

**DEVON & SOMERSET FIRE & RESCUE AUTHORITY**

**COMMITTEES, WORKING PARTIES ETC. - TERMS OF REFERENCE**

**AUDIT AND PERFORMANCE REVIEW COMMITTEE**

*Advisory ONLY*

1. To oversee the content and operation of the Authority's Strategy on the Prevention and Detection of Fraud and Corruption, making recommendations to the Authority as appropriate.

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2. To oversee internal and external audit arrangements and to approve annual audit plans.
3. To receive the reports of internal and external audit and external assessments of the organisation and to ensure that any recommendations and findings are appropriately addressed, implemented and monitored.
4. To receive regular reports monitoring the performance of the Service against agreed plans and agree action to address any shortfalls identified.
5. To receive regular corporate risk management reports and agree action to ensure that corporate risks are effectively managed.
6. To consider and approve the Authority's Statement of Accounts and Annual Governance Statement for the previous financial year.
7. To review, at least annually, the Authority's Regulation of Investigatory Powers (RIPA) policy and approve any consequential amendments to the policy as may be necessary.
8. To approve responses to external consultation documents on issues within the remit of the Committee and as referred by officers.

**CHIEF FIRE OFFICER'S APPRAISALS PANEL**

*Matters with Delegated Power to Act*

1. To undertake an annual appraisal process for the Chief Fire Officer, including the setting of objectives for the forthcoming year;
2. To commission any external advice as is felt appropriate to facilitate the annual appraisal process;
3. To approve any developmental action (including associated costs) as may be identified from the annual appraisal process;
4. To address and resolve any in-year performance issues that may arise;
5. To address and resolve any performance issues relating to other Service Executive Board officers as might be referred to the Panel from time to time by the Chief Fire Officer.

**COMMUNITY SAFETY AND CORPORATE PLANNING COMMITTEE**

*Advisory ONLY*

6. To oversee development of the Corporate Plan and make recommendations as appropriate to the Authority.

7. To develop community safety priorities and make recommendations as appropriate to the Authority.

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8. To consider and monitor the community risk profile to ensure that services are delivered effectively.
9. To approve new partnership arrangements in accordance with the Authority's Partnership Framework.
10. To approve responses to external consultation documents on issues within the remit of the Committee and as referred by officers.

**HUMAN RESOURCES MANAGEMENT AND DEVELOPMENT COMMITTEE**

*Advisory ONLY*

1. 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 and fairness, 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 lower threshold as set out in Financial Regulations.

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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 below Executive Board level and who has previously been made redundant or who has retired from the Devon & Somerset Fire & Rescue Service.
4. To approve and monitor a Member Development Strategy.
5. To provide in the first instance for membership of Appointments Panels for the posts of Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officer, Treasurer and Clerk.
6. To approve and monitor the operation of any Code of Conduct for Employees.
7. 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.
8. To approve responses to external consultation documents on issues within the remit of the Committee and as referred by officers.

**RESOURCES COMMITTEE**

*Advisory ONLY*

1. To give preliminary consideration to and recommend to the Authority a provisional budget and Council Tax requirement and the Treasury Management and Investment Strategy and Minimum Revenue Provision (MRP) Statement for the forthcoming year.
2. 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.

3. To make recommendations to the full Authority on the use of any dividend declared by the Board of Red One Ltd.

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4. To consider budget monitoring reports 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.
5. To consider quarterly financial performance reports relating to Red One Ltd. in terms of expenditure on operating costs, costs recovered and profit generated.
6. In accordance with Contract Standing Orders, to authorise any increase in high/low contract financial thresholds for the purpose of determining officer responsibility.
7. In accordance with Financial Regulations:-
  - to approve of the acquisition or disposal of any land or buildings subject to a conveyance;
  - **to approve in-year virements within the thresholds as set out in the Schedule to the Regulations;**
  - **to approve transfers to/from or between reserves within the thresholds as set out in the Schedule to the Regulations;**
  - to approve of the disposal of any material asset where the estimated disposal value is within the thresholds as set out in the Schedule to the Regulations;
  - to write off any redundant stock and equipment within the thresholds as set out in the Schedule to the Regulations;
  - to write-off any stock and equipment deficiencies within the thresholds as set out in the Schedule to the Regulations;
  - to write-off any debt within the thresholds as set out in the Schedule to the Regulations;
  - to write off any overpayment of salary or allowance within the thresholds as set out in the Schedule to the Regulations;
  - to make any grant within the thresholds as set out in the Schedule to the Regulations;
  - in relation to commercial activity, to approve variations in the commercial services budget (including approval of additional resources, subject to these being matched by corresponding income) up to the threshold as set out in the Scheduled to the Regulations.
8. To monitor progress of schemes included in the approved Capital Programme including the schedule of individual schemes funded from either the Ring Fenced Maintenance or Other Projects generic capital budgets and specifically 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;

- to 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;
  - to 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.
9. To implement and regularly monitor the Authority's Treasury Management Policies and Practices.
  10. To ensure effective scrutiny of the Authority's Treasury Management Strategy and Policies.
  11. To approve responses to external consultation documents on issues within the remit of this Committee and as referred by officers.

### **STANDARDS COMMITTEE**

#### *Advisory ONLY*

1. In accordance with the provisions of the Localism Act 2011:
  - a. To consider and recommend to the Authority 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; and
  - b. 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 oversee the content and operation of the Authority's "Whistleblowing" Code (Confidential Reporting Policy), making recommendations to the Authority as appropriate.

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

1. To oversee the arrangements for the assessment, investigation and determination (as appropriate) of allegations of any breach of the Code of Conduct.
2. To consider, following submission in writing to the Monitoring Officer by the Member concerned, 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** in the following circumstances:
  - that, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to potentially alter the outcome of any vote on the matter;
  - That the Committee considers that the dispensation is in the interests of persons living in the authority's area; or
  - That the Committee considers that it is otherwise appropriate to grant a dispensation.
3. In the event of "sensitive"/**potentially compromised** allegations of Code breach (e.g. where the Monitoring Officer may have previously advised the Member subject to the

allegation on the matter concerned), 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.

4. To consider the findings of any investigation into an alleged breach of the Authority's approved Code of Conduct (affording the Member subject to the allegation ["the subject Member"] a right of hearing) and – in consultation with the "independent person" - to determine whether or not (on the basis of the evidence available and on the balance of probabilities) a breach of the approved Code has been proven.
5. In the event that a Code breach is proven, to consider:
  - a. whether a sanction should be imposed; and
  - b. if so, determine what the sanction(s) should be from the following:
    - i. censure the subject member. The Committee will determine the terms and manner of this censure (which may include, but is not limited to, notifying the subject member's appointing constituent authority and/or arranging for details of the censure to be published in local media circulating in the area of the Authority);
    - ii. recommend to the full Authority that the subject member be removed from any Committees, Sub-Committees, Working Parties or outside bodies to which they have been appointed or nominated by the Authority;
    - iii. withdraw any Authority facilities that may have been provided to the subject member (e.g. e-mail accounts);
    - iv. exclude the subject member from the Authority's premises (save to the extent that the subject member requires access to attend meetings of the full Authority or any Committee etc. to which the subject member may have been appointed by the Authority);
    - v. instruct the Monitoring Officer to arrange for training for subject member.
6. To approve responses to external consultation documents on issues within the remit of the Committee and as referred by officers.

#### **CAPITAL PROGRAMME WORKING PARTY**

To oversee the development of the Authority's asset management plans making recommendations as appropriate to the Resources Committee and/or full Authority.