

Original Approval Date: 11 April 2007

Revision No. and Date: 1 (July 2007); 2 (May 2008); 3 (March 2009); 4 (Feb 2010); 5 (March 2010); 6 (July 2011); 7 (February 2012); 8 (May 2012); 9 (July 2012); 10 (Feb 2014); 11 (Dec 2014); 12 (Feb 2015); 13 (July 2015); 14 (Oct 2015), 15 (Feb 2016); 16 (May 2016); 17 (Dec. 2017); 18 (June 2018); 19 (July 2018); 20 (June 2019)

APPENDIX B TO REPORT DSFRA/19/11

DEVON & SOMERSET FIRE & RESCUE AUTHORITY

COMMITTEES, WORKING PARTIES ETC. - TERMS OF REFERENCE

AUDIT AND PERFORMANCE REVIEW COMMITTEE

Matters with Delegated Power to Act

1. To oversee the content and operation of the Authority's Strategy on the Prevention and Detection of Fraud and Corruption and approve changes as appropriate.
2. To oversee the content and operation of the Authority's "Whistleblowing" Code (Confidential Reporting Policy).
3. To oversee internal and external audit arrangements and to approve annual audit plans.
4. 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.
5. To receive regular reports monitoring the performance of the Service against agreed plans and agree action to address any shortfalls identified.
6. To receive regular corporate risk management reports and agree action to ensure that corporate risks are effectively managed.
7. To consider and approve the Authority's Statement of Accounts and Annual Governance Statement for the previous financial year.
8. To receive an Annual Report from the Local Pensions Board.
9. 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.
10. 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;

Original Approval Date: 11 April 2007

Revision No. and Date: 1 (July 2007); 2 (May 2008); 3 (March 2009); 4 (Feb 2010); 5 (March 2010); 6 (July 2011); 7 (February 2012); 8 (May 2012); 9 (July 2012); 10 (Feb 2014); 11 (Dec 2014); 12 (Feb 2015); 13 (July 2015); 14 (Oct 2015), 15 (Feb 2016); 16 (May 2016); 17 (Dec. 2017); 18 (June 2018); 19 (July 2018); 20 (June 2019)

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.
6. 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.

COMMUNITY SAFETY AND CORPORATE PLANNING COMMITTEE

Advisory ONLY

1. To oversee development of the Integrated Risk Management Plan and Fire & Rescue Plan and make recommendations as appropriate to the Authority.
2. To oversee development of community safety principles mitigating the risks identified in the Integrated Risk Management Plan and make recommendations as appropriate to the Authority.

Matters with Delegated Power to Act

3. To consider and monitor the community risk profile to ensure that services are delivered effectively.
4. To monitor progress against the Integrated Risk Management Plan.
5. 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 threshold as set out in Financial Regulations.

Matters with Delegated Power to Act

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 Service.
4. To oversee development and implementation of a Member Development Strategy.

Original Approval Date: 11 April 2007

Revision No. and Date: 1 (July 2007); 2 (May 2008); 3 (March 2009); 4 (Feb 2010); 5 (March 2010); 6 (July 2011); 7 (February 2012); 8 (May 2012); 9 (July 2012); 10 (Feb 2014); 11 (Dec 2014); 12 (Feb 2015); 13 (July 2015); 14 (Oct 2015), 15 (Feb 2016); 16 (May 2016); 17 (Dec. 2017); 18 (June 2018); 19 (July 2018); 20 (June 2019)

5. 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.
6. In accordance with Financial Regulations, to approve the financial implications associated with the exercise of discretions under the Local Government Pension Scheme and Firefighters Pensions Schemes within the thresholds as set out in the Scheduled to the Regulations.
7. 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; the Treasury Management and Investment Strategy; the Minimum Revenue Provision (MRP) Statement; and Reserves Strategy 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 consider any Business Plan prepared by Red One Ltd. and make recommendations as appropriate to the Authority.
4. 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

5. 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.
6. To consider quarterly financial performance reports relating to Red One Ltd. in terms of expenditure on operating costs, costs recovered and profit generated.
7. In accordance with Contract Standing Orders, to authorise any increase in high/low contract financial thresholds for the purpose of determining officer responsibility.
8. 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;

Original Approval Date: 11 April 2007

Revision No. and Date: 1 (July 2007); 2 (May 2008); 3 (March 2009); 4 (Feb 2010); 5 (March 2010); 6 (July 2011); 7 (February 2012); 8 (May 2012); 9 (July 2012); 10 (Feb 2014); 11 (Dec 2014); 12 (Feb 2015); 13 (July 2015); 14 (Oct 2015), 15 (Feb 2016); 16 (May 2016); 17 (Dec. 2017); 18 (June 2018); 19 (July 2018); 20 (June 2019)

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

Original Approval Date: 11 April 2007

Revision No. and Date: 1 (July 2007); 2 (May 2008); 3 (March 2009); 4 (Feb 2010); 5 (March 2010); 6 (July 2011); 7 (February 2012); 8 (May 2012); 9 (July 2012); 10 (Feb 2014); 11 (Dec 2014); 12 (Feb 2015); 13 (July 2015); 14 (Oct 2015), 15 (Feb 2016); 16 (May 2016); 17 (Dec. 2017); 18 (June 2018); 19 (July 2018); 20 (June 2019)

STANDARDS COMMITTEE

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 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

3. 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.
4. To oversee the arrangements for the assessment, investigation and determination (as appropriate) of allegations of any breach of the Code of Conduct.
5. 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.
6. 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.
7. To provide for membership of a Hearings Panel comprising five 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. The Hearings Panel will determine, in consultation with the "independent person":
 - a. 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; and
 - b. In the event that a Code breach is proven, whether:

Original Approval Date: 11 April 2007

Revision No. and Date: 1 (July 2007); 2 (May 2008); 3 (March 2009); 4 (Feb 2010); 5 (March 2010); 6 (July 2011); 7 (February 2012); 8 (May 2012); 9 (July 2012); 10 (Feb 2014); 11 (Dec 2014); 12 (Feb 2015); 13 (July 2015); 14 (Oct 2015), 15 (Feb 2016); 16 (May 2016); 17 (Dec. 2017); 18 (June 2018); 19 (July 2018); 20 (June 2019)

- i. a sanction should be imposed; and
 - ii. if so, determine what the sanction(s) should be from the following:
 1. 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);
 2. 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;
 3. withdraw any Authority facilities that may have been provided to the subject member (e.g. e-mail accounts);
 4. 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);
 5. instruct the Monitoring Officer to arrange for training for subject member.
8. To approve responses to external consultation documents on issues within the remit of the Committee and as referred by officers.