

<b>REPORT REFERENCE NO.</b>	<b>DSFRA/19/11</b>
<b>MEETING</b>	<b>DEVON &amp; SOMERSET FIRE &amp; RESCUE AUTHORITY (Annual Meeting)</b>
<b>DATE OF MEETING</b>	<b>7 JUNE 2018</b>
<b>SUBJECT OF REPORT</b>	<b>SCHEDULE OF APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES</b>
<b>LEAD OFFICER</b>	<b>Director of Corporate Services</b>
<b>RECOMMENDATIONS</b>	<p><i>That the Authority</i></p> <p><i>(a) confirms appointments to Committees/Panels and Outside Bodies as indicated in the Schedule at Appendix A to this report, to serve until the Authority Annual Meeting in 2020 unless otherwise indicated;</i></p> <p><i>(b) appoints, in accordance with Standing Order 33, Chairs and Vice-Chairs to Committees/Panels, the Term of Office to be until the Authority Annual Meeting in 2020; and</i></p> <p><i>(c) approves the revised Terms of Reference for standing committees as set out in Appendix B to this report.</i></p>
<b>EXECUTIVE SUMMARY</b>	<p>Appendix A to this report sets out appointments to Authority Committees, outside bodies etc., with Appendix B setting out proposed revised Terms of Reference for each of the Authority's committees etc. under the current structure.</p> <p>The Authority is invited to make appointments to committees and outside bodies and confirm the Terms of Reference. In doing so, the Authority is asked to consider the issues identified in Section 2 of this report.</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 (ERBA)</b>	N/A
<b>APPENDICES</b>	<p>A. Schedule of Appointments to Committees, Working Parties etc. and Outside Bodies.</p> <p>B. Revised Terms of Reference of Committees</p>
<b>LIST OF BACKGROUND PAPERS</b>	None.

## 1. APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES

### **General**

- 1.1 Following its establishment in 2007 the Authority put in place a committee structure to assist it in discharging its functions. The Authority also determined to make appointments to a number of outside bodies (e.g. the Local Government Association etc.) whose objectives accord with furthering the interests of the Authority.
- 1.2 Appointments to these are made at the Authority's Annual Meeting. Appointments in 2019-20 to the Authority's standing committees were initially considered, informally, at the Members' Forum meeting held on 24 May 2019. The Schedule of Appointments now attached at Appendix A to this report reflects discussions at that meeting together with minor changes to reflect the change in political balance resulting from confirmation of appointments by Torbay Council on 28 May 2019.
- 1.3 The decision on appointments rests, however, with this meeting of the Authority. In determining the appointments, the Authority is reminded that its Standing Orders require that such appointments should take account of the principles of political proportionality as set out in the Local Government and Housing Act 1989.

### **Internal Disputes Resolution Panel**

- 1.4 The Firefighters' Pension Scheme Internal Dispute Resolution Procedure enables complaints related to a pension to be considered by the Service and Authority under a two stage process as follows:
- Stage One:** the matters should be considered by the Chief Fire Officer, or a senior manager specified by him, who will give a decision in the matters; and
- Stage Two:** the decision should be confirmed or replaced by the decision of elected Members of the Fire and Rescue Authority which may in turn delegate this function to a smaller grouping.
- 1.5 Usually, the appointment of a Panel of three Members to the second-stage Internal Disputes Resolution Panel (IDRP) is undertaken by the Human Resources Management & Development Committee from amongst its membership, in accordance with powers delegated to the Committee. Such appointments are usually made by the Committee at its first meeting following the Authority annual meeting each year.
- 1.6 The Procedure requires, however, that appeals are heard within two months of receipt. An appeal has been received which, in accordance with this timeframe, must be heard by 27 June 2019 at the latest. As this date is prior to the first scheduled meeting of the Human Resources Management & Development Committee following this annual meeting, it is proposed that, given the circumstances outlined above:
- (a) in the first instance, the IDRP be appointed by the Authority from those Members appointed to the Human Resources Management & Development Committee for the forthcoming (2019-20) municipal year; and
  - (b) that, once appointed, arrangements be made for the Panel to meet by 27 June 2019 at the latest to determine the outstanding appeal.
- 1.7 Given the delegation to it, the Human Resources Management & Development Committee could then, at its first scheduled meeting on Wednesday 10 July 2019, review membership of the IDRP to serve for the remainder of the 2019-20 municipal year.

## **2. APPOINTMENT OF COMMITTEE CHAIRS**

- 2.1. At its Annual Meeting last year the Authority approved a revision to its Standing Orders to provide for Chairs and Vice-Chairs of standing committees/panels to be appointed by the Authority at its Annual Meeting (Standing Order 33 refers). In accordance with this, the Authority is asked to appoint Chairs and Vice-Chairs to committees/panels, the term of office to be until the Authority Annual Meeting in 2020.

## **3. PROPOSED REVISED TERMS OF REFERENCE**

- 3.1. During the 2018-19 municipal year a number of workshops were held with Authority Members to explore the Authority's governance arrangements and what changes might be effected to improve effectiveness and efficiency.
- 3.2. The proposed revised Terms of Reference for the Authority's Standing Committees now attached at Appendix B take account of the discussions at the workshops in seeking to provide the standing committees with more delegation for discharging Authority functions and is aligned with the changes proposed for the Calendar of Meetings for the forthcoming (2019-20) municipal year (which forms a separate item on the agenda for this Annual Meeting).
- 3.3. It is also proposed that responsibility for providing membership of an Appointments Panel for the posts of Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officer, Treasurer and Clerk should be moved from the Human Resources Management & Development Committee to the Chief Fire Officer's Appraisals Panel. This reflects the arrangements put in place for the recent appointment of the Deputy Chief Fire Officer and this appointments function would seem to align more closely with that Panel.
- 3.4. Additionally, at its meeting on 8 April 2019, the Standards Committee approved a revision to the complaints handling arrangements (as identified in the Guidance on Making a Complaint) to provide, amongst other things, that for those instances where a matter has been investigated and the subsequent investigation report indicates a breach of the Code and indicative sanctions, then this matter should be determined by a Hearings Panel comprising five Members of the Standards Committee selected by the Monitoring Officer in consultation with the Committee Chair (Minute SC/11[c][i] refers). For consistency, the Terms of Reference of the Standards Committee have been amended to reflect this new arrangement.

## **4. CONCLUSION**

- 4.1. The Authority is asked to:
- (a). make appointments to Committees/Panels and Outside Bodies as indicated in the Schedule at Appendix A to this report, to serve until the Authority's annual meeting in 2020 unless otherwise indicated;
  - (b). appoint, in accordance with Standing Order 33, Chairs and Vice-Chairs to standing Committees/Panels, the term of office to be until the Authority's annual meeting in 2020; and
  - (c). approve the revised Terms of Reference for standing committees as set out in Appendix B to this report.

**MIKE PEARSON**  
**Director of Corporate Services**