the Regulation of Investigatory Powers Act (RIPA) 2000 (including annual reporting); and
  - receipt of an annual report from the Authority's Local Pensions Board.
- 1.2. The Committee considered and approved a Forward Plan at its meeting held on 10 May 2022 (Minute \*AGC/22/25 refers). Subsequent to this, it has been necessary to revise the Forward Plan in light of the availability of information to facilitate the submission of some papers.
- 1.3. A revised Forward Plan, as set out at Appendix A to this report, sets out proposed reporting arrangements for these items to meetings of the Committee during the 2022-23 Municipal Year.

**MIKE PEARSON**  
**Director of Governance & Digital Services**

**APPENDIX A TO REPORT AGC/22/13**

**AUDIT & GOVERNANCE COMMITTEE - DRAFT FORWARD PLAN 2022-23**

<b>DATE OF MEETING</b>	<b>ITEMS FOR CONSIDERATION</b>
<b>22 July 2022 – 10.00hours</b>	Internal Audit progress report
	Going Concern Review
	Members’ Code of Conduct/Standards arrangements annual review
	Response to the Government White Paper “Reforming our Fire and Rescue Service”
<b>30 September 2022 - 10:00hours</b>	*Financial Statements 2021-22, including: <ul style="list-style-type: none"> <li>• Final Statement of Accounts</li> <li>• Audit Findings Report &amp; Letter of Representation</li> </ul>
	Final Annual Statement of Assurance 2021-22
	Corporate Risk Register – 6 monthly update
	Local Pension Board Annual Report
<b>29 November 2022 - 10:00hours</b>	* Financial Statements 2021-22, including: <ul style="list-style-type: none"> <li>• Final Statement of Accounts</li> <li>• Audit Findings Report &amp; Letter of Representation</li> </ul> <p><i>(NOTE: the financial statements will be re-presented to this meeting in the event that they are unavailable for approval by 30 September 2022)</i></p>
	Auditors’ Annual Report
	Internal Audit progress report
<b>17 April 2023 – 10.00hours</b>	External Audit Annual Report and associated Risk Assessment
	External Audit Plan (including Fee) 2022-23
	Internal Audit progress report
	Internal Audit Plan 2023-24
	Corporate Risk Register - 6 monthly update
	Members’ Code of Conduct/Standards arrangements annual review

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