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| <b>REPORT REFERENCE NO.</b>                 | DSFRA/23/12  |
| <b>MEETING</b>                              | DEVON & SOMERSET FIRE & RESCUE AUTHORITY (Annual Meeting)  |
| <b>DATE OF MEETING</b>                      | 12 JUNE 2023   |
| <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 revisions to Financial Regulations as set out at Appendix A of this report be approved;</i></p> <p><i>(b). that the revisions to the Scheme of Delegations as set out at Appendix B of this report be approved;</i></p> <p><i>(c). that the revisions to the Terms of Reference for Committees as set out at Appendix C of this report be approved;</i></p> <p><i>(d). that, subject to (a) to (c). above, the Authority's constitutional governance framework documents as listed at paragraph 1.1 of this report be endorsed; and</i></p> <p><i>(e). that the Clerk be authorised to publish all revised constitutional governance framework documents on the website.</i></p> |
| <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 Financial Regulations 2023</p> <p>B. Revised Scheme of Delegations 2023</p> <p>C. Revised Terms of Reference for Committees 2023</p>   |

**BACKGROUND  
PAPERS**

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

## 1. **BACKGROUND**

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

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

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

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

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

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

- Financial Regulations.

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

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

## 3. **FINANCIAL REGULATIONS**

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

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

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

#### **4. SCHEME OF DELEGATIONS**

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

#### **5. TERMS OF REFERENCE FOR COMMITTEES**

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

#### **6. CONCLUSION**

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

**EMMA JACKMAN**  
**Monitoring Officer & Clerk to the Authority**