



# DEVON & SOMERSET FIRE & RESCUE AUTHORITY

**S.J. Sharman  
CLERK TO THE AUTHORITY**

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

**(see below)**

**SERVICE HEADQUARTERS  
THE KNOWLE  
CLYST ST GEORGE  
EXETER  
DEVON  
EX3 0NW**

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Your ref :  
Our ref : DSFRA/SJS/  
Website : [www.dsfire.gov.uk](http://www.dsfire.gov.uk)

Date : 31 May 2024  
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**DEVON & SOMERSET FIRE & RESCUE AUTHORITY**  
**(Annual General Meeting)**

**Monday, 10th June, 2024**

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

S.J. Sharman  
Clerk to the Authority

**A G E N D A**

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

**1 Apologies**

**2 Election of Chair**

To elect a Chair to serve until the Authority's Annual Meeting in 2025.

**3 Election of Vice Chair**

To elect a Vice-Chair to serve until the Authority's Annual Meeting in 2025.

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

**4 Minutes**

- a Devon & Somerset Fire & Rescue Authority Minutes (Budget Meeting) held on 16 February 2024 (attached) (Pages 1 - 18)
- b Devon & Somerset Fire & Rescue Authority (Extraordinary Meeting) held on 25 March 2024 (attached). (Pages 19 - 22)

**5 Items Requiring Urgent Attention**

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

**PART 1 - OPEN COMMITTEE**

**6 Review of Constitutional Governance Framework (Pages 23 - 54)**

Report of the Clerk to the Authority (& Monitoring Officer) DSFRA/24/18) attached.

**7 Schedule of Appointments to Committees and Outside Bodies (Pages 55 - 60)**

Report of the Clerk to the Authority (& Monitoring Officer) (DSFRA/24/19) attached.

**8 Draft Calendar of Meetings 2024-25 (Pages 61 - 66)**

Report of the Clerk to the Authority (& Monitoring Officer) (DSFRA/24/20) attached.

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

Membership:-

Councillors Atkinson, Best, Biederman (Vice-Chair), Brazil, Carter, Chesterton, Clayton, Coles, Cook-Woodman (Chair), Fellows, Gilmour, Hendy, Kendall, Kerley, Lugger, Randall-Johnson, Peart, Power, Prowse, Radford, Roome, Sellis, Sproston, Sully and Trail BEM

## NOTES

### 1. **Access to Information**

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

### 2. **Reporting of Meetings**

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

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

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

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

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

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

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

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

	<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>

## **DEVON & SOMERSET FIRE & RESCUE AUTHORITY**

(Devon & Somerset Fire & Rescue Authority)

16 February 2024

### Present:

Councillors Cook-Woodman (Chair), Biederman (Vice-Chair), Brazil, Carter, Chesterton, Clayton, Coles, Gilmour, Kendall, Kerley, Patel, Randall-Johnson, Peart, Power, Radford, Roome, Sellis, Slade, Sproston, Sully and Trail BEM

### Apologies:

Councillors Atkinson, Best, Fellows and Hendy

### **DSFRA/23/30 Minutes**

**RESOLVED** that the Minutes of the meeting held on 11 December 2023 be signed as a correct record.

### **DSFRA/23/31 Minutes of Committees**

#### a **Audit & Governance Committee**

The Chair of the Committee, Councillor Coles, **MOVED** the Minutes of the meeting held on 22 January 2024 which had considered, amongst other things:

- A revised forward plan of items for consideration by the Committee during the 2023-24 municipal year;
- An external audit progress report;
- The Annual Audit Report 2023-24 on the Authority's Value for Money arrangements;
- An update report on the Corporate Risk Register; and
- A report on progress against Action Plan to address those Areas for Improvement falling within the remit of the Committee and as identified by His Majesty's Inspectorate of Constabulary & Fire & Rescue Services (HMICFRS) following its last inspection of the Service.

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

#### b **People Committee**

The Chair of the Committee, Councillor Clayton, **MOVED** the Minutes of the meeting held on 24 January 2024 which had considered, amongst other things:

- A report on performance as at Quarter 2 of the current (2023-24) financial year against those Key Performance Indicators relating to the three Strategic Priorities approved by the Authority and falling within the remit of this Committee;

- A report on progress with the Action Plans to address both the Cause for Concern and Areas for Improvement falling within the remit of this Committee and as identified by His Majesty's Inspectorate of Constabulary & Fire & Rescue Services (HMICFRS) following its last inspection of the Service; and
- A report on progress made against the 35 recommendations made by HMICFRS in its published report into values and culture in the fire and rescue service.

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

c **Community Safety Committee**

In the absence of the Chair, the Committee Vice-Chair, Councillor Chesterton, **MOVED** the Minutes of the meeting held on 31 January 2024 which had considered, amongst other things:

- A report on performance in the third quarter of the current (2023-24) financial year against those Key Performance Indicators falling within the remit of this Committee and aligned to the Authority approved Strategic Priorities 1 and 2;
- A report on progress against the Action Plan to address those Areas for Improvement within the remit of this Committee and as identified by His Majesty's Inspectorate of Constabulary & Fire & Rescue Services (HMICFRS) following its last inspection of the Service; and
- A report on recent changes to fire safety legislation stemming mainly from the Grenfell tragedy.

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

d **Resources Committee**

The Chair of the Committee, Councillor Peart, **MOVED** the Minutes of the budget meeting held on 5 February 2024 which had considered, amongst other things:

- A report on the proposed 2024-25 budget and Council Tax levels;
- A report on the proposed Capital Strategy for the Authority;
- A report on the proposed Capital Programme 2024-25 to 2026-27 and associated Prudential Indicators;
- A report on the proposed Treasury Management Strategy (including Prudential and Treasury Management Indicators) 2024-25 to 2026-27;
- A report on Treasury Management performance as at Quarter 3 of the current (2023-24) financial year;
- A report on performance against agreed financial targets for the 2023-24 budget as at Quarter 3 of the current financial year;

- A report on progress against the Action Plan to address those Areas for Improvement falling within the remit of this Committee and as identified by His Majesty's Inspectorate of Constabulary & Fire & Rescue Services (HMICFRS) following its last inspection of the Service; and
- A report on the financial performance of Red One Ltd. In the third quarter of the current financial year.

## **RESOLVED**

(i). That the recommendations in relation to:

- The Capital Strategy;
- The 2024-25 Revenue Budget and Council Tax levels;
- The Capital Programme 2024-25 to 2026-27 and associated Prudential Indicators; and
- The Treasury Management Strategy (including Prudential and Treasury Management Indicators) 2024-25 to 2026-27

be considered in conjunction with Minutes DSFRA/23/33 and DSFRA/23/34 (a) to (c) inclusive and respectively below;

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

***(See also Minutes DSFRA/23/33 and DSFRA/23/34 (a) to (c) inclusive below).***

### **DSFRA/23/32    Medium Term Financial Plan**

The Authority considered a report of the Director of Finance & Corporate Services (DSFRA/24/1) setting out the Medium-Term Financial Plan for Authority funding, income and expenditure forecasts for the next five years, as required by the Fire & Rescue National Framework for England.

**RESOLVED** that the Medium-Term Financial Plan as detailed in report DSFRA/24/1, be endorsed.

***(See also Minutes DSFRA/23/34(a) to (c), inclusive, below)***

### **DSFRA/23/33    Capital Strategy**

The Authority considered a report of the Director of Finance & Corporate Services (DSFRA/24/2) setting out a proposed capital strategy for the Authority, as required by the Chartered Institute of Public Finance and Accountancy Prudential Code (as revised).

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

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

In debating this item, Members commented on the potential opportunities that might be afforded by the use of emerging Artificial Intelligence (AI) technologies in support of promoting efficiency and effectiveness in the overall use of resources.

The Resources Committee, at its budget meeting on 5 February 2024, had considered the strategy and resolved to commend it to the Authority for endorsement (Minute RC/23/16 refers).

**RESOLVED** that, as recommended by the Resources Committee budget meeting on 5 February 2024, the Capital Strategy as set out in report DSFRA/24/2 be approved.

*(See also Minutes DSFRA/23/31(d) above and Minutes DSFRA/23/34(a) to (c) (inclusive) below)*

## **DSFRA/23/34 REVENUE AND CAPITAL BUDGETS**

### **a 2024-25 Revenue Budget and Council Tax Levels**

The Authority considered a joint report of the Director of Finance & Corporate Services (Treasurer) and the Chief Fire Officer (DSFRA/24/3) on the draft 2024-25 revenue budget and associated Council Tax levels.

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

Option A: that the level of council tax in 2024-25 for a Band D property be set at £96.79, as outlined in Option A, representing no increase over 2023-24 and representing a Net Revenue Budget Requirement for 2024-25 of £90.781m; or

Option B: that the level of council tax in 2023-24 for a Band D property be set at £96.79, as outlined in Option B, representing a 2.99% increase over 2023-24 and representing a Net Revenue Budget Requirement for 2024-25 of £92.622m.

A provisional, one year only, Local Government Finance Settlement for 2024-25 had been announced on 18 December 2023. A subsequent announcement of further additional grant funding was released on 24 January 2024 which was confirmed on the 5 February 2024.

This 2024-25 Settlement Funding Assessment for the Authority was £28.243m, an increase of 21.09% over the 2023-24 figure but representing an overall reduction of 0.27% since 2015-16. Since 2019-20, the Authority had received a separate grant of £3.9m to cover the majority of the increase in employer's pensions contributions following an actuarial review by the Government Actuarial Department (GAD). This grant was now included in the Revenue Support Grant and had increased the Settlement Funding Assessment by that amount.



On 18 December 2023, the Department for Levelling Up, Housing and Communities (DLUCH) announced, as part of the provisional Local Government Settlement, the Council Tax limit to be applied in 2024-25. Despite requests from the sector to extend the option to increase by up to £5 again for 2024-25, the limit was set at a 2.99% maximum increase. If exceeded, this would trigger the need to hold a referendum, the indicative administrative costs for which for the Authority were estimated in excess of £2.3m. As such, it was not proposed to exceed the maximum increase of 2.99%

The Authority had also received a £0.575m share of the Rural Services Delivery Grant for 2024-25 together with £0.111m Section 31 grant funding to reduce the impact of the increase in social costs. These sums were included as income in the proposed revenue budget.

A Funding Guarantee Grant of £1.752m, provided to ensure the Settlement Funding Assessment was increased by 4% (it was 3% [£0.955m] in the provisional settlement) before any Council Tax rises, had also been awarded in the additional funding announcement on 24 January 2024.

The Authority was advised that, should budget option A be selected, then the net spending requirement exceeded available funding by £1.841m. This shortfall could be met by removing the proposed contribution to capital expenditure (£0.669m) with the capital reserve used to fund the residual gap in the short-term pending development of additional spending reductions across all areas of the Service. This carried significant risk of being unable to meet future capital programme requirements and the scale of efficiencies required would likely see reductions made to front line services. Option B, however, would not require any contribution from reserves.

The Medium-Term Financial Plan identified a requirement for further savings beyond 2024-25 to ensure that balanced budgets could be set in each year of the Spending Review period. The strategic approach to deliver the required savings in future years was underway and outlined in the Service Targeted Operating Model. Spending reductions totalling £1.8m were considered by the Authority at its meeting in December 2023 and were reflected in the proposed budget. These savings represented the first tranche of what would be on-going programme of transformation.

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

The consultation results indicated that:

- 64% of businesses agreed that it was reasonable for the Authority to consider increasing its Council Tax charge for 2024-25, while 16% disagreed that it is reasonable for them to do so, resulting in a net agreement of +48%;
- 74% of residents agreed that it was reasonable for the Authority to consider increasing its Council Tax charge for 2024-25, while 13% disagreed, giving a net agreement of +61%.

Of those respondents who agreed that a Council Tax increase would be reasonable, 61% of businesses and 49% residents indicated they would support an increase of 2.99% or above.

Additionally, the consultation results indicated that:

- 52% of businesses and 58% of residents agreed strongly that the Service provided good value for money; and
- 68% of businesses and 69% of residents were either very or fairly satisfied with the service provided.

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

The Treasurer added that the budget proposals circulated were predicated upon a Grey Book pay award of 5% being agreed under the national arrangements. Should this figure be increased above 5%, then this would impact on the budget presented. Consequently, the Authority was recommended to grant the Treasurer delegated authority to meet from reserves any shortfall in budget arising as a result of any pay award which exceeded the 5% assumed in the figures outlined in the report.

The Resources Committee, at its budget meeting on 5 February 2024, had considered an earlier version of the report alongside revised figures (subsequently incorporated into this report) reflecting the updated position on National Non-Domestic Rates. The Committee had resolved to recommend that the Authority approve Option B (Minute RC/23/15 refers).

In debating this item, Members commented on the considerable budgetary pressures faced by the Authority and the issue of responding to incidents – specifically, flooding, for which the Authority currently did not receive any direct grant funding. In response, the Chief Fire Officer referenced the recently-published response to the Government White Paper on reforming the fire and rescue service. The National Fire Chiefs' Council (NFCC), in considering this response, had made representations to the Government for response to flooding to be made a statutory duty and funded accordingly.

Councillor Biederman **MOVED**, with Councillor Randall Johnson seconding, that the recommendations in report DSFRA/24/3 be approved.

Councillor Sellis **MOVED** that this be amended by the addition of the following:

“that the Clerk be authorised to make further representations to the Government pressing for responses to flooding incidents to be made a statutory duty and funded accordingly, and that English fire and rescue authorities be invited to make similar representations”

Councillors Biederman and Randall Johnson – with the consent of the Authority signified without discussion in accordance with Standing Order 22 (16) – agreed to accept this alteration to their original motion.

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

## RESOLVED

- (i). That, as recommended by the Resources Committee at its budget meeting on 5 February 2024, the level of council tax in 2024-25 for a Band D property be set at £99.68, as outlined in Option B of report DSFRA/24/3, and that accordingly a Net Revenue Budget Requirement for 2024-25 of £92,908,400 be approved;
- (ii). That, as a consequence of (i) above:
- a) The tax base for payment purposes required from each billing authority for payment of a total precept of £63,492,754 (Option B), as detailed on page 3 of the respective budget booklet (circulated separately with the agenda for the meeting) and reproduced in the following table, be approved;

Billing Authority	Tax Base Used for Collection	Surplus/ (Deficit) for 2023-24 £	Precepts due in 2024-25 £	Total due in 2024-25 £
East Devon	62,447.00	38,036	6,224,717	6,262,753
Exeter	39,045.00	70,197	3,892,006	3,962,203
Mid Devon	30,222.10	(15,304)	3,012,539	2,997,235
North Devon	35,433.43	75,380	3,532,004	3,607,384
Plymouth City	75,389.00	106,000	7,514,775	7,620,775
Somerset Council	208,797.71	343,962	20,812,956	21,156,918
South Hams	40,528.94	21,000	4,039,925	4,060,925
Teignbridge	50,939.00	84,930	5,077,600	5,162,530
Torbay	47,374.08	59,029	4,722,248	4,781,277
Torrridge	25,277.34	31,761	2,519,645	2,551,406
West Devon	21,512.23	41,000	2,144,339	2,185,339
	<b>636,965.83</b>	<b>855,991</b>	<b>63,492,754</b>	<b>64,348,745</b>

- b) The council tax for each of the property bands A to H associated with a total precept of £63,492,754 (Option B), as detailed on page 3 of the respective budget booklet and reproduced in the following table, be approved;

Valuation Band	Ratio	Government Multiplier %	Council Tax £ p
A	6/9	0.667	66.45
B	7/9	0.778	77.53
C	8/9	0.889	88.60
<b>D</b>	<b>1</b>	<b>1.000</b>	<b>99.68</b>
E	11/9	1.222	121.83
F	13/9	1.444	143.98
G	15/9	1.667	166.13
H	18/9	2.000	199.36

- (iii). That the Treasurer's Statement on the Robustness of the Budget Estimates and the Adequacy of the Authority Reserves Balances, as set out in Appendix B to report DSFRA/24/3 and attached at Appendix A to these Minutes, be endorsed; and
- (iv). That, as the budget is subject to variations in the pay for operational staff:
  - a) The Treasurer be delegated authority to draw on reserves to a maximum of £3m to balance the budget in the event that the final pay award settlement for 2024-25 exceeds the budgeted amount for the year (5%); and
  - b) That any use of reserves so required be reported for information to the next appropriate meeting of the Resources Committee.
- (v). that the Clerk be authorised to make further representations to the Government pressing for responses to flooding incidents to be made a statutory duty and funded accordingly, and that English fire and rescue authorities be invited to make similar representations.

***(See also Minutes DSFRA/23/31(d) and DSFRA/23/32 above)***

**b Draft Capital Programme 2024-25 to 2026-27**

The Authority considered a report of the Director of Finance & Corporate Services (Treasurer) (DSFRA/24/4) on the proposed Authority Capital Programme 2024-25 to 2026-27 and associated Prudential Indicators.

While the proposed programme and funding would increase the external borrowing requirement from the current level of £23.8million to £28million by 2026-27, the debt ratio of financing costs to the net revenue scheme, a key Prudential Indicator, would remain below the 5% maximum limit previously approved by the Authority throughout the period of the programme.

The report identified proposed expenditure on both estate and fleet capital projects over the period of the programme, with indicative expenditure (and associated Prudential Indicators) for a further two years (2027-28 and 2028-29).

There remained considerable difficulties in meeting the full capital expenditure needs for the Service and in maintaining the 5% debt ratio limit. The proposed capital programme had been constructed on the basis that the revenue budget contribution to capital would be maintained in future years but, unless capital assets were further rationalised, there would be a need for external borrowing in 2026-27. Decisions on further spending would be subject to annual review based on the financial position of the Authority.

The Resources Committee, at its budget meeting on 5 February 2024, had previously considered a version of this report and resolved to recommend that the Authority approve the Capital Programme 2024-25 to 2026-27 and associated Prudential Indicators (Minute RC/23/17 refers).

## **RESOLVED**

- (i). that, as recommended by the Resources Committee, the Capital Programme 2024-25 to 2026-27 and associated Prudential Indicators, as summarised in Appendices A and B respectively of report DSFRA/24/4 and set out at Appendices B and C of these Minutes, be approved;
- (ii). that, subject to (i) above, the forecast impact on the proposed Capital Programme (from 2027-28 onwards) on the 5% debt ratio Prudential Indicator, as indicated in the report, be noted.

***(See also Minutes DSFRA/23/31(d) and DSFR/23/33 above and Minute DSFRA/23/34(c) below).***

### **c Treasury Management Strategy (Including Prudential and Treasury Indicators) 2024-25 to 2026-27**

The Authority considered a report of the Director of Finance & Corporate Services (Treasurer) (DSFRA/24/5) detailing:

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

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

The Resources Committee, at its budget meeting on 5 February 2024, had considered a version of this report and resolved to recommend that the Authority approve the Treasury Management and Annual Investment Strategy together with the Minimum Revenue Provision Statement (Minute RC/23/18 refers).

**RESOLVED** that, as recommended by the Resources Committee:

- (i). the Treasury Management Strategy and Annual Investment Strategy 2024-25 (including the Capital Financing Requirement and Estimated Authorised Borrowing Limit) as set out in report DSFRA/24/5 be approved;
- (ii). the Prudential Indicators and Treasury Management Indicators as appended to the report and attached as Appendix C to these Minutes be approved; and
- (iii). the Minimum Revenue Provision Statement 2024-25 as appended to the report and attached as Appendix D to these Minutes be approved.

***(See also Minutes DSFRA/23/31(d), DSFR/23/33 and DSFRA/23/34(b)).***

### **DSFRA/23/35 Extraordinary Authority Meeting - 25 March 2024**

The Authority considered a report of the Clerk and Monitoring Officer (DSFRA/24/6) on the requirement for an extraordinary Authority meeting to consider, amongst other things:

- Issues relating to the forthcoming departure of the existing Treasurer on 5 April 2024;
- A Pay Policy Statement for the Authority for 2024-25; and
- Ongoing work relating to the Red One Ltd. governance review.

**RESOLVED** that an Extraordinary Authority meeting be held on Monday 25 March 2024, commencing at 14.00hours.

*(See also Minute DSFRA/23/36 below).*

### **DSFRA/23/36 Red One Limited - Review of Governance**

(Councillors Brazil and Radford each declared a non-pecuniary interest in this item by virtue of their being Authority appointed non-executive directors on the Board of Red One Ltd. Both Councillors spoke to this item but took no part in the voting thereon, in accordance with the dispensation granted by the Authority at its Annual Meeting on 8 June 2018 (Minute DSFRA/5 (a) refers)).

The Authority considered a joint report of the Director of Finance & Corporate Services and the Monitoring Officer (DSFRA/24/7) on the outcome of a review, conducted by the Devon Audit Partnership (DAP) of the governance arrangements for Red One Ltd. (the company), the Authority's commercial trading arm.

The report outlined the background to the establishment of the company. The review had been undertaken in the context of compliance with the good practice guide for local authority owned companies published by the Chartered Institute of Public Finance and Accountancy (CIPFA).

The report outlined recommendations made by DAP following its review and relating to relationships, documentation, behaviours and senior leadership with proposals in relation to these recommendations. In particular, establishment of a Shareholder Committee was recommended to provide the necessary oversight (from a Shareholder perspective) and affording a formal route for the Authority and – where necessary – Statutory Officers of the Authority to have an active, strategic role in the direction of the company and provide proportionate oversight and scrutiny of its affairs.

#### **RESOLVED**

- (a). That a Shareholder Committee comprising seven Authority Members (to include both the Authority and Resources Committee Chair) be established with Terms of Reference as set out at Appendix B to report DSFRA/24/7;
- (b). That the amendments to the Terms of Reference to the Audit & Governance Committee as set out at paragraph 8.6 of the report (and reflected at Appendix C to the report) be approved;

- (c). That the Clerk and Monitoring Officer be authorised to:
  - (i). make consequential amendments to the Terms of Reference of the Resources Committee (i.e. in relation to the transfer of responsibility for monitoring the financial and performance of Red One Ltd. from that Committee to the newly established Shareholder Committee); and
  - (ii). make consequential amendments to other Authority constitutional framework documents as may be necessary;
- (d). that a further report be submitted to the Extraordinary Authority meeting arranged for 25 March 2024 on:
  - (i). the appointment of a Chair and Members to the Shareholder Committee;
  - (ii). Revised Articles of Association and any written special resolution thereon received from the Board of Red One Ltd.; and
  - (iii). The re-appointment of an Independent Chair of the Board of Red One Ltd.

***(See also Minute DSFRA/23/35 above)***

**DSFRA/23/37 Appointments to Committees**

The Authority considered a report of the Clerk and Monitoring Officer (DSFRA/24/8) on proposed changes to Authority Committee memberships for the current (2023-24) municipal year prompted by changes in overall Authority membership and the consequential effect on political proportionality.

**RESOLVED** that the following changes be made to committee memberships until the Authority annual meeting in 2024:

- (a). Audit & Governance Committee: Councillor Biederman (Ind) to replace Councillor Cook-Woodman (Con);
- (b). Community Safety Committee: Councillor Best (LD) to replace Councillor Power (Con);
- (c). People Committee: Councillor Carter (LD) to be appointed to the vacancy. Councillor Coles (LD) to replace Councillor Biederman (Ind); and
- (d). Resources Committee: Councillor Carter (LD) to replace Councillor Fellows (Con).

**DSFRA/23/38 Appointment of Chief Fire Officer**

The Authority considered a report of the Clerk and Monitoring Officer (DSFRA/24/9) on a proposed process for the appointment of substantive Chief Fire Officer following the forthcoming retirement of the current incumbent on 13 September 2024.

**RESOLVED** that, in accordance with Standing Order 46, the Appointments & Disciplinary Committee undertake the shortlisting and interview candidates for the post of Chief Fire Officer and make a recommendation on appointment to the Authority.

**DSFRA/23/39 Reappointment of Independent Member of the Local Pension Board**

The Authority considered a report of the Clerk and Monitoring Officer (DSFRA/24/10) on the proposed re-appointment of an independent member as a Scheme Manager representative on the Authority Local Pension Board.

**RESOLVED** that Satnam Singh Rai be reappointed as an independent Scheme Manager representative on the Authority Local Pension Board for a four year term of office commencing 19 December 2023.



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

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

**THE ROBUSTNESS OF THE 2024-25 BUDGET**

The net revenue budget requirement for 2024-25 has been assessed as £92.622m (Option B in report). In arriving at this figure a detailed assessment has been made of the risks associated with each of the budget headings and the adequacy in terms of supporting the goals and objectives of the authority as included in the Community Risk Management Plan. It should be emphasised that these assessments are being made for a period up to the 31 March 2025, in which time external factors, which are outside of the control of the Authority, may arise which will cause additional expenditure to be incurred. The most significant example of this is the potential pay awards for colleagues which are yet to be agreed. The majority of On-Call pay costs are dependent on the number of call outs during the year, which can be subject to volatility dependent on spate weather conditions. Other budgets, such as fuel and energy are affected by market forces that often lead to fluctuations in price that are difficult to predict. Details of those budget heads that are most at risk from these uncertainties are included in Table 1 overleaf, along with details of the action taken to mitigate each of these identified risks.

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

Whilst there is only a legal requirement to set a budget requirement for the forthcoming financial year, the Medium-Term Financial Plan (MTFP) provides forecasts to be made of indicative budget requirements over a five year period covering the years 2024-25 to 2028-29. These forecasts include only prudent assumptions in relation future pay awards and prices increases, which will need to be reviewed in light of pay settlements and movement in the Consumer Prices Index.

**TABLE 1 – BUDGET SETTING 2024-25 ASSESSMENT OF BUDGET HEADINGS MOST SUBJECT TO CHANGE**

Budget Head	Budget Provision 2024-25 £m	RISK AND IMPACT	MITIGATION
Service Delivery staff costs	67.8	There is a high level of uncertainty around pay increases, particularly whether pay awards will be linked to a change to the Firefighter role map to include emergency medical response. Each 1% pay award is equivalent to £0.590m of additional pressure on the revenue budget.	Funding decisions for this model will need to be considered for future years.
Fire-fighter's Pensions	2.6	Whilst net pension costs funded by the government through a top-up grant arrangement, the Authority is still required to fund the costs associated with ill-health retirements, and the potential costs of retained firefighters joining the scheme.	In establishing a Pensions Reserve an allowance has been made for a potential overspend on this budget
Insurance Costs	1.0	The Fire Authority's insurance arrangements require the authority to fund claims up to agreed insurance excesses. The costs of these claims are to be met from the revenue budget. The number of claims in any one-year can be very difficult to predict, and therefore there is a risk of the budget being insufficient. In addition some uninsured costs such as any compensation claims from Employment Tribunals carry a financial risk to the Authority.	General Reserve
Fuel Costs	0.7	This budget has increased to take into account the rising cost of fuel. The Service is investing in new ways of working associated with the environmental strategy so have introduced electric vehicles during 2023-24 with more on order for 2024-25.	General Reserve
Treasury Management Income	(1.2)	As a result of the uncertainty, bank base rates have increased to the highest levels since 2008. This has resulted in an increase in investment returns. This has resulted in an increase in the budget of £0.675m. The markets are anticipating a interest rate reduction during Q3 2024 so rates will start to reduce in year.	The target income has been set at a level consistent with the returns achieved during 2023. Budget monitoring processes will identify any potential shortfall and management informed so as any remedial action can be introduced as soon as possible.
Income	(0.8)	Whilst the authority has only limited ability to generate income, the budget has been set on the basis of delivering £0.8m of external income. Due to economic uncertainty this budget line may be at risk.	Budget monitoring processes will identify any potential shortfall and management informed so as any remedial action can be introduced as soon as possible. A modest provision for doubtful debts is available to protect the Authority from potential losses.
Capital Programme	7.2	Capital projects are subject to changes due to number of factors; these include unforeseen ground conditions, planning requirements, necessary but unforeseen changes in design, and market forces.	Capital projects are subject to risk management processes that quantify risks and identify appropriate management action. Any changes to the spending profile of any capital projects will be subject to Committee approval in line with the Authority Financial Regulations.

## **THE ADEQUACY OF THE LEVEL OF RESERVES**

Total Reserve balances for the Authority as at April 2023 was £27.0m made up of Earmarked Reserves (committed) of £22.8m, and General Reserve (uncommitted) of £4.28m. This will decrease by the end of the financial year as a result of planned expenditure against those reserves during the year. A General Reserve balance of £4.1m is equivalent to 5.0% of the total revenue budget for 2023-24 or 18 days of Authority spending, the figure is subject to a risk assessment annually.

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

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

The Authority’s Reserves Strategy is reviewed annually and is available on the website [www.dsfire.gov.uk](http://www.dsfire.gov.uk).

## **CONCLUSION**

It is considered that the budget proposed for 2024-25 represents a sound and achievable financial plan and will not increase the Authority’s risk exposure to an unacceptable level. The estimated level of reserves is judged to be adequate to meet all reasonable forecasts of future liabilities.

**Shayne Scott**  
**Director of Finance and Corporate Services (Treasurer)**

**APPENDIX B TO THE MINUTES OF THE AUTHORITY BUDGET MEETING 16  
FEBRUARY 2024**

Capital Programme 2024/25 to 2028/29								
2023/24 £000 Budget	2023/24 £000 Forecast Outturn	Item	PROJECT	2024/25 £000 Budget	2025/26 £000 Budget	2026/27 £000 Budget	2027/28 £000 Indicative Budget	2028/29 £000 Indicative Budget
			<b>Estate Development</b>					
1,919	15	1	Site re/new build	520	3,884	500	0	0
5,009	955	2	Improvements & structural maintenance	4,293	2,075	8,122	3,430	855
<b>6,928</b>	<b>970</b>		<b>Estates Sub Total</b>	<b>4,813</b>	<b>5,959</b>	<b>8,622</b>	<b>3,430</b>	<b>855</b>
			<b>Fleet &amp; Equipment</b>					
4,522	3,150	3	Appliance replacement	1,489	2,119	2,180	1,430	1,460
2,266	1,913	4	Specialist Operational Vehicles	1,944	455	0	920	505
570	235	5	ICT Department	0	0	0	0	0
<b>7,358</b>	<b>5,298</b>		<b>Fleet &amp; Equipment Sub Total</b>	<b>3,433</b>	<b>2,574</b>	<b>2,180</b>	<b>2,350</b>	<b>1,965</b>
<b>(1,200)</b>	<b>0</b>	6	<b>Optimism bias Sub Total</b>	<b>(1,000)</b>	<b>(200)</b>	<b>(500)</b>	<b>1,000</b>	<b>700</b>
<b>13,086</b>	<b>6,268</b>		<b>Overall Capital Totals</b>	<b>7,246</b>	<b>8,333</b>	<b>10,302</b>	<b>6,780</b>	<b>3,520</b>
			<b>Programme funding</b>					
11,753	4,563	7	Earmarked Reserves:	4,716	4,480	1,918	0	0
50	22	8	Revenue funds:	719	2,050	2,050	2,050	2,050
0	400	9	Capital receipts:	0	0	0	0	0
1,283	1,283	10	Borrowing - internal	1,382	1,803	0	1,229	1,470
0	0	11	Borrowing - external	0	0	6,334	3,501	
0	0	12	Contributions:	429	0	0	0	0
<b>13,086</b>	<b>6,268</b>		<b>Total Funding</b>	<b>7,246</b>	<b>8,333</b>	<b>10,302</b>	<b>6,780</b>	<b>3,520</b>

The “Optimism Bias” incorporates learning that these figures will change throughout the year, the reasons for any such changes will be outlined in subsequent papers.

**APPENDIX C TO THE MINUTES OF THE AUTHORITY BUDGET MEETING 16  
FEBRUARY 2024**

<b>PRUDENTIAL INDICATORS</b>	<b>INDICATIVE INDICATORS</b>				
	2024/25 £m Estimate	2025/26 £m Estimate	2026/27 £m Estimate	2027/28 £m Estimate	2028/29 £m Estimate
<b>Capital Expenditure</b>					
Non - HRA	7.246	8.333	10.302	6.780	3.520
HRA (applies only to housing authorities)					
<b>Total</b>	<b>7.246</b>	<b>8.333</b>	<b>10.302</b>	<b>6.780</b>	<b>3.520</b>
<b>Ratio of financing costs to net revenue stream</b>					
Non - HRA	3.03%	3.28%	3.17%	3.42%	3.06%
HRA (applies only to housing authorities)	0.00%	0.00%	0.00%	0.00%	0.00%
<b>Capital Financing Requirement as at 31 March</b>	£000	£000	£000	£000	£000
Non - HRA	23,312	23,220	27,985	30,893	30,339
HRA (applies only to housing authorities)	0	0	0	0	0
Other long term liabilities	4,120	3,150	2,163	1,137	362
<b>Total</b>	<b>27,432</b>	<b>26,370</b>	<b>30,148</b>	<b>32,030</b>	<b>30,701</b>
<b>Annual change in Capital Financing Requirement</b>	£000	£000	£000	£000	£000
Non - HRA	3,005	(1,062)	3,778	1,882	(1,329)
HRA (applies only to housing authorities)	0	0	0	0	0
<b>Total</b>	<b>3,005</b>	<b>(1,062)</b>	<b>3,778</b>	<b>1,882</b>	<b>(1,329)</b>
<b>PRUDENTIAL INDICATORS - TREASURY MANAGEMENT</b>					
<b>Authorised Limit for external debt</b>	£000	£000	£000	£000	£000
Borrowing	26,037	25,574	33,078	34,131	33,510
Other long term liabilities	4,825	4,777	3,758	2,719	1,655
<b>Total</b>	<b>30,862</b>	<b>30,351</b>	<b>36,836</b>	<b>36,850</b>	<b>35,165</b>
<b>Operational Boundary for external debt</b>	£000	£000	£000	£000	£000
Borrowing	24,871	24,413	31,678	32,586	31,993
Other long term liabilities	4,620	4,620	3,650	2,663	1,637
<b>Total</b>	<b>29,490</b>	<b>29,032</b>	<b>35,328</b>	<b>35,249</b>	<b>33,630</b>
<b>Maximum Principal Sums Invested over 364 Days</b>					
Principal Sums invested > 364 Days	5,000	5,000	5,000	5,000	5,000

<b>TREASURY MANAGEMENT INDICATOR</b>	Upper Limit %	Lower Limit %
Limits on borrowing at fixed interest rates	100%	70%
Limits on borrowing at variable interest rates	30%	0%
Maturity structure of fixed rate borrowing during 2024/25		
Under 12 months	30%	2%
12 months and within 24 months	30%	11%
24 months and within 5 years	50%	3%
5 years and within 10 years	75%	5%
10 years and above	100%	79%

## **MINIMUM REVENUE STATEMENT 2024-25**

### ***Supported Borrowing***

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

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

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

### ***Finance Lease and PFI***

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

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

### ***Minimum Revenue Provision Overpayments***

A change introduced by the revised DLUHC Minimum Revenue Provision Guidance was the allowance that any charges made over the statutory Minimum Revenue Provision, Voluntary Revenue Provision or overpayments, can, if needed, be reclaimed in later years if deemed necessary or prudent. In order for these sums to be reclaimed for use in the budget, this policy must disclose the cumulative overpayment made each year. Up until the 31 March 2023 the total Voluntary Revenue Provision overpayments were £nil.

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

The Meeting started at 10.00 am and finished at 1.01 pm

## **DEVON & SOMERSET FIRE & RESCUE AUTHORITY**

(Devon & Somerset Fire & Rescue Authority)

25 March 2024

### Present:

Councillors Cook-Woodman (Chair), Biederman (Vice-Chair), Best, Brazil, Carter, Coles, Fellows, Gilmour, Hendy, Kendall, Randall-Johnson, Peart, Slade, Sully and Trail BEM

### Apologies:

Councillors Atkinson, Chesterton, Clayton, Kerley, Patel, Power, Radford, Roome, Sellis and Sproston

### **DSFRA/23/40 Director of Finance & Corporate Services (Treasurer)**

The Authority paid tribute to the work and contribution to the effective and efficient operation of the Authority of the current Director of Finance & Corporate Services, Shayne Scott, who would depart the organisation on 5 April 2024.

### **DSFRA/23/41 Arrangements for Authority Proper Financial Officer (Treasurer)**

The Authority considered a report of the Clerk & Monitoring Officer (DSFRA/24/11) on the resignation, with effect from 5 April 2024, of the current Director of Finance & Resources and statutory officer for the proper administration of the Authority's financial affairs under Section 112 of the Local Government Finance Act 1988.

The report set out proposals to address the subsequent vacancy and which would also allow for the appointment of a new Chief Fire Officer and any subsequent changes in Service Executive Board level.

**RESOLVED** that, on resignation of the current post holder, the existing Service Head of Finance be appointed as the Authority's proper officer for the administration of financial affairs, in accordance with Section 112 of the Local Government Finance Act 1988, for a period of twelve months to allow sufficient time for the appointment of a new Chief Fire Officer and review of Service Executive Board structure thereafter.

### **DSFRA/23/42 Localism Act 2011 - Pay Policy Statement 2024-25**

The Authority considered a report of the Clerk & Monitoring Officer (DSFRA/24/12) to which was attached the proposed Pay Policy Statement to operate for the Authority for the forthcoming (2024-25) financial year.

The Localism Act 2011 required such a statement, setting out the Authority's policy towards a range of issues relating to the pay of its workforce (particularly senior staff and the lowest paid employees), to be approved prior to the commencement of each financial year and published, as a minimum, on the Authority's website.

The proposed Pay Policy Statement for 2023-24 had been updated to reflect current pay levels of senior officers and other staff and changes in relation to statutory officer appointments (Monitoring Officer and Section 112 [proper financial administration] officer) but other than that was unchanged from the previous year.

**RESOLVED** that the Pay Policy Statement for the 2024-25 financial year, as appended to report DSFRA/24/12, be approved and published on the Authority's website.

#### **DSFRA/23/43 Appointments to Committees**

(Councillor Brazil declared a non-pecuniary interest in this item by virtue of being an Authority-appointed non-executive director on the Board of Red One Ltd. and took no part in the voting thereon).

The Authority considered a report of the Clerk & Monitoring Officer (DSFRA/24/13) on changes in Committee appointments for the current (2023-24) municipal year stemming from establishment, at the Authority budget meeting on 16 February 2024, of a new Shareholder Committee and the consequential impacts on political proportionality for appointments to committee places.

#### **RESOLVED**

- (a). That Councillors Biederman, Cook-Woodman, Coles, Hendy, Peart, Slade and Sully be appointed to serve on the Shareholder Committee until the Authority annual meeting in 2024;
- (b). That, in accordance with Standing Orders:
  - (i). Councillor Cook-Woodman be appointed Chair of the Shareholder Committee until the Authority annual meeting in 2024; and
  - (ii). Councillor Peart be appointed Vice-Chair of the Shareholder Committee until the Authority annual meeting in 2024;
- (c). That the overall position on appointments to committees be reviewed to inform subsequent appointments for the 2024-25 municipal year at the Authority annual meeting in 2024.

#### **DSFRA/23/44 Digital, Data and Technology (DDaT) Transformation Update**

The Authority received, for information, a report of the Director of Finance & Corporate Services (Treasurer) (DSFRA/24/14) on progress with Service Digital, Data and Technology (DDaT) transformation.

The DDaT Department (formerly known as ICT) had been subject to five audit and performance reviews since 2020 which had identified that, while the Service performed well in some areas, the department was not fully meeting customer needs.



At its extraordinary meeting on 31 October 2023, the Authority had resolved to support internal reform of the department as opposed to outsourcing the function (Minute DSFRA/23/24 refers). The report identified progress made in relation to:

- Strategic leadership;
- Function cost;
- Build v buy and the cost for this;
- Engagement with service users; and
- Understanding of the DDaT function from service users.

### **DSFRA/23/45 Devon & Somerset Fire & Rescue Authority Performance Report 2023-24: Quarter Three**

The Authority received, for information, a report of the Assistant Director, Corporate Services (DSFRA/24/15) summarising performance for the first three quarters of the current (2023-24) financial year against a selection of key performance indicators (KPIs) aligned to the four Authority-approved Strategic Priorities of:

- Targeted prevention and protection activities to reduce risks in communities, improve health, safety and wellbeing and supporting the local economy;
- Use of operational resources to provide an effective emergency response to meet local and national risks identified in the Community Risk Management Plan;
- Staff feel valued, supported, safe and well-trained to deliver a high-performing fire and rescue service; and
- Accountability and use of resources efficiently to deliver a high-performing, sustainable service demonstrating public value.

Detailed performance reports relating to all KPIs were submitted to relevant Authority committees on a quarterly basis thereby allowing for a high level of scrutiny.

The current report to the Authority was in response to a recommendation from the external auditor, Grant Thornton, that such a summary report be made to each full Authority meeting thereby enabling full oversight of key performance and financial issues. The report identified that eight of the 53 KPIs had a “requires improvement” status. All eight had been subject to review with exception reports, providing additional information and actions taken or proposed to improve performance, detailed in the report.

The Authority commented that future performance reports to the full Authority might benefit from the inclusion of reference to any previous discussions or requests by the relevant Committees in relation to the KPIs that were the subject of the report.

**DSFRA/23/46**    **His Majesty's Inspectorate of Constabulary & Fire & Rescue Services (HMICFRS) Inspection:**

**a**    **Action Plan Update**

The Authority received, for information, a report of the Chief Fire Officer (DSFRA/24/16) on progress against actions to address those Areas for Improvement identified by His Majesty's Inspectorate of Constabulary & Fire & Rescue Services (HMICFRS) following its last inspection of the Service in 2022.

The report identified that:

- All actions to address the Cause for Concern had been completed, with the subsequent closure recommendation approved by the HMICFRS Governance Board. This would now be presented to the Service Executive Board for review and approval;
- Three Areas for Improvement had been marked as "closed"; and
- Seven Areas for Improvement were currently recorded as "In progress – off track". In each case, the reasons for this were set out.

**b**    **Culture Recommendations Update**

The Authority received, for information, a report of the Chief Fire Officer (DSFRA/24/17) on progress to address those recommendations contained in the report on values and culture in fire and rescue services published in March 2023 by His Majesty's Inspectorate of Constabulary & Fire & Rescue Services (HMICFRS).

Of the twenty recommendations for the fire and rescue sector:

- Fifteen had been closed, with evidence reviewed by the HMICFRS Governance Board and approved by the Service Executive Board;
- One was completed but awaiting approval by the Service Executive Board for closure; and
- Four were still in progress, with the recommendation deadline not met.

This information had been submitted to HMICFRS which had requested all fire and rescue services to provide a final update on the status of progress against the recommendations by 19 March 2024.

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

The Meeting started at 2.00 pm and finished at 3.45 pm

# Agenda Item 6

<b>REPORT REFERENCE NO.</b>	DSFRA/24/18
<b>MEETING</b>	DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Annual Meeting)
<b>DATE OF MEETING</b>	10 JUNE 2024
<b>SUBJECT OF REPORT</b>	REVIEW OF CONSTITUTIONAL GOVERNANCE FRAMEWORK
<b>LEAD OFFICER</b>	Monitoring Officer and Clerk to the Authority
<b>RECOMMENDATIONS</b>	<p><i>(a). that the revised Contract Standing Orders as set out at Appendix A of this report be approved;</i></p> <p><i>(b). that the revised Whistleblowing Code (Confidential Reporting Policy) as set out at Appendix B of this report be approved;</i></p> <p><i>(c). that the proposed addition to the Terms of Reference for Shareholder Committee as set out in Section 5 of this report be approved;</i></p> <p><i>(d). that, subject to (a) to (c). above, the Authority's constitutional governance framework documents as listed at paragraph 1.1 of this report be endorsed; and</i></p> <p><i>(e). that the Clerk be authorised to publish all revised constitutional governance framework documents on the website.</i></p>
<b>EXECUTIVE SUMMARY</b>	This report sets out information on the most recent review of the Authority's constitutional governance framework documents (Standing Orders, Financial Regulations etc.), which, while not a statutory requirement, is undertaken at least annually as a matter of good practice.
<b>RESOURCE IMPLICATIONS</b>	Nil.
<b>EQUALITY RISKS AND BENEFITS ANALYSIS</b>	The contents of this report are considered compatible with existing human rights and equalities legislation.
<b>APPENDICES</b>	<p>A. Revised Contract Standing Orders 2024</p> <p>B. Revised Whistleblowing Code (Confidential Reporting Policy) 2024</p>

**BACKGROUND PAPERS**

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

## 1. **BACKGROUND**

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

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

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

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

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

## 2. **OUTCOME OF MOST RECENT REVIEW**

2.1 Each of the Authority's Constitutional Framework documents have again been subject to review over the last twelve months and will continue to be subject to ongoing review with any further proposed revisions submitted to future meetings of the Authority as required.

- 2.2 Material amendments are proposed to two documents – Contract Standing Orders and the Whistleblowing Code (Confidential Reporting Policy). These are addressed in Sections 3 and 4, respectively, of this report.
- 2.3 The opportunity has also been taken to make certain, consequential amendments as required to the documents, for example:
- In the Treasury Management Policy:
    - Reference to the LIBID rate has been replaced by reference to the Sterling Overnight Index Average (SONIA) rate;
    - Removal of reference to potential impact of a disorderly Brexit;
    - Amendments to authorised officers for dealing limits (in light of staffing changes);
    - Renewal of banking contract with Barclays and duration of contract;
  - Updates to contact details for the Devon Audit Partnership (DAP) in the Strategy for the Prevention of Fraud and Corruption.

### **3. CONTRACT STANDING ORDERS**

- 3.1. In October of this year, the Procurement Act 2023 will come into force. This Act replaces the previous Public Contract Regulations 2015 and contains new principles and updated thresholds.
- 3.2. The Contract Standing Orders now attached at Appendix A to this report have been updated to reflect the Act. Service Procurement staff are currently receiving training on the new Act and it should be noted at this stage that further changes may be required to Contract Standing Orders once knowledge has been gained on how the Act will impact on the management of procurement/contract activity. Should any further changes be required that are of a material nature, these will be reported in due course to the Authority.

### **4. WHISTLEBLOWING CODE (CONFIDENTIAL REPORTING POLICY)**

- 4.1. In July 2021, UNISON published a model whistleblowing policy for organisations aimed at addressing common problems with whistleblowing policies as identified in the NHS [Freedom to Speak Up Review](#) and which included:
- Use of very legalistic language;
  - Vagueness or contradiction as to whom the policy was directed;
  - Wrong or incomplete information, for example about regulators and advisory organisations; and
  - Mistaken or incomplete descriptions about confidentiality and anonymity.

- 4.2. The Authority policy has been compared and contrasted with the UNISON model. Content-wise, the two are virtually identical albeit the layout/structure of the documents varies. The opportunity has been taken, though, to amend the Authority policy to include some additional, helpful explanatory paragraphs and to clarify the roles and responsibilities of all staff in relation to whistleblowing. The revised policy, with the additional paragraphs highlighted, is now attached at Appendix B.

## **5. SHAREHOLDER COMMITTEE TERMS OF REFERENCE**

- 5.1. In February of this year the Authority approved the establishment of a new Shareholder Committee following an extensive review of governance arrangements relating to Red One Ltd. (the Authority's commercial trading arm), informed by the Chartered Institute of Public Finance and Accountancy (CIPFA) good practice guide for local authority owned companies.
- 5.2. The Shareholder Committee is aimed at providing the necessary oversight of the company (from a shareholder perspective) and afford a formal route for the Authority and – where appropriate – its Statutory Officers to have an active, strategic role in the direction of the company.
- 5.3. The Terms of Reference for the Committee drew on a number of sources including the transfer of certain responsibilities that had previously fallen to other committees, notably the Resources Committee.
- 5.4. In conducting this year's review of constitutional governance documents, it has come to light that one of the relevant, previous Terms of Reference of the Resources Committee was overlooked in the transfer to the new Shareholder Committee – specifically:  
To consider any Business Plan prepared by Red One Ltd. and make any recommendation as appropriate to the Authority.
- 5.5. As indicated, it would now be more appropriate for this to be included in the Advisory section of the Terms of Reference for the Shareholder Committee. This addition is now recommended to the Authority for approval.

## **6. CONCLUSION**

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

**SAMANTHA SHARMAN**  
**Clerk to the Authority (& Monitoring Officer)**

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## APPENDIX A TO REPORT DSFRA/24/18

### DEVON AND SOMERSET FIRE AND RESCUE AUTHORITY

#### CONTRACT STANDING ORDERS

#### PAGE NO.

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## **DEFINITIONS**

Authority (the)	Means the independent body which ensures that the local fire and rescue services (the Service) performs efficiently and in the best interests of the public and the community it serves and is the legal entity for undertaking the procurement process and entering into the Contract.
Contracting Authority	Means the State, regional or local authorities, bodies governed by public law, associations formed by one or more such authorities or one or more such bodies governed by public law.
Contractor	Means an individual or organisation that contract with the Authority to provide goods or services or works.
Contract	Means a formal legal agreement between the Authority and any Contractor for the supply of works, goods or services but does not include any contract of employment or the acquisition, lease of land or real estate.
Corporate Contract Agreement	Means a contract agreed and let on behalf of the whole Service in the name of the Authority.
Disclosure Register	Means a register held by Democratic Services where contracts are let in the name of the Authority by the Service that do not comply with the Contract Standing Orders.
Executive Director	Means the Executive Directors which comprises of those Service Directors who, together with the Treasurer to the Authority, set the strategic direction of the Devon & Somerset Fire & Rescue Service and provide the most senior officer level of decision making on strategic planning and policy to deliver the organisation's purpose and vision.
Framework Agreement	Means an existing agreement, which may have been let by a contracting authority other than the Devon and Somerset Fire and Rescue Authority, which enables the Authority to call-off from a Contractor to provide services, goods or works at agreed standards and prices. If the Authority calls off services, goods or works from the Contractor then a binding contract comes into place.
Heads of Service	Means members of the Service Leadership Team which comprises those uniformed Area Managers and non-uniformed Heads of Department responsible for the day-to-day running of the Service and making recommendations to the Executive Board on strategic change, based on service delivery and support experience and feedback.
Lead Organisation	Means a different Contracting Authority to the Devon and Somerset Fire and Rescue Authority acting on behalf of the Authority.
Monitoring Officer	is that person duly appointed by the Authority to discharge those functions specified in Section 5 of the Local Government and Housing Act and who will have responsibility for providing or procuring appropriate legal advice and assistance to the Authority and its Officers to ensure compliance with all legal, statutory and judicial processes.

Service Officer	Means all persons in the appointment of either the Authority or the Devon & Somerset Fire & Rescue Service.
Service (the)	Means Devon and Somerset Fire and Rescue Service as set up by the Authority to deliver its statutory functions.
Tender	Means a written offer to supply or purchase goods, execute works or provide services at a stated price.
Value for Money	Means the optimum combination of whole life costs, quality and benefits, including economic, environmental and social value to meet the customer’s requirement.

## 1. **GENERAL INTRODUCTION**

- 1.1 The Devon and Somerset Fire and Rescue Authority (“the Authority”) is the independent body which ensures that the local fire and rescue services (discharged by Devon & Somerset Fire & Rescue Service (“the Service”)) performs efficiently and in the best interests of the public and the community it serves. This means that the Service is answerable for its actions and performance to the general public.
- 1.2 The Service spends approximately £20 million per annum on the procurement of goods, services and works. The Authority has a public duty to ensure this money is spent in the most effective way, delivers value for money, and complies with its statutory duties. Accordingly, it is essential for the Service to have in place effective and efficient procurement processes and procedures, to secure competition and to regulate the manner in which tenders are invited for the supply of goods, services, materials or the execution of works. These Contract Standing Orders form part of the constitutional governance of the Authority.
- 1.3 The Contract Standing Orders must be considered in conjunction with other relevant documents regarding the constitutional governance of the Authority including but not limited to the Financial Regulations, Standing Orders, Gifts and Hospitality, Whistleblowing Code and Strategy on the Prevention and Detection of Fraud and Corruption and The Bribery Act 2010 which affects all Service Officers. The Authority constitutional governance documents can be found on both [the Service intranet here](#) and [the Authority website here](#).
- 1.4 The Monitoring Officer is the custodian of the Contract Standing Orders on behalf of the Authority. The Corporate Procurement Manager is responsible for keeping them under review and effective. If any EU or UK Law (Directive or Regulation) is changed in a way that affects the Contract Standing Orders, then the applicable law must be observed until the Contract Standing Orders can be revised. If the Contract Standing Orders appear to conflict with other legislation, then the legislation takes precedence. As a minimum these Contract Standing Orders will be reviewed every year.
- 1.5 The rules within these Contract Standing Orders have four main purposes:
  - i. To comply with the laws and principles that govern the spending of public money

**Original Approval Date: May 2015. Revision No. and date: 1(May 2017); 2 (Jan. 2018 – amendment to reflect EU Procurement Thresholds from 1 January 2018); 3 (May 2020 – amendment to reflect EU Procurement Thresholds from 1 January 2020); 4 (June 2021); 5 (March 2024 – Procurement Act 2023)**

- ii. To deliver value for money and best value services to the public through generating market competition and demonstrating a transparent and consistent way of working
- iii. To ensure procurement practices and Contracts comply with all relevant legislation, regulations and duties including but not limited to Health and Safety, Equality and Diversity, Social Value (Economic, Environmental and Social), Data Transparency and Information Assurance.
- iv. To protect individuals, the Service and the Authority from professional misconduct or misadministration.

## **2. STATUS OF CONTRACT STANDING ORDERS**

- 2.1 These Contract Standing Orders provide delegated authority to those Service Officers with procurement and contract responsibilities to conduct procurement activity and enter into Contracts on behalf and in the name of the Authority. All invitations to tender and contract documentation must be in the name of the Devon and Somerset Fire and Rescue Authority (the Authority) as the Authority, not the Service, is the legal entity.
- 2.2 The Contract Standing Orders set out the minimum rules. All Service Officers with procurement and contract responsibilities shall maintain awareness and follow guidance relating to the Contract Standing Orders, procurement strategy, procurement and contract documentation, processes and systems implemented by the following departments:
  - Democratic Services;
  - Procurement Department;
  - Finance Department.
- 2.3 The Contract Standing Orders apply to all spend with external Contractors irrespective of the source of funding or types of purchase, and include but are not limited to:
  - Revenue;
  - Capital;
  - Grants;
  - ring-fenced government money; and or
  - third party funding, leasing or hire.
- 2.4 The Contract Standing Orders are mandatory for all Service Officers and contravention, or breach is a serious matter that may result in disciplinary action. A breach of the Contract Standing Orders will be reported to the Treasurer or Monitoring Officer, who will take any further action required including investigation and/or disciplinary action.

**Original Approval Date: May 2015. Revision No. and date: 1(May 2017); 2 (Jan. 2018 – amendment to reflect EU Procurement Thresholds from 1 January 2018); 3 (May 2020 – amendment to reflect EU Procurement Thresholds from 1 January 2020); 4 (June 2021); 5 (March 2024 – Procurement Act 2023)**

- 2.5 In accordance with [the Strategy on the Prevention and Detection of Fraud and Corruption](#), Service Officers must declare any direct or indirect pecuniary interests they may have in procurement or contracts activity within the Authority. The procurement team will follow the Chartered Institute of Procurement and Supply (CIPS) Professional Code of Conduct.

### **3. EXCEPTIONS TO CONTRACT STANDING ORDERS**

- 3.1 The following contracts are not within the scope of the Procurement Act 2023 and therefore Contracts may be entered into on behalf of the Authority other than in accordance with the Contract Standing Orders in the following circumstances :
- a. Contracts for the acquisition or lease of land and/or real estate
  - b. Contracts of employment
  - c. A declared emergency as defined by the Civil Contingencies Act 2004 where the works, supplies or services are necessary and proportionate for the protection of life, property or the environment, or to maintain the functioning of the local fire and rescue services for which the Authority is responsible.
- 3.2 Where a contract is entered into on behalf of the Authority or transactions processed in the circumstances of a declared emergency as in (c) above, whether orally or in writing, this shall then be reported to a member of the Executive Board at the earliest opportunity and recorded in the Disclosure Register. The following details must be recorded in the Register:
- a. the name and location of the Officer who authorised the Contract
  - b. the value and description of the Contract
  - c. the rationale under which the Contract has been entered

### **4. PROCUREMENT ACT 2023**

- 4.1 Public procurement in the UK is governed by legislation known as the Procurement Act 2023.
- 4.2 The award of Public Contracts irrespective of the contract value entered into on behalf of the Authority must comply with the principles of the Procurement Act 2023;
- (a) delivering value for money;
  - (b) maximising public benefit;
  - (c) sharing information for the purpose of allowing suppliers and others to understand the authority's procurement policies and decisions;
  - (d) acting, and being seen to act, with integrity.

**Original Approval Date: May 2015. Revision No. and date: 1(May 2017); 2 (Jan. 2018 – amendment to reflect EU Procurement Thresholds from 1 January 2018); 3 (May 2020 – amendment to reflect EU Procurement Thresholds from 1 January 2020); 4 (June 2021); 5 (March 2024 – Procurement Act 2023)**

- 4.3 The Authority must act in a transparent and proportionate manner when undertaking procurements and shall treat Contractors equally and without discrimination. The design of the procurement shall not be made with the intention of excluding it from the scope of the Procurement Act 2023 or these Contract Standing Orders or of artificially narrowing competition. Competition shall be considered to be artificially narrowed where the design of the procurement was made with the intention of unduly favouring or disadvantaging certain Contractors.
- 4.4 For public Contracts above the prescribed thresholds defined in the Procurement Act 2023 (see Appendix A) procedural rules are drawn up to give the principles practical effect and ensure public procurement is opened up to competition. The requirements of the Procurement Act 2023 must be complied with in all respects before the contract is entered into.
- 4.5 These Contract Standing Orders detail internal financial thresholds and procurement practices together with the roles and responsibilities of all Service Officers in relation to those thresholds. The thresholds uphold the Authority's responsibilities regarding the procedural rules and principles of the Procurement Act 2023 and other related legislation, regulations and duties.

## **5. CORPORATE CONTRACT AGREEMENTS**

- 5.1 Corporate Contract Agreements for supplies, services and works where the Authority has made a contractual arrangement with a Contractor(s) on behalf of the Service must be used where they exist.
- 5.2 Details of Corporate Contract Agreements will be made available from the Procurement Department on the agreed service systems and Contracts database [Sell2 \(in-tend.co.uk\)](https://sell2.in-tend.co.uk). Any specific processes and practices for using the Corporate Contract Agreements must be followed.
- 5.3 Alternative arrangements to Corporate Contract Agreements must not be used or established without prior agreement from the Procurement Department.

## **6. COLLABORATIVE PROCUREMENT**

- 6.1 Any collaborative procurement arrangements where the Service is not acting as Lead Authority shall still comply with the necessary legal requirements and ensure that the procedures adopted by the Contracting Authority or Lead Organisation or relevant partnership body comply with the necessary legal requirements.
- 6.2 The Procurement Department shall be responsible for agreeing to the use of collaborative procurement arrangements prior to ordering goods, services or works to provide assurance and ensure the interests of the Authority are appropriately protected.
- 6.3 No other public or private body, organisation or authority is entitled to issue invitations to tender or receive tenders in the name of the Authority without the prior written consent of the Procurement Department.

## **7. ROLES AND RESPONSIBILITIES**

- 7.1 The Procurement Department is responsible for:
- a. the review all service third party expenditure;
  - b. implementation and awareness of related procurement legislation;
  - c. ensuring that appropriate guidance and training is provided to Service Officers;
  - d. ensuring that documentation is appropriate to the needs of the Authority and Service; and
  - e. compliance with these Contract Standing Orders
- 7.2 Executive Directors and the Heads of Service shall ensure, where there is inclusion of items in approved revenue budgets or capital programmes which constitutes authority for the delegated budget holders to incur expenditure and procure goods, works and services, that this is conducted:
- a. in accordance with these Contract Standing Orders and any other related procurement guidance, documentation, processes and systems
  - b. by Service Officers with the appropriate authorisation and responsibilities
  - c. to align with organisational goals and objectives

## **8. FINANCIAL THRESHOLDS**

- 8.1 The Authority has agreed two thresholds 'Low Value' and 'High Value' ([Appendix A](#)) that have procedural responsibilities associated with them.
- 8.2 The thresholds will be reviewed by the Monitoring Officer and Corporate Procurement Manager on behalf of the Service on an annual basis with any subsequent proposal to increase a threshold to be agreed by the Authority at the earliest available opportunity.

## **9. LOW VALUE PROCUREMENT (LESS THAN £20,000)**

- 9.1 Budget holders and Service Officers have delegated responsibility for the management of the procurement process and the award and agreement of Contracts under the 'Low Value' threshold in the following manner:
- a. use of the Authority documentation and guidance provided which is available on the Intranet and from the Service Procurement Team
  - b. use the Authority Standard Terms and Conditions for the award of Contracts included on Purchase orders or available from the intranet and Service Procurement Team
  - c. use the Authority approved financial systems (Government Procurement Cards and E-Series requisitioning) for the purchase of the goods, service or works

- d. be satisfied about the corporate, environmental and technical, capability of any proposed Contractor
  - e. estimate the value of the procurement by the total aggregated value over a three-to-four-year period, where there is an on-going requirement (considering the whole life costs of the procurement (purchase, maintenance and disposal as applicable))
  - f. use their professional judgement to determine the most appropriate, auditable competition or value for money process based on value, risk, criteria for selection including environmental/social value criteria and market conditions
  - g. retain a written record of actions taken and the reasons
  - h. seek advice from the procurement department and other relevant departments and obtain company financial checks as required
  - i. taking into account environmental considerations (sustainable procurement guide)
- 9.2 All Service Officers need to be able to demonstrate value for money on behalf of the Authority. The most effective way to do this is to conduct a transparent and competitive process using agreed documentation, systems and processes (e.g. seeking a number of quotations) and selecting products, services, works and suppliers aligned to corporate goals Advice in all circumstances can be sought from the Procurement Department, Finance Department or Democratic Services.
- 9.3 Contracts of 'Low Value' including contract variations can be signed by an authorised budget holder and Service Officers on behalf of the Authority. Where a contract is required, it should be agreed and signed by both parties (The Authority and the Contractor) prior to the authorisation of any transactions (purchase orders or P Card payments) relating to the contract.
- 9.4 The budget holder is then responsible for ensuring appropriate levels of authorisation of the transactions including any staged payments (purchase orders) of the contract and contract variations on the Authority approved systems. All orders for works, goods or services must be placed using the Authority approved systems in advance of the invoice being received and coded to the appropriate account codes. Further guidance on raising and authorising Purchase Orders is available on the E-series requisitioning system.



## **10. HIGH VALUE PROCUREMENT (£20,000 AND ABOVE)**

- 10.1 The Procurement Department must be consulted for all 'High Value' procurement. This does not necessarily mean the Procurement Department will manage the process, but records must be kept for all 'High Value' procurement decisions. A 'Contract Reference Number' will be allocated, and a 'Contract File' must be maintained by the Procurement Department. The Procurement Department will agree with the Budget Holder/Service Officer (based on a number of factors including but not limited to value, risk, technical considerations, complexity and capacity) the most appropriate approach to the competitive process and contractual documentation to be used. All expenditure in excess of the thresholds that apply to the Procurement Act 2023 (see Appendix A) will be managed by the Procurement Team.
- 10.2 The procurement approach will take into account a number of factors to determine the most cost effective and efficient process to achieve value for money including but not limited to;
- a. contract value and application of the Procurement Act 2023
  - b. other legislative requirements
  - c. market conditions and competition
  - d. collaborative opportunity
  - e. availability of Contracts and Framework Agreements
  - f. technical and supply risks
- 10.3 The procedural rules associated with the Procurement Act 2023 shall be followed in all instances where applicable.
- 10.4 All Contracts of 'High Value' (including contract variations where they represent a material change to the contract, e.g. in excess of 10% of the original contract value) must be signed by an Authorised Officer as designated by the Monitoring Officer and where these have been agreed by the Procurement Team. Contract variations permitted for within the scope of the original contract may be signed by Budget Holders or the Procurement Team (where Budget Holder approval has been granted). Contracts must be agreed and signed by both parties (The Authority and the Contractor) prior to the authorisation of any subsequent transactions (purchase orders or P Card payment) relating to the contract. Any deviation from this will be construed as a breach of the Contract Standing Orders unless agreed in advance in writing by the Procurement Department.
- 10.5 The Budget Holder is then responsible for ensuring appropriate authorisation of the transactions and any staged payments (purchase orders) of the Contract on the Authority approved systems. All orders for works, goods or services must be placed using the Authority approved systems and coded to the appropriate account codes in advance of the invoice being received. Further guidance on raising and authorising Purchase Orders is available on the e-series requisitioning system.

**Original Approval Date: May 2015. Revision No. and date: 1(May 2017); 2 (Jan. 2018 – amendment to reflect EU Procurement Thresholds from 1 January 2018); 3 (May 2020 – amendment to reflect EU Procurement Thresholds from 1 January 2020); 4 (June 2021); 5 (March 2024 – Procurement Act 2023)**

- 10.6 Ongoing contract management activity must be considered in advance of awarding contracts. Budget Holders, in consultation with the Procurement Team will agree on the contract management approach and accountable officers. The Procurement Team will tier contracts as either Gold, Silver or Bronze. All 'Gold' contracts will be deemed as 'strategic' contracts, and the Procurement Team will:
- establish formal and structured contractual management meetings (operational/day-to-day management will reside with Budget Holders/Service Officers) with Contractors at appropriate intervals,
  - support Budget Holders/Service Officers with development of Key Performance Indicators (KPIs) for the contract and a monitoring schedule for the reporting of these KPIs by the Contractor,
  - support the Budget Holders/Service Officers with contract pricing reviews, variation(s) and extension(s) as required,
  - support the Budget Holders/Service Officers with conflict resolution.
- 10.7 It is the responsibility of Budget Holders/Service Officer to manage all 'Silver' and 'Bronze' contracts (supported where needed by the Procurement Team).

## **11. ADVERTISED TENDERING**

- 11.1 All advertised tendering opportunities will be undertaken by the Procurement Department or agreed Service Officers on the Authority agreed e-tendering solution in compliance with [Appendix B](#).
- 11.2 Any alternative process to using the agreed e-tendering portal must be agreed in writing by the Procurement Department.

## **12. CONTACT DETAILS**

Procurement: [Procurement@dsfire.gov.uk](mailto:Procurement@dsfire.gov.uk)

Democratic Services: [Democraticservices@dsfire.gov.uk](mailto:Democraticservices@dsfire.gov.uk)

Finance: [Finance@dsfire.gov.uk](mailto:Finance@dsfire.gov.uk)

**APPENDIX A – PROCUREMENT ACT 2023 AND DSFRS FINANCIAL THRESHOLDS**

**Procurement Act 2023 Thresholds from 1 January 2024 (inclusive of VAT)**

<b>Supply, Services and Design Contracts</b>	<b>Works Contracts</b>
£214,904	£5,372,609
Small Lots	Small Lots
£70,778	£884,720

**The Authority Thresholds**

The Total Value shall be a calculation of the estimated value of a procurement based on the total amount payable, net of VAT, including any form of option and any renewals of the contracts:

- (1). Where the contract is for a fixed period, by taking the total price to be paid or which might be paid during the whole of the period including potential renewals e.g.: Software license agreement and any annual maintenance agreements which may be required for the life of the software including consultancy or training days.
- (2). Where the purchase involves recurrent transactions for the same type of item, by aggregating the value of those items over a 3 to 4 year period e.g.: stationery, computer consumables, PPE items should be based on the total value over to be paid over a 3 to 4 year period.

A procurement shall not be subdivided with the effect of preventing it from competition and falling within the scope of the Procurement Act 2023 or Service thresholds.

**Service Supply, Services and Design Contracts Threshold**

1. Low Value means less than £20,000 managed by Service Officers
2. High Value means £20,000 and above with procurement approach to be agreed with the Procurement Team and details published in line with requirements.

**Works Contracts**

1. Low Value means less than £150,000
2. High Value means £150,000 and above

Works contracts and procurements associated with the Estates Department are subject to the Service’s Estates Procurement Guidelines and Procedures document.

Original Approval Date: May 2015. Revision No. and date: 1(May 2017); 2 (Jan. 2018 – amendment to reflect EU Procurement Thresholds from 1 January 2018); 3 (May 2020 – amendment to reflect EU Procurement Thresholds from 1 January 2020); 4 (June 2021); 5 (March 2024 – Procurement Act 2023)

## **APPENDIX B – ADVERTISED TENDERING**

Advertised tendering opportunities must only be undertaken through the Authorities agreed e-tendering portal

[In-Tend Organiser - User Login](#)

The agreed e-tendering portal will be the basis through which the Authority advertises the tendering opportunity and seeks expressions of interest and access to documentation.

If deemed appropriate or required through legislation, opportunities will also be advertised elsewhere such as Contracts Finder.

## **SUBMITTING AND OPENING TENDERS**

Every Invitation to Tender will state that a tender will only be considered if it is received by the due date and time. The e-tendering solution will automatically reject tenders that are attempted to be submitted after the due date and time.

Tenders not sent and received through the e-tendering solution are subject to special controls, and advice from the Procurement Department to ensure an auditable and secure process for receipt of tenders must be in place and followed.

## **ACCEPTING TENDERS**

All contract awards should be based on obtaining best value for money for the Authority. This award decision must be on the basis of the whole life costs and the award criteria which must be clearly documented in the invitation to tender or quote and in line with the related legislation. Details of awarded Contracts above £20,000 will be published on the Services' Contracts Database and on Contracts Finder.

Original Approval Date: 11 April 2007  
Revision No. and Date: 1 (Nov 08; 2 (Sept 12); 3 (May 14); 4 (April 15)(to reflect legislative clarification); 5 (October 15)(amendments to contact details in Appendix); 6 (May 2017)(amendments to contact details in Appendix); 7 (November 2017) (amendments to contact details in Appendix); 8 (July 2018) (amendments to contact details in Appendix); 9 (February 2019) (amendments to cross-reference management of safeguarding allegations); 10 (May 2019) (amendments to contact details in Appendix); 11 (May 2021) (amendments to contact details in Appendix); 12 (June 2021); 13 (February 2022) (amendments to contact details in Appendix), 14 (October 2023 - amendments to contact details);15 (June 2024)

**APPENDIX B TO REPORT DSFRA/24/18**  
**DEVON AND SOMERSET FIRE AND RESCUE AUTHORITY**

**“WHISTLEBLOWING” CODE**  
**(CONFIDENTIAL REPORTING POLICY)**

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## 1. **DEFINITIONS**

### 1.1. In this Code:

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

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

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

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

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

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

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

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

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

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

Original Approval Date: 11 April 2007

Revision No. and Date: 1 (Nov 08; 2 (Sept 12); 3 (May 14); 4 (April 15)(to reflect legislative clarification); 5 (October 15)(amendments to contact details in Appendix); 6 (May 2017)(amendments to contact details in Appendix); 7 (November 2017) (amendments to contact details in Appendix); 8 (July 2018) (amendments to contact details in Appendix); 9 (February 2019) (amendments to cross-reference management of safeguarding allegations); 10 (May 2019) (amendments to contact details in Appendix); 11 (May 2021) (amendments to contact details in Appendix); 12 (June 2021); 13 (February 2022) (amendments to contact details in Appendix), 14 (October 2023 - amendments to contact details);15 (June 2024)

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

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

"Treasurer" is that person duly appointed by the Authority with responsibility for the administration of the Authority's financial affairs.

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

## 2. **PREAMBLE**

- 2.1. As an employee, you may be the first to suspect there may be something seriously wrong within the Service but may be reluctant to express your concerns because you feel that speaking up would be disloyal either to your colleagues or to the Service as a whole. You may also fear harassment or victimisation. In these circumstances, it may be easier to ignore your concern rather than report what may just be a suspicion of wrongdoing.
- 1.2. The Service is committed to creating a safe, open and transparent workplace culture, where employees are encouraged to raise concerns at the earliest opportunity. It is important to the Service that any fraud, misconduct or wrongdoing by workers or officers of the Service is reported and properly dealt with. The Service is committed to tackling malpractice and wrongdoing. Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. If any cases of wrongdoing are upheld they will be seriously dealt with.
- 2.2. In line with that commitment, the Service has adopted this "Whistleblowing" Code (Confidential Reporting Policy) to enable you to report any serious concerns you have about any aspect of the operation of the Service (subject to those conditions set out in paragraph 3.3 below).
- 2.3. The Service encourages staff to use internal mechanisms for reporting malpractice or illegal acts or omissions by employees or ex-employees. Employees will be listened to and serious concerns will be investigated.

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- 2.4. This Code has been discussed with and has the support of the relevant trades unions and professional organisations.
- 2.5. This Code allows staff to take the matter further if they are dissatisfied with the management response and aims to reassure staff that they will be protected from harassment or victimisation from co-workers or from the Service for raising concerns.

### 3. SCOPE OF THE CODE

3.1. This Code applies statutory protections contained in the Public Interest Disclosure Act 1998 (as amended) (“the Act”). To benefit from the protections offered by the Act and this Code, the concern you raise must comply with the statutory definition of a “protected disclosure”, that is:

- (a) you must **reasonably believe** the disclosure you are making is true;
- (b) the disclosure must be made **in the public interest**; and
- (c) the disclosure must relate to one or more of the six types of wrong-doing as specified in the Act.

3.2. The six types of wrong-doing as specified by the Act are:

- that a criminal offence is being, is likely to be or has been committed;
- that a person is failing, is likely to fail or has failed to comply with a legal obligation to which they are subject;
- that a miscarriage of justice is or is likely to occur, or has occurred;
- that the health and safety of an individual is being, is likely to be or has been endangered;
- that the environment is being, is likely to be or has been damaged; and
- that information tends to show that any issue covered in the above bullet points is being, or is likely to be or has been concealed deliberately.

3.3. Examples of wrongdoing might include (but are not restricted to) :

- unsafe working conditions;
- lack of, or poor, response to a reported safety incident;
- inadequate induction or training for staff;
- suspicions of fraud.



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3.4. It is not necessary for the member of staff to have proof that wrongdoing is being, has been, or is likely to be committed. A reasonable belief is sufficient to disclose the concern. The member of staff has no responsibility for investigating the wrongdoing. It is the Service's responsibility to ensure that an investigation takes place.

3.5. Please note that this Code does **not** cover:

- Issues relating to the quality of a service provided/failure to provide a service, where a separate **COMPLAINTS PROCEDURE** exists (*NOTE* it is more likely that this would be used by a member of the public rather than an employee of the Service);
- Issues solely concerned with your personal position in the Service, where a separate **APPROVED GRIEVANCE PROCEDURE** exists;
- Issues relating to bullying or harassment in the workplace which are subject to a separate procedure;
- Issues relating to allegations of discrimination which are subject to separate policies and statutory provisions;
- Allegations of abuse of children by those who work with children, for which a separate Management of Allegations against Staff guidance document exists;
- Allegations of misconduct by Member for which a separate **CODE OF CONDUCT AND PROCEDURE** exists.

3.6. Provided you are acting genuinely, in good faith and in the public interest, you may raise any issue covered by this Code without fear of victimisation, subsequent discrimination or disadvantage.

3.7. ***This "Whistleblowing" Code is intended to encourage and enable you to raise serious concerns within the organisation rather than overlooking a problem or 'blowing the whistle' outside. Consequently, issues raised under this Code will – as far as is practicable – be treated in the strictest confidence – see Section 6 below.***

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#### **4. APPLICATION OF THE CODE**

4.1. This Code applies to all Service personnel (including temporary, casual and agency staff) and those contractors working for the Authority on any Authority premises (e.g. builders, drivers). It also covers suppliers and those providing services under a contract with the Authority. This Code will be drawn to the attention of all persons/organisations the Authority deals with directly on a contractual basis. Similarly, contractors will be required to draw this Code to the attention of any sub-contractors they may employ.

4.2. This Code aims to:

- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice;
- provide avenues for you to raise those concerns and receive feedback on any action taken;
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied; and
- reassure you that you will be protected from possible reprisals or victimisation *if* you have a reasonable belief that the disclosure you are making is true, that the disclosure is made in the public interest and that you have made any disclosure in good faith.

#### **5. SAFEGUARDS**

##### ***Protection from Harassment or Victimisation***

5.1. The Service is committed to good practice and high standards and wants to be supportive of employees.

5.2. The Service recognises that the decision to report a concern can be a difficult one to make. If you have reasonable grounds for believing that what you are saying is true and you are making the disclosure in good faith and in the public interest, you have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.

5.3. The Service will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern genuinely, in good faith and in the public interest.

5.4. Any investigation conducted under this Code will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

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### ***Untrue Allegations***

- 5.5. If you make a disclosure in good faith on an issue which you reasonably believe to be true but subsequently this is not confirmed by the investigation, no action will be taken against you.
- 5.6. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

## **6. CONFIDENTIALITY**

- 6.1. All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. If, however, a situation arises where it is not possible to resolve a concern without revealing your identity (e.g. because your evidence is needed in court), the Service will discuss with you whether and how it can proceed.
- 6.2. You should also be aware that the Data Protection and Freedom of Information Acts both **require** the Service to disclose certain types of information. This may include disclosure of the fact that a disciplinary investigation is under way and the nature of the allegation.
- 6.3. These Acts **do not require**, however, disclosure of a copy of the letter, envelope or information which could lead to the identification of an informant. This is third party personal data and as such is exempt from disclosure.

## **7. ANONYMOUS ALLEGATIONS**

- 7.1. This Code encourages you to put your name to your allegation whenever possible.
- 7.2. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Service.
- 7.3. In exercising this discretion the factors to be taken into account would include:
  - the seriousness of the issues raised;
  - the credibility of the concern;
  - the likelihood of confirming the allegation from attributable sources;
  - the Authority's best interests; and
  - the protection of the Authority's assets.

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- 7.4. You should also bear in mind that if you do choose to raise a concern anonymously it will be more difficult for this to be investigated and to provide you with feedback.
- 7.5. Please refer also to Section 6 above on confidentiality.

## **8. HOW TO RAISE A CONCERN**

- 8.1. As a first step, you should normally raise concerns with your immediate line manager or their superior who should then alert the Monitoring Officer to the issue. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice.
- 8.2. For example, if your concern is about your line manager you may wish to approach directly the officer on the Service Leadership Team with overall day-to-day responsibility for the functional area in which your line manager works. If you suspect that an officer of the Service Leadership Team is involved you may wish to approach one of the officers of the Executive Board. If you suspect that an Executive Board officer is involved you may wish to contact an Authority Member and/or the Devon Audit Partnership (which provides an Internal Audit function for the Authority). Details of how to contact these people are set out in the appendix to this Code.
- 8.3. While concerns may be raised verbally they are best made in writing (including email). You are encouraged, therefore, to make your allegations in writing setting out, in as much detail as possible, the following information:
- the background and history of the concern (giving any appropriate names, places and dates where possible),
  - the reason why you are particularly concerned about the situation.
- 8.4. The earlier you express the concern the easier it is to take action.
- 8.5. Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that you have a reasonable belief in the grounds for your concern. The test for a “reasonable belief” will be an objective test i.e. how would a reasonable person respond to the information available at the time the disclosure was made?

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- 8.6. If you require advice/guidance on the scope and operation of this Code you should, in the first instance, contact either:
- the Monitoring Officer; or
  - the Treasurer to the Authority.

contact details for which are set out in the appendix to this Code.

- 8.7. Alternatively, if you would prefer to seek independent advice/guidance on how to pursue matters of concern you may wish to contact Protect (formerly Public Concern at Work). Protect is a registered charity whose services are free and confidential. Contact details for Protect can be found in the appendix to this Code.

- 8.8. You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

- 8.9. You may invite your trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns you have raised.

## **9. HOW THE SERVICE WILL RESPOND**

- 9.1. The Service will respond to your concerns but please be aware that testing out your concerns is not the same as either accepting or rejecting them.

- 9.2. Where appropriate, the matters raised may:

- be investigated by management, internal audit, or through the disciplinary process;
- be referred to the police;
- be referred to the external auditor; or
- form the subject of an independent inquiry.

- 9.3. In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The main consideration in reaching this decision will be what best serves the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, discrimination issues; grievances etc.) will normally be referred for consideration under those procedures. In this event, you will be notified accordingly.

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- 9.4. Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.
- 9.5. Within ten working days of a concern being raised, the Monitoring Officer (or their designated representative) will write to you:
- acknowledging that the concern has been received;
  - indicating how it is proposed to deal with the matter;
  - giving an estimate of how long it will take to provide a final response;
  - telling you whether any initial enquiries have been made;
  - supplying you with information on staff support mechanisms, and
  - telling you whether further investigation will take place and if not, why not.
- 9.6. The amount of contact between those considering the issues you raise and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information may be sought from you.
- 9.7. Where any meeting is arranged, off-site if you so wish, you can be accompanied by a union or professional association representative or a friend.
- 9.8. The Service will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the Service will arrange for you to receive advice about the procedure.
- 9.9. The Service accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will be informed of the outcome of any investigation.

## **10. ROLES AND RESPONSIBILITIES**

- 10.1. The Monitoring Officer has overall responsibility for the maintenance and operation of this policy. The Monitoring Officer maintains a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Authority.
- 10.2. The Executive Board and the Service Leadership Team have responsibility for demonstrating a commitment to developing an open culture within the Service, through actions and strategy.

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### 10.3. Line managers have responsibility for:

- ensuring all staff are aware of this Code and their responsibilities under it;
- fostering an open culture within their teams
- ensuring any whistleblower is not subject to detriment; and
- escalating issues and engaging the support of designated officer/s where required.

### 10.4. Finally, all staff have a duty to report wrongdoing (whistleblow) under the circumstances as set out in Section 3 of this Code.

## 11. **HOW THE MATTER CAN BE TAKEN FURTHER**

11.1. This policy is intended to provide you with a way within the Service to raise concerns and provide a satisfactory outcome to any concerns raised. If you are dissatisfied, though, and feel it is right to take the matter outside the Service, the following are possible contact points:

- The Devon Audit Partnership (contact details as set out in the Appendix to this Code) (if you believe there has been financial impropriety);
- your Trades Union;
- your local Citizens Advice Bureau;
- One (or more) of prescribed persons and bodies for whistleblowing as shown on the UK government website at [www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies](http://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies);
- a relevant voluntary organisation;
- the police (if you feel a criminal act has been committed); or
- your solicitor.

11.2. If you do decide to take the matter outside the Service you should ensure that, in making your allegation, you do not make public any confidential or sensitive information that it is not necessary to reveal. You may, therefore, wish to seek the advice of a solicitor or someone else from the list of contacts set out in paragraph 11.1 above.

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**APPENDIX TO “WHISTLEBLOWING” CODE**  
**(CONFIDENTIAL REPORTING POLICY)**

**CONTACT POINTS**

**(A) EXECUTIVE BOARD**

<b>NAME</b>	<b>POSITION</b>	<b>TEL. NO.</b>	
Gavin Elis	T/Chief Fire Officer	01392 872201	<a href="mailto:gellis@dsfire.gov.uk">gellis@dsfire.gov.uk</a>
Gerald Taylor	Assistant Chief Fire Officer Director of Service Delivery	01392 872202	<a href="mailto:gtaylor@dsfire.gov.uk">gtaylor@dsfire.gov.uk</a>
Nicky Bottomley	T/Assistant Chief Fire Officer Director of Service Delivery - Support	01392 872202	<a href="mailto:nbottomley@dsfire.gov.uk">nbottomley@dsfire.gov.uk</a>
Maria Phillips	T/Assistant Director – Corporate Services	01392 872202	<a href="mailto:mphillips@dsfire.gov.uk">mphillips@dsfire.gov.uk</a>

**(B) SERVICE LEADERSHIP TEAM**

<b>NAME</b>	<b>POSITION</b>	<b>TEL. NO.</b>	<b>E-MAIL</b>
Damien Borlase	Area Manager – Corporate Services	01392 872513	<a href="mailto:dborlase@dsfire.gov.uk">dborlase@dsfire.gov.uk</a>
Paul Compton	Head of Communications and Engagement	01392 872313	<a href="mailto:pcomptom@dsfire.gov.uk">pcomptom@dsfire.gov.uk</a>
Daren Cripps	Area Manager – Service Delivery Support	01392 876874	<a href="mailto:dcripps@dsfire.gov.uk">dcripps@dsfire.gov.uk</a>
Andrew Furbear	Head of Finance (Authority Treasurer)	01392 872317	<a href="mailto:afurbear@dsfire.gov.uk">afurbear@dsfire.gov.uk</a>
Chris Howes	Head of Human Resources		<a href="mailto:chowes@dsfire.gov.uk">chowes@dsfire.gov.uk</a>



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NAME	POSITION	TEL. NO.	E-MAIL
David Lang	Head of Estates	01392 872213	<a href="mailto:dlang@dsfire.gov.uk">dlang@dsfire.gov.uk</a>
Julie Morgan	Head of Organisational Assurance		<a href="mailto:jmorgan@dsfire.gov.uk">jmorgan@dsfire.gov.uk</a>
Vicky Moss-Crump	Head of Data & Digital Services		<a href="mailto:vmosscrump@dsfire.gov.uk">vmosscrump@dsfire.gov.uk</a>
Mike Porter	Area Manager – Service Delivery (Devon)		<a href="mailto:mporter@dsfire.gov.uk">mporter@dsfire.gov.uk</a>
Wayne Rawlins	Area Manager – Service Delivery Risk	01392 872391	<a href="mailto:wrawlins@dsfire.gov.uk">wrawlins@dsfire.gov.uk</a>
Samantha Sharman	Democratic Services Manager (Authority Clerk & Monitoring Officer)	01392 872393	<a href="mailto:ssharman@dsfire.gov.uk">ssharman@dsfire.gov.uk</a>
Melanie Walsh	Head of Fleet and Procurement	01392 872159	<a href="mailto:mwalsh@dsfire.gov.uk">mwalsh@dsfire.gov.uk</a>
Jon Worsley	Area Manager – Service Delivery (Somerset)	01392 872202	<a href="mailto:jworsley@dsfire.gov.uk">jworsley@dsfire.gov.uk</a>

### (C) MEMBERS OF THE AUTHORITY

An up to date list of Members of the Authority can be accessed via the Service Intranet and Internet.

Alternatively, details of membership of the Authority can be obtained on request from the Democratic Services Section:-

- Sam Sharman (Authority Clerk and Monitoring Officer)  
([ssharman@dsfire.gov.uk](mailto:ssharman@dsfire.gov.uk); tel: 01392 872393)

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**(D) OTHER CONTACT POINTS**

NAME	POSITION	TEL. NO.
Tony Rose	Head of Devon Audit Partnership	01392 382437
Barrie Morris	Director - Grant Thornton	01173 057600

**(E) MORE INFORMATION AND SUPPORT**

Protect is the UK's whistleblowing charity that aims to stop harm by encouraging safe whistleblowing. They provide a legal advice service we offering free expert and confidential advice on how best to raise a concern and protection as whistleblower.

<https://protect-advice.org.uk>

Protect Advice Line: [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk)

Protect Advice Line: 020 3117 2520 (\* option 1)

UK government advice on 'Whistleblowing for employees'  
[www.gov.uk/whistleblowing](http://www.gov.uk/whistleblowing)

Acas guidance on 'Whistle-blowing – Public Interest Disclosure'  
<https://archive.acas.org.uk/index.aspx?articleid=1919>

# Agenda Item 7

<b>REPORT REFERENCE NO.</b>	<b>DSFRA/24/19</b>
<b>MEETING</b>	<b>DEVON &amp; SOMERSET FIRE &amp; RESCUE AUTHORITY (Annual Meeting)</b>
<b>DATE OF MEETING</b>	<b>10 JUNE 2024</b>
<b>SUBJECT OF REPORT</b>	<b>SCHEDULE OF APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES</b>
<b>LEAD OFFICER</b>	<b>Clerk to the Authority &amp; (Monitoring Officer)</b>
<b>RECOMMENDATIONS</b>	<p><i>(a) that the Authority confirms appointments to the Committees, Local Pension Board, Member Champion roles and Outside Bodies as indicated in the Schedule at Appendix A to this report, to serve until the Authority Annual Meeting in 2025 unless otherwise indicated; and</i></p> <p><i>(b) that, having determined Committee memberships, the Authority appoints, in accordance with Standing Order 34, Chairs and Vice-Chairs to Committees, the Term of Office to be until the Authority Annual Meeting in 2025.</i></p>
<b>EXECUTIVE SUMMARY</b>	<p>This report invites the Authority to make appointments, for the 2024-25 municipal year, to those Committees and outside bodies as indicated in Appendix A.</p> <p>The Authority is reminded that, in accordance with Standing Order 30(2), appointments to Committees should accord with the principles of political proportionality as defined in the Local Government and Housing Act 1989 (and associated Regulations). A review of the political proportionality for 2024-25 has been undertaken by the Clerk to the Authority (&amp; Monitoring Officer)(following instigation of the new Shareholder Committee which has resulted in additional committee places) who has confirmed that the proposed appointments set out within the Appendix accord with the Act.</p> <p>The Clerk has held informal discussions with the Authority in advance of the meeting. Further to this discussion, as there have been only two changes in membership in this municipal year (Councillor Prowse replacing Councillor Slade and Councillor Luggar replacing Councillor Patel), the Authority is invited to appoint Members to the vacancies as highlighted in yellow in Appendix A.</p>
<b>RESOURCE IMPLICATIONS</b>	Any resource implications associated with attendance at committee and outside body appointments etc. will be met from the approved budget for Members Allowances.

<b>EQUALITY RISKS AND BENEFITS ASSESSMENT</b>	N/A
<b>APPENDICES</b>	A. Schedule of Appointments to Committees and Outside Bodies.
<b>BACKGROUND PAPERS</b>	None.

**SAMANTHA SHARMAN**  
**Clerk to the Authority (& Monitoring Officer)**

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

Note: Names shown reflect discussions at the Members' Forum meeting held on 28 May 2024.

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

<b>Con (4)</b>	<b>LD (3)</b>	<b>Lab (1)</b>	<b>Ind. (1)</b>
Clayton	Vacancy (Somerset)	Sproston	Biederman
Fellows	Vacancy (Somerset)		
Percy Prowse? (Devon)	Roome		
Sellis			

**COMMUNITY SAFETY COMMITTEE (7 Members)**

<b>Con (3)</b>	<b>LD (3)</b>	<b>Lab (1)</b>	<b>Ind. (0)</b>
Chesterton	Best	Hendy	
John Fellows (Torbay)	Brazil		
Radford	Kerley		

**PEOPLE COMMITTEE (7 Members)**

<b>Con (3)</b>	<b>LD (3)</b>	<b>Lab (1)</b>	<b>Ind. (0)</b>
Clayton	Coles	Atkinson	
Peart	Carter		
Trail BEM	Kendall		

**RESOURCES COMMITTEE (7 Members)**

<b>Con (3)</b>	<b>LD (3)</b>	<b>Lab (1)</b>	<b>Ind. (0)</b>
Power	Best	Gilmour	
Peart	Carter		
Vacancy (Devon)	Sully		

**SHAREHOLDER COMMITTEE (7 Members)**

<b>Con (3)</b>	<b>LD (2)</b>	<b>Lab (1)</b>	<b>Ind. (1)</b>
Cook-Woodman	Coles	Hendy	Biederman
Peart	Sully		
<b>Randal Johnson</b> (Devon)			

**APPOINTMENTS & DISCIPLINARY COMMITTEE (4 Members)\***

<b>Con (2)</b>	<b>LD (1)</b>	<b>Lab (1)</b>	<b>Ind. (0)</b>
Cook-Woodman	Best	Hendy	
Randall-Johnson			

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

**APPEALS COMMITTEE (4 Members)**

<b>Con (2)</b>	<b>LD (1)</b>	<b>Lab (1)</b>	<b>Ind. (0)</b>
<b>Clayton</b>	Roome	Gilmour	
Power			

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

## **PART (B) OTHER AUTHORITY APPOINTMENTS**

### **SCHEME MANAGER APPOINTMENTS TO LOCAL PENSIONS BOARD**

- (a). Councillor Coles is the current incumbent; and
- (b). confirm the appointment of a member of the Executive Board to the second vacancy to replace *Shayne Scott as one of the Scheme Manager representatives in his capacity as Treasurer.*

### ***EQUALITY AND DIVERSITY MEMBER CHAMPION***

**1 Member** (previously Councillor Trail BEM).

### ***CLIMATE CHANGE AND SUSTAINABILITY MEMBER CHAMPION***

**1 Member** (previously Councillor Kendall).

## **PART (C) APPOINTMENTS TO OUTSIDE BODIES**

### ***LOCAL GOVERNMENT ASSOCIATION (LGA)***

#### **(a) *Fire Commission***

**2 Members – usually the Authority Chair and one other** (previously Councillors Cook-Woodman and Coles)

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

#### **(b) *General Assembly***

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

<b><u>Member</u></b>	<b><u>No. votes exercised</u></b>	<b><u>(Previous Appointments)</u></b>
Authority Chair	1 Corporate and 1 Service	(Councillor Cook-Woodman)
	1 Service	(vacancy)
	1 Service	(vacancy)
	1 Service	Vacancy

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

### ***SOUTH WEST COUNCILS***

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

- Provide a voice for constituent local authorities on major issues affecting the South West;
- Influence Government policy as it affects the region;

- Encourage partnership working between local authorities and other organisations and agencies in the South West on policy issues where a broader regional approach is required;
- Promote the sharing of good practice.

**1 Member (usually the Authority Chair)**

***SOUTH WEST PROVINCIAL COUNCIL***

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

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

The functions of the Provincial Council are:

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

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



# Agenda Item 8

<b>REPORT REFERENCE NO.</b>	<b>DSFRA/24/20</b>
<b>MEETING</b>	<b>DEVON &amp; SOMERSET FIRE &amp; RESCUE AUTHORITY (Annual Meeting)</b>
<b>DATE OF MEETING</b>	<b>10 JUNE 2024</b>
<b>SUBJECT OF REPORT</b>	<b>DRAFT CALENDAR OF MEETINGS 2024-25</b>
<b>LEAD OFFICER</b>	<b>Clerk to the Authority (&amp; Monitoring Officer)</b>
<b>RECOMMENDATIONS</b>	<i><b>That, subject to any amendments as may be indicated at the meeting, the draft Calendar of Authority Meetings for the 2024-25 Municipal Year as set out at Appendix A be approved.</b></i>
<b>EXECUTIVE SUMMARY</b>	<p>Attached for consideration is a draft Authority Calendar of Meetings for the forthcoming (2024-25) municipal year.</p> <p>As in previous years, in compiling this Calendar efforts have been made to avoid obvious clashes with constituent authority meetings that may impact on Member availability. Similarly, efforts have been made (wherever practicable) to avoid holding meetings during periods of school holidays.</p> <p>The setting of the revenue budget has to be completed by the end of February 2024. This is owing to legislative constraints, the requirement for the Authority to have all relevant information on which to base the required reports and for the Authority to have determined it's budget and specifically Council Tax precept in sufficient time to inform the billing authorities ahead of their budget meetings.</p> <p>County Council elections are scheduled for 1 May 2025, thus it will not be possible to hold any meetings after this date pending the appointment of Authority Members by constituent authorities. Items usually discussed at the May Resources Committee will be submitted directly to the Authority at its June ordinary meeting.</p>
<b>RESOURCE IMPLICATIONS</b>	N/A
<b>EQUALITY RISKS AND BENEFITS ANALYSIS</b>	N/A
<b>APPENDICES</b>	A. Draft Authority Calendar of Meetings 2024-25 Municipal Year.
<b>BACKGROUND PAPERS</b>	Constituent Authority Calendars of Meetings (as available).

**SAMANTHA SHARMAN**  
**Clerk to the Authority (& Monitoring Officer)**

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**APPENDIX A TO REPORT DSFRA/24/20**  
**DEVON & SOMERSET FIRE & RESCUE AUTHORITY**  
**CALENDAR OF MEETINGS 2024-25 MUNICIPAL YEAR**

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

<b>DATE &amp; TIME</b>	<b>MEETING</b>
<b>CYCLE 1</b>	
<b>JUNE 2024</b>	
Friday 28th June 2024, 10:00 hours	Members' Forum ( <i>for induction purposes</i> )
<b>JULY 2024</b>	
Friday 5 <sup>th</sup> July 2024, 11:00 hours	<b>Provisional Fire Services Management Committee</b>
Monday 15 <sup>th</sup> July 2024, 14.00 hours	Members' Forum (via Teams)
Tuesday 16 <sup>th</sup> July 2024, 14:00hours	Audit & Governance Committee (AGC)
Monday 22 <sup>nd</sup> July 2024, 14:00 hours	Shareholder Committee (SC)
Friday 26 <sup>th</sup> July 2024, 10.00hours	People Committee (PC)
<b>Wednesday 31<sup>st</sup> July 2024, 10:00 hours</b>	<b>DEVON &amp; SOMERSET FIRE &amp; RECUE AUTHORITY</b>
<b>School Holidays 24 July to 30 August 2024</b>	
<b>CYCLE 2</b>	
<b>SEPTEMBER 2024</b>	
Wednesday 4 <sup>th</sup> September 2024, 10.00 hours	Community Safety Committee (CSC)
Tuesday 10 <sup>th</sup> September 2024, 10:00 hours	Resources Committee (RC)
Wednesday 11 <sup>th</sup> September 2024, 10:00hours	Members' Forum (via Teams)
Wednesday 11 <sup>th</sup> September 2024, 14:00 hours	Appointments & Disciplinary Committee /CFO Appraisal Panel
Friday 20 <sup>th</sup> September 2024, 11.00hours	<b>Provisional LGA Fire Commission, Smith Square, London</b>
Monday 30 <sup>th</sup> September 2024, 10.00 hours	Audit & Governance Committee (AGC)
<b>School Holidays 28 October to 1 November 2024</b>	
<b>OCTOBER 2024</b>	
Wednesday 9 <sup>th</sup> October 2024, 14:00 hours	Members' Forum (via Teams)
<b>Friday 11<sup>th</sup> October 2024, 11.00hours</b>	<b>Provisional LGA Fire Services Management Committee, Smith Square, London</b>

<b>DATE &amp; TIME</b>	<b>MEETING</b>
Thursday 17 <sup>th</sup> October 2024, 14:00hours	Shareholder Committee (SC)
Friday 18 <sup>th</sup> October 2024, 10:00 hours	People Committee (PC)
<b>Thursday 31<sup>st</sup> October 2024, 14.00hours</b>	<b>DEVON &amp; SOMERSET FIRE &amp; RESCUE AUTHORITY</b>
<b>NOVEMBER 2024</b>	
Wednesday 20 <sup>th</sup> November 2024, 10:00 hours	Members' Forum (via Teams)
Friday 22 <sup>nd</sup> November 2024, 10.00 hours	Resources Committee (RC)
<b>Wednesday 27<sup>th</sup> November 2024 10:00 hours</b>	Community Safety Committee (CSC)
Friday 29 <sup>th</sup> November 2024, 10.00 hours	Audit & Governance Committee (AGC)
<b>DECEMBER 2024</b>	
Friday 6 <sup>th</sup> December 2024, 14.00hours	Members' Forum (via Teams)
Wednesday 11 <sup>th</sup> December 2024, 11.00hours	<b>Provisional LGA Fire Services Management Committee, Smith Square, London</b>
<b>Thursday 19<sup>th</sup> December 2024, 14:00 hours</b>	<b>DEVON &amp; SOMERSET FIRE &amp; RESCUE AUTHORITY</b>
<b>School holidays 23 December 2024 to 3 January 2025</b>	
<b>JANUARY 2025</b>	
<b>CYCLE 4</b>	
Friday 10 <sup>th</sup> January 2025, 10:00 hours	Members' Forum (via Teams)
Monday 20 <sup>th</sup> January 2025, 14:00 hours	Audit & Governance Committee (AGC)
Friday 24 <sup>th</sup> January 2025, 10.00hours	People Committee (PC)
Wednesday 22 <sup>nd</sup> January 2025, 14.00 hours	Members' Forum (via Teams)
Friday, 31 <sup>st</sup> January 2025, 14.00 hours	Community Safety Committee (CSC)
<b>FEBRUARY 2025</b>	
Tuesday 4 <sup>th</sup> February 2024, 14:00hours	Shareholder Committee (SC)
Wednesday, 5 <sup>th</sup> February 2025, 10.00 hours	Resources Committee (RC) ( <b>Budget Meeting</b> )
<b>Monday 17<sup>th</sup> February 2025, 14:00 hours</b>	<b>DEVON &amp; SOMERSET FIRE &amp; RESCUE AUTHORITY (Budget Meeting)</b>
<b>Tuesday 18<sup>th</sup> February 2025, 10:00 hours</b>	<b>DEVON &amp; SOMERSET FIRE &amp; RESCUE AUTHORITY (Budget Meeting) (Reserve Date)</b>
<b>MARCH 2025</b>	
<b>CYCLE 5</b>	

<b>DATE &amp; TIME</b>	<b>MEETING</b>
Wednesday 19 <sup>th</sup> March 14.00 hours	Appointments & Disciplinary/CFO Appraisal Panel
Thursday 20 <sup>th</sup> March 2025, 14.00 hours	Members' Forum (via Teams)
<b>APRIL 2025</b>	
<b>School Holidays 7<sup>th</sup> April – 21<sup>st</sup> April 2025</b>	
Friday 10 <sup>th</sup> April 2025, 10.00hours	Members' Forum (via Teams)
Friday 25 <sup>th</sup> April 2025, 10:00hours	Shareholder Committee (SC)
Monday 28 <sup>th</sup> April 2025, 10.00hours	Community Safety Committee (CSC)
Tuesday 29 <sup>th</sup> April 2025, 14.00hours	Audit & Governance Committee (AGC)
Wednesday 30 <sup>th</sup> April 2025, 14.00hours	People Committee (PC)
<b>MAY 2025</b>	
<b>School Holidays 26th to 30th May 2025</b>	
Monday 12 <sup>th</sup> May 2025, 14:00hours	Resources Committee (RC)
Friday 30 <sup>th</sup> May 2025, 14.00hours	Members' Forum
<b>JUNE 2025</b>	
<b>Monday 16<sup>th</sup> June 2025, 10:00hours</b>	<b>DEVON &amp; SOMERSET FIRE &amp; RESCUE AUTHORITY – AGM &amp; Ordinary meetings</b>

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