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

### **COMMITTEE TERMS OF REFERENCE**

#### **AUDIT AND GOVERNANCE COMMITTEE**

##### **COMMITTEE MAIN OBJECTIVES:**

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

##### ***Advisory ONLY***

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

##### ***Matters with Delegated Power to Act***

###### ***(a). Audit***

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

###### ***(b). Corporate Risk***

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

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

**(c). Standards Issues**

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

**(d). Other**

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

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## **COMMUNITY SAFETY COMMITTEE**

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

### ***Advisory ONLY***

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

### ***Matters with Delegated Power to Act***

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

## **PEOPLE COMMITTEE**

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

### ***Advisory ONLY***

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

### ***Matters with Delegated Power to Act***

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

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

## **RESOURCES COMMITTEE**

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

### ***Advisory ONLY***

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

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

***Matters with Delegated Power to Act***

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

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

## **APPOINTMENTS AND DISCIPLINARY COMMITTEE**

### ***Matters with Delegated Power to Act***

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

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

## **APPEALS COMMITTEE**

### ***Matters with Delegated Power to Act***

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

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