

# ROYAL BERKSHIRE FIRE AUTHORITY



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Your reference:

My reference: RBFA/DRW  
(please quote on all correspondence)

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Date: 10 December 2003

Dear Member

## AGENDA FOR MEETING OF ROYAL BERKSHIRE FIRE AUTHORITY

I have pleasure in attaching your Agenda for the meeting of the Royal Berkshire Fire Authority to be held on Wednesday 17 December 2003 in the Council Chamber at Reading Borough Council, Civic Centre, Reading. A light buffet will be provided.

The Civic Centre is situated adjacent to the Butts Centre and Hexagon Theatre in Reading Town Centre as shown on the location plan reproduced overleaf. There have been some changes to the parking arrangements at the Civic Offices but with grateful thanks to my colleagues at the Borough Council, Fire Authority members will be able to park in Car Park A. Entrance to the Car Park is the first turn left on the access road off Castle Street in Reading as indicated on the plan.

For those Members travelling from the east of the County it is suggested that you use the A33 Relief Road and for those travelling from the west the A4 Bath Road. The A33 Relief Road is accessed from the M4 Motorway junction 11 and the A4 Bath Road from Motorway Junction 12.

**When arriving at the Car Park you will need to press the button, at the barrier, and speak to the microphone with Members giving their name and Unitary Authority and Officers their rank or post.** The Security Staff have been provided with a list of non-Reading Borough Council/Officers who should be attending the meeting.

Yours sincerely

A handwritten signature in black ink that reads "David R Weller".

David R Weller  
Committee Administrator

To: All Members of the Royal Berkshire Fire Authority



# ROYAL BERKSHIRE FIRE AUTHORITY



Headquarters · 103 Dee Road · Tilehurst · Reading · Berkshire · RG30 4FS  
Telephone Reading (0118) 945 2888 Facsimile (0118) 959 0510

**MEETING:** Royal Berkshire Fire Authority

**DATE AND TIME:** Wednesday 17 December 2003 at 6.30pm

**VENUE:** Council Chamber, Reading Borough  
Council, Civic Centre, Reading, Berkshire

## NOTICE OF MEETING

You are requested to attend the above meeting at the time and date indicated, when it is proposed to deal with the business set out in the attached Agenda. A light Buffet will be provided.

Rosemary J Lansdowne  
Clerk to the Authority

*Note: The Fire Authority will be asked to consider a Committee Structure that does not conform with the Local Government and Housing Act 1999 and the Local Government (Committees and Political Groups) Regulations 1990.*

**To: MEMBERS OF THE ROYAL BERKSHIRE FIRE AUTHORITY**

J C G Brooks (Chairman), B J S Patman (Vice-Chairman),  
Christine Borgars (Leader of the Labour Group), M Adams, Mrs C Bateson,  
Mrs P Bray, Dr P Bryant, Tom Crisp, G S Findlay, John P Green, J S Grewal,  
D Howes, Mrs V Howes, Owen E Jeffery, C Maskell, T Mills, J E R Mole,  
Peter North, A J Ross, D J Smith, D Swindells, R Webb, Simon Werner,  
P Weston, D J Wilson

**Briefing Meetings:**

Conservative Group: 5.30pm – Committee Room 1 - Ground Floor  
Labour Group: 5.15pm – Committee Room 2 - Ground Floor  
Liberal Democrat Group: 5.30pm – Committee Room 4 – Ground Floor

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**For Further Information regarding this meeting, please contact:  
David R Weller: (0118) 932 2288 or E-Mail: [wellerd@rbfrs.co.uk](mailto:wellerd@rbfrs.co.uk)**



**ROYAL BERKSHIRE FIRE AUTHORITY**  
**WEDNESDAY 17 DECEMBER 2003**



## **AGENDA**

### **PART I AGENDA**

**PAGE NOS**

#### **CONSTITUTIONAL ITEMS**

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7	Notices of Motion under Standing Order 12 (if any)	-
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#### **PRESENTATIONS**

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18	Fires, Incidents and Issues of Interest	112-115
19	Date of Next Meeting	-

***To note that the next Fire Authority Meeting (Budget and Precept) is scheduled to take Place on Wednesday 11 February 2004 in the Council Chamber, Slough Borough Council, Town Hall, Bath Road, Slough commencing at 6.30pm***

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**PART II AGENDA - CONFIDENTIAL**

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**AGENDA ITEM 2: MINUTES: 21 OCTOBER 2003**

**MINUTES OF A MEETING OF THE ROYAL BERKSHIRE FIRE AUTHORITY HELD IN THE DESBOROUGH SUITE, ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD, TOWN HALL, ST IVES ROAD, MAIDENHEAD, BERKSHIRE ON TUESDAY OCTOBER 21 2003 COMMENCING AT 6.30PM AND CONCLUDED AT 9.18PM**

**Present: M Adams, Mrs C Bateson, Christine Borgars, Mrs P Bray, J C G Brooks, Dr P Bryant, Tom Crisp, G S Findlay, John P Green, J S Grewal, D Howes, Mrs V Howes, Owen E Jeffery, J E R Mole, B J S Patman, A J Ross, D J Smith, D Swindells, R Webb, Simon Werner, P Weston, D J Wilson**

**Apologies: C Maskell, T Mills, Peter North**

**3.01/03 PART I MINUTES: 25 JUNE 2003**

The Part I Minutes of the last meeting held on Wednesday 25 June 2003, having been previously circulated, were taken as read and signed by the Chairman as a correct record subject to the following amendment:

Minute 2.02/03: Election of Vice Chairman 2004/2005  
In Resolution insert "Vice" before "Chairman"

**3.02/02 PART I MINUTES OF SUB GROUPS**

The Authority was advised (Agenda item 6 – not reproduced) of the Urgency Committee, Fire Liaison Group, Integrated Risk Management Plan Working Party and Structure Review Working Party meetings that had taken place since the last meeting in June 2003. Members were advised that copies of the Part I Minutes were available on request from the Committee Administrator (0118) 932 2288.

**NOTED**

**3.03/03 CHAIRMAN'S COMMUNICATIONS**

The Chairman had nothing to report.

**3.04/03 PETITIONS AND QUESTIONS FROM THE PUBLIC**

The Authority noted that no Petitions or Questions had been received from the Public under Standing Orders 8 and 9.



**3.05/03 QUESTIONS FROM FIRE AUTHORITY MEMBERS**

The Authority noted that no questions had been received from Fire Authority Members under Standing Order 10.

**3.06/03 NOTICES OF MOTION**

The Authority noted that no Notices of Motion had been received from Members under Standing Order 12.

**3.07/03 ROYAL BERKSHIRE FIRE AUTHORITY'S STANDARDS COMMITTEE MEMBERSHIP**

The Authority was requested (Agenda item 8 – not reproduced) to appoint a representative of the Conservative Group on the Standards Committee in place of Councillor D J Wilson.

**RESOLVED: That Councillor Mrs C Bateson be appointed as the Conservative Group's representative on the Royal Berkshire Fire Authority's Standards Committee.**

**3.08/03 PRESENTATION ON THE ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD'S LOCAL STRATEGIC PARTNERSHIP**

The Authority received a presentation from Therese Lawlor on the Royal Borough of Windsor and Maidenhead's Local Strategic Partnership established in March 2002. Following the presentation Members were given the opportunity to ask questions. The Chairman on behalf of Members thanked Therese for attending the meeting and for the very full and informative presentation.

**3.09/03 MEMBERS ALLOWANCES – RECOMMENDATIONS OF THE STANDARDS COMMITTEE**

The Authority was requested (Agenda item 10 – not reproduced) to consider the recommendations of the Royal Berkshire Fire Authority's Standards Committee on a scheme of Allowances for Fire Authority Members based on a report prepared by Mr Clive Williams, the former Clerk and Monitoring Officer and considered by the Standards Committee at its meeting on Tuesday 30 September 2003.

The Chairman welcomed Mr Williams to the meeting who in taking Members through the report confirmed that in addition to considering the draft scheme of allowances the Committee also discussed the length of time in office, Committee's Terms of Reference and reporting to the Fire Authority.



Consideration was therefore given to the recommendations of the Standards Committee as set out in paragraph 5 of the report and the following is a summary of the comments made:

### **Length of Time in Office**

Recommendations 1, 2 and 3 approved.

### **Scheme of Allowances for Members**

In supporting recommendation 1, some discussion took place on whether the recommendation regarding the payment of Special Responsibility Allowances should include a reference to “Leaders of the Labour Group”. Having discussed the matter in some detail the following amendment was proposed, seconded and agreed:

- ◆ In recommendation 2 delete reference to “Leaders of the Labour Group” and insert new recommendation 3 as follows:  
 “The Leaders of any bona-fide political party with not less than three Members, unless appointed as Chairman or Vice-Chairman of the Authority, be paid a Special Responsibility Allowance of £1500.

In addition amendments to recommendations 3, 4 and 5 were also proposed, seconded and agreed together with other minor textural amendments.

**Committee Reporting to the Authority** Recommendation approved.

The Vice-Chairman reminded Members that if the Authority decides to adopt the Executive Committee structure it would be necessary to review the method of allowances and any changes reflected in the approved scheme. In view of this it was agreed that the approved scheme of allowances be reviewed on an annual basis and also in the event of the Authority adopting a new Committee Structure.

### **RESOLVED: That:**

- 1. The term of office of existing Members of the Standards Committee be extended to three years, with the option to extend membership for a further term of three years.**
- 2. Having served two terms of office, a Member should vacate the Standards Committee for at least a year before being eligible for further appointment.**
- 3. Having regard to the fact that the Committee would meet infrequently, Authority Standing Order 5A on attendance be varied in the case of the Standards Committee to provide that any Member of the Committee missing two consecutive meetings should be asked to give an explanation and that failure to attend three consecutive meetings without the agreement of the Committee, would lead to that Member ceasing to be a member of the Committee.**



4. A basic allowance of £400 be paid to each Member of the Fire Authority.
5. The following Special Responsibility Allowances be paid, in addition to the Basic Allowance, to the Chairman and Vice Chairman of the Fire Authority as follows:

Fire Authority Chairman	£6000
Fire Authority Vice-Chairman	£3000

6. The Leaders of any bona-fide political party with not less than three members, unless appointed as Chairman or Vice-Chairman of the Authority, be paid a Special Responsibility Allowance of £1500.
7. The Authority pays Travel and Subsistence at the approved rate with effect from 1 April 2004.
8. The Authority pays a Childcare or Carer Allowance at the approved rate of £6 an hour with effect from 1 April 2004.
9. In accordance with the regulations, the Members Basic Allowance and the Special Responsibility Allowances referred to in Resolutions 4, 5 and 6 above be effective from 1 May 2003.
10. The Authority strictly conforms to Standing Order 5A relating to attendance and that a report be made to the next meeting of the Standards Committee on attendance levels.
11. The Chairman of the Standards Committee be given the right to address the Fire Authority in person, should he so wish.
12. The approved Scheme of Allowances for Fire Authority Members be reviewed on an annual basis and also in the event of the Authority adopting the new Committee Structure.

**3.10/03            STRATEGIC INTEGRATED RISK MANAGEMENT PLAN  
AND YEAR ONE ACTION PLAN, WORKING FOR A SAFER  
BERKSHIRE**

The Authority's approval was sought (Agenda item 11 – not reproduced) to the Strategic Integrated Management Plan (IRMP) and Year One Action Plan as recommended by the IRMP Working Party.

Having received a summary from Mr Des Tidbury, Assistant Chief Fire Officer on the background to the development of the IRMP Strategic Plan and Year One Action Plan, Members were advised that the Authority is required to commence the consultation process on both documents by 31 October 2003 at the latest. The IRMP and Action Plan needs to be formally adopted by 31 March 2004 and in order to achieve this a report on the outcome of the consultation process will be presented to



the IRMP Working Party at its meeting on Tuesday 24 February 2004 for consideration and recommendation to the Fire Authority meeting scheduled to take place on Wednesday 17 March 2004.

Consideration was therefore given to the IRMP and Year One Action Plan, a copy of which had been circulated with the Agenda. Having suggested various minor amendments to the text and highlighted a few typographical errors Members supported the approval of both documents for the purposes of consultation.

The Chairman in acknowledging Members support, wished to place on record his thanks to Mr Tidbury and his Team for all their hard work in producing both documents and also wished to acknowledge the significant input received from both the Fire Brigades' Union and IRMP Working Party.

**RESOLVED: That the Strategic Integrated Risk Management Plan and Year One Action Plan, as amended, be approved in readiness to commence consultation on 31 October 2003.**

### **3.11/03 REPORT ON POTENTIAL IMPLICATIONS OF THE WHITE PAPER 'OUR FIRE AND RESCUE SERVICE'**

The Authority was advised (Agenda item 12 – not reproduced) of the potential implications of the recently published White Paper on the Fire Service, but more especially regarding its proposals on governance and regional working and were requested to consider and approve a future course of action.

In speaking to the report, the Chief Fire Officer drew Members attention to the diagram set out under paragraph 2 of the report (not reproduced) and advised that the ODPM has now acknowledged that many of the arrows shown in the diagram should in fact be two-way.

The White Paper outlines a new institutional structure for the Fire Service and whilst details of how these structures are constituted and will interact have yet to be finalised they could currently be summarised as set out in paragraph 3 of the report (not reproduced).

The White Paper specifically requires that local Fire Authorities must establish “robust regional management arrangements” which includes the establishment of Regional Management Boards who will be responsible for delivering and managing six specific areas or themes in accordance with national policies. Such arrangement has to be in place 1 April 2004 and should meet the objectives of the National Framework, which has yet to be developed.

The issues presented to the Authority by the White Paper are complicated by the fact that much of the paper's intended actions will come about with the publication of a new Fire Services Act which may be some twelve to eighteen months away. In the interim one of the few specific requirements is, as already mentioned, to establish robust regional management arrangements by 1 April 2004.



The ODPM have announced that the Local Government Association (LGA) is to take the lead in establishing the form and remit of Regional Management Boards. A meeting chaired by the LGA on 5 September 2003 did consider the issues posed and have started some further work to provide details to fill the many gaps. It is probable that Regional Management Boards will be Committees under Section 102 of the Local Government Act, as being established as true "boards" would require a statutory basis. Detailed work is ongoing and it would appear that the ODPM now wish to hear from Fire Authorities as to what regional or sub-regional arrangements they believe would work best for them. It is understood that the LGA will be producing some guidance but this has not yet been received.

A Regional Management Boards authority will be limited to the six themes and its competence will be only as granted to it by its constituent Fire Authorities. The Audit Commission must eventually, verify the benefits of such collaborative work. The alternative would be the establishment of a board for the whole of the South East region, encompassing nine Brigades, who would be geographically vast and would entail detailed discussion between the authorities concerned.

Given these options it is recommended that the Authority commences work at Member and Officer level to ascertain the implications, financial and otherwise, of establishing a Regional Management Board for the Thames Valley area (i.e. Royal Berkshire, Buckinghamshire and Oxfordshire). A report on the outcome of the additional work together with recommendations for progressing this issue would be presented to the Fire Authority at its meeting on Wednesday 17 December 2003 for consideration and determination.

In response to a question the Chief Fire Officer confirmed that he would be pushing for a Thames Valley Regional Management Board. This is supported by the Chief Fire Officers of Buckinghamshire and Oxfordshire who are likely to be recommending a similar course of action to their Authorities.

**RESOLVED: That work at Member and Officer level be commended to ascertain the implications, financial and otherwise, of establishing a Regional Management Board for the Thames Valley area (Royal Berkshire, Buckinghamshire and Oxfordshire) and that a report on the outcome of the additional work together with recommendations for progressing this issue be presented to the Fire Authority at its meeting on Wednesday 17 December 2003 for consideration and determination.**

### **3.12/03 IT AND COMMUNICATIONS STRATEGY 2004 – INFORMATION AGE GOVERNMENT STRATEGY**

The Authority's approval was sought (Agenda item 13 – not reproduced) to the updated IT and Communications Strategy including the IEG Strategy. The report and Appendix 1 (not reproduced), which contained the first four sections of the IT and Communications Strategy and IEG Statement, was supported by a visual presentation from Mr Jonathan Ball the Brigades Information Systems Manager which provided Members with a detailed summary of the actual Strategy and IEG which must be



produced as part of the E-Government targets. The public sector is mandated to produce this Strategy, which should lead by example, facilitate standards and infrastructure. Following the presentation Members were given the opportunity to ask questions or seek points of clarification on the Strategy.

Members were advised that the Strategy had been considered by the Brigade Management Team at its meeting in September 2003 when it was agreed that it be endorsed and referred to the Fire Authority with a recommendation that it be approved.

In response to a specific question Mr Ball confirmed that work is progressing on a Members programme to give greater access to E-Mail, Intranet but more especially the Blackberry PDA, an example of which was produced at the meeting and is currently being used by Principle Officers. The Brigades Information Systems Steering Group will consider a report on the outcome of the further investigations and progress reports will be presented to future Fire Authority meetings.

**RESOLVED: That the IT and Communications Strategy 2004 be approved and adopted.**

### **3.13/03            2004/2005 BUDGET – IMPLICATIONS OF THE LOCAL GOVERNMENT ACT 2003**

The Authority was informed (Agenda item 14 – not reproduced) of the implications of the Local Government Act 2003.

The Local Government Bill, which received Royal Assent on 18 September 2003, contains many significant changes to the financial arrangements for Combined Fire Authorities. In summary the Authority will:

- ◆ Become a Precepting Authority in its own right from April 2004 and will receive revenue support grant direct, set its own Council Tax, appear separately on council tax bills, be subject to the capping regime for the first time, produce its own council tax leaflet and consult residents and businesses on the level of Council Tax.
- ◆ Be required to set up reserves in its first year, which will be essential, as the Authority will no longer be able to produce a supplementary estimate during the year. As the Unitary Authorities are not obliged to hand over a share of their reserves to the Fire Authority, there may well be a budget demand of at least £500,000 to set up adequate reserves.
- ◆ The Basic and Supplementary Credit Approvals have been abolished and replaced by a new regime where all local authorities are free to determine their own borrowing levels providing they can afford to service the resulting debt. In order to calculate how much debt the Authority will be able to afford to repay, there is now a new requirement for Authorities to agree a robust three-year Budget Plan each year.



The first meeting of the Budget Working Party is scheduled to take place on Monday 27 October 2003 and a report on the preliminary Budget figures will be presented to the Authority meeting in December 2003.

As the Authority will now be required to set its Budget by 28 February each year, rather than the preceding December, an additional Fire Authority meeting has already been arranged for Wednesday 11 February 2004 to set the 2004/2005 Budget and Council Tax.

The Authority Treasurer advised Members that he would be meeting with the District Auditor on Monday 27 October to discuss the implications of setting up a Reserve Account.

**NOTED**

### **3.14/03            2003/2004 BUDGET MONITORING**

The Authority was informed (Agenda item 15 – not reproduced) of the Revenue and Capital Expenditure against Budgets up to 31 August 2003 as presented in Appendices A and B respectively (not reproduced).

**NOTED**

### **3.15/03            REPEAL OF SECTION 19 OF THE FIRE SERVICES ACT 1947**

The Authority was advised (Agenda item 16 – not reproduced) that the Chief Fire Officer has been informed by the ODPM that, having received Royal Assent on 18 September 2003, Section 121 of the Act repeals Sections 19(3) to (6) and 19(8) of the Fire Services Act 1947 and paragraph (a) of Section 7(2) of Services Act 1959 in respect of England and Wales.

The effect of these changes is to remove the requirement on a Fire Authority to provide information on its establishment scheme by closing a Fire Station or reducing and/or moving the number of fire appliances or fire-fighting posts. It also removes the Secretary of State's power in relation to the making of establishment schemes, and powers to order local public enquiries for the purposes of functions under Section 19.

Prior to the adoption of the Integrated Risk Management Plan for Berkshire, any proposals to amend Fire Cover will be decided by the Fire Authority taking into account normal consultation arrangements and advice of the ODPM. Establishment changes, which are not directly related to the provision of Fire Cover, will be dealt with in accordance with the existing arrangements including where appropriate, the Scheme of Delegation to Officers.

**NOTED**



### **3.016/03      EXTRICATION COMPETITION 2003 UPDATE**

The Authority was advised (Agenda item 17 – not reproduced) of the Brigade's involvement and results achieved in the vehicle extrication competitions held during 2003 involving the British National Competition and the International World Extrication Challenge in Dallas during August and the World Rescue Challenge in Ottawa in October 2003.

The success of the Team has led to support being received from some national sponsors such as O2, Airwave and W L Gore together with a feature in the August edition of Top Gear Magazine. Despite the Team's success in attracting sponsorship they nevertheless gratefully acknowledge and recognise the financial assistance granted by the Authority, without which it would not be possible to compete in overseas competitions.

The Brigade will be hosting the UKRO National Extrications Challenge during August 2004 in Reading and progress reports will be presented to future Fire Authority meetings. The 2004 World Rescue Challenge is being held in Plymouth UK in June and the Slough Team have qualified to compete. The next International World Extrication Challenge is not being held until 2005.

The Chairman, on behalf of Members, wish to place on record his sincere congratulations to the Teams for their achievements in all competitions.

**NOTED**

### **3.17/03      FIRES, INCIDENTS AND ISSUES OF INTEREST**

The Authority received a report (Agenda item 18 – not reproduced) which summarised some of the notable incidents attended, together with letters of appreciation received, by the Brigade during the period 3 June and 15 September 2003. In response to a request the Chief Fire Officer agreed to advise Councillor D J Wilson, in his capacity as Chairman of Maidenhead CAB, and Authority Members from Slough on the outcome of the investigation into the fire at the CAB Offices in Slough

**NOTED**

### **3.18/03      DATE OF NEXT MEETING**

Members were advised that the next Fire Authority meeting is scheduled to take place on **Wednesday 17 December 2003 in the Council Chamber, Reading Borough Council, Civic Centre, Reading commencing at 6.30pm.**

**NOTED**



### 3.19/03 EXCLUSION OF THE PUBLIC

**RESOLVED:** That under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the paragraphs of Part I of Schedule 12A of the said Act indicated:

	<b>Agenda Item</b>	<b>Paragraph</b>
21	Part II Minutes: Wednesday 25 June 2003	1,7 & 8
22	Appeals to Employment Appeals Tribunals	1

*(Note: The following is a summary of the items considered in the Part II Agenda of the Fire Authority meeting held on Tuesday 21 October 2003).*

### 3.20/03 PART II MINUTES: 25 JUNE 2003

The Part II Minutes of the last meeting held on Wednesday 25 June 2003 were received and approved as a correct record.

### 3.21/03 APPEALS TO EMPLOYMENT APPEALS TRIBUNALS

Members were advised of the current position of appeals to Employment Appeals Tribunals involving the Fire Authority.

*Note: At the conclusion of the meeting and at the request of the Chairman, the Clerk and Monitoring Officer advised Members of the reasons why the report on the recommendations of the Structure Review Working Party on possible changes to the Fire Authority's Committee structure had not been presented in accordance with the Working Party's decision at its last meeting.*



**AGENDA ITEM 3: PART I MINUTES OF SUB-GROUPS**

**To:** Royal Berkshire Fire Authority  
**Date:** 17 December 2003  
**Officer Contributing:** Clerk & Monitoring Officer

**A PURPOSE OF REPORT**

To advise Members on meetings of the Fire Liaison Group, Structure Review Working Party and IRMP Working Party that have taken place since the last meeting of the Fire Authority in October 2003.

**B PROPOSED ACTION**

The Authority is invited to **NOTE** the report.

**C FINANCIAL IMPLICATIONS**

There are no financial implications.

**D SUPPORTING INFORMATION**

1 The following meetings have taken place since the last Fire Authority meeting in October 2003:

**Structure Review Working Party** Tuesday 11 November and Tuesday 2 December 2003

**IRMP Working Party** *Next Meeting – Tuesday 24 February 2004*

**Fire Liaison Group** Monday 1 December 2003

2 Copies of the Part I Minutes (if available) can be obtained from David Weller on (0118) 932 2288) – E-Mail address: [wellerd@rbfrs.co.uk](mailto:wellerd@rbfrs.co.uk)

**E BACKGROUND PAPERS**

Agenda's and Minutes for the above mentioned meetings

**Contact Officer:** David R Weller (0118) 932 2288



**AGENDA ITEM 8: ELECTION OF FIRE AUTHORITY CHAIRMAN  
AND VICE-CHAIRMAN FROM 1 JANUARY 2004**

**To:** Royal Berkshire Fire Authority  
**Date:** 17 December 2003  
**Officer Contributing:** Clerk & Monitoring Officer

**A PURPOSE OF REPORT**

To elect a Chairman and Vice-Chairman of the Royal Berkshire Fire Authority for the period 1 January until 29 June 2004.

**B PROPOSED ACTION**

The Authority is invited to RESOLVE: That:

1. Councillor .....be elected Chairman of the Royal Berkshire Fire Authority for the period 1 January to 29 June 2004.
2. Councillor .....be elected Vice-Chairman of the Royal Berkshire Fire Authority for the period 1 January to 29 June 2004.

**C FINANCIAL IMPLICATIONS**

There are no financial implications.

**D SUPPORTING INFORMATION**

- 1 Members will recall that at its meeting on Wednesday 23 June 2003, the Fire Authority decided to only elect its Chairman and Vice-Chairman until 31 December 2003 in view of the fact that a new Committee structure may be adopted with effect from 1 January 2004.
- 2 As this is the last Fire Authority meeting before the New Year, Members are asked to elect a Chairman and Vice-Chairman of the Fire Authority for the period 1 January to 29 June 2004. The Authority's Annual meeting is scheduled to take place on Wednesday 30 June 2004.
- 3 If Members decide to adopt the new Committee structure then the election of a Chairman and Vice-Chairman of the Executive Committee and Overview and Scrutiny Committee will be dealt with at the inaugural meeting of each Committee in accordance with past practice. If however Members decide not to adopt the new Committee structure it will still be necessary to appoint a Chairman and Vice-Chairman of the Authority for the remainder of the ensuing year.

**E BACKGROUND PAPERS**

None

**Contact Officer:** David R Weller (0118) 932 2288







**F BACKGROUND PAPERS**

- 1 Local Government Finance Act 1982
- 2 Accounts and Audit Regulations 2003
- 3 Statement of Accounts 2002/03.

**Contact Officer:**

Andrew Vallance

(0118) 932 2251



Annual Audit Letter  
**Royal Berkshire Fire  
 Authority**

# APPENDIX 1

## INSIDE THIS LETTER

### PAGE 2-3

- Key messages
- The purpose of this Letter
- Audit objectives
- Background to the audit

### PAGES 3-8

- Performance management
- Financial aspects of corporate governance
- Accounts
- Audit fee

### PAGE 9

- Future audit work
- Status of our Annual Audit Letter to the Authority
- Closing remarks

<b>Reference:</b>	Royal Berkshire Fire Authority
<b>Authors:</b>	Stephen Taylor, District Auditor Hassan Rohimun, Audit Manager
<b>Date:</b>	October 2003



## Key messages

### Performance management

*The Authority continues to develop its performance management and monitoring systems and the proactive self assessment against the EFQM model is to be commended.*

*Whilst the Authority has good overall arrangements for collecting and publishing performance information it should ensure that in all cases targets are challenging and aim to deliver year on year service improvement.*

### Financial Standing

*The Authority's financial standing at the year-end reflects satisfactory overall control of spending and the expenditure for 2002/03.*

*For 2003/04 a key pressure on the Authority's financial position is the implementation of the fire-fighters pay settlement. As the budget was based on a 3% increase with effect from November 2003 there is potentially a £180,000 additional cost associated with a 7% increase. Given the uncertainty of this and other potential costs of modernisation, it is important that the Authority develops a medium term budget strategy that can accommodate contingencies and avoid shortfalls.*

*The strategy should include sufficient reserves to enable the Authority to meet the potential risks which need to be assessed to ensure there is no unnecessary call on local tax payers.*

### Accounts

*Following our review of the final accounts we anticipate issuing an unqualified opinion on the accounts.*

## The purpose of this letter

This letter summarises for Members the conclusions and significant issues arising from our 2002/03 audit programme. It also comments on other current issues.

Auditor's responsibilities are summarised in the Audit Commission's statement of key

responsibilities of auditors. What we say in this letter should be viewed in the context of that more formal background.

## Background to the audit programme

The demand on the Authority to respond to the challenges of various national and local issues continues. Issues facing the Authority this year include:

- The national fire-fighters industrial dispute
- Ensuring attendance time targets are met in responding to incidents (in 2002/03 the standards were met on 91.9 per cent of occasions).
- Major investment in buildings.
- Continued development of performance management and Best Value.
- The production of an Integrated Risk Management Plan (IRMP)

## Objectives

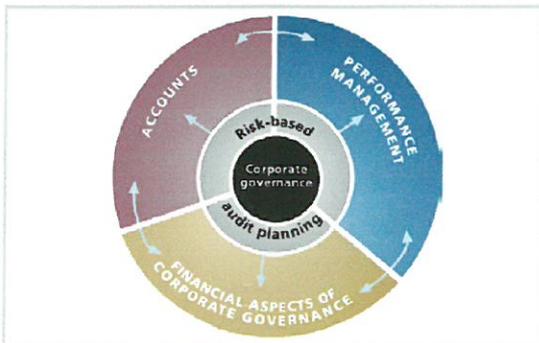
Our main objective as your appointed auditor is to plan and carry out an audit that meets the requirements of the Code of Audit Practice. We adopt a risk-based approach to planning our audit, and our audit work has focused on your significant financial and operational risks that are relevant to our audit responsibilities.

Central to our audit are your corporate governance arrangements. Our audit is then structured around the three elements of our responsibilities as set out in the Code and shown in Exhibit 1.



## EXHIBIT 1

## The three main elements of our audit objectives



## Accounts

- Opinion.

## Financial aspects of corporate governance

- Financial standing.
- Systems of internal financial control.
- Standards of financial conduct & the prevention and detection of fraud and corruption.
- Legality of transactions.

## Performance management

- Use of resources.
- Performance information.
- Best Value Performance Plan.

## Performance management

*The Authority continues to develop its performance management and monitoring systems and the proactive self assessment against the EFQM model is to be commended.*

*Whilst the Authority has good overall arrangements for collecting and publishing performance information it should ensure that in all cases targets are challenging and aim to deliver year on year service improvement.*

## Performance Management

The Authority has good overall arrangements to manage performance and this includes the level of Member involvement. The corporate plan sets out the service aims and objectives which are

then broken down into targets with identifiable responsibilities. These are incorporated into departmental plans which are cascaded down into personal development plans.

The Authority has good processes in place to monitor progress against the strategic plan with Directorate plans being updated electronically to reflect progress, thereby automatically updating the authority's Strategic Plan.

Whilst the Authority has a good performance management framework in place it has also been proactive in undertaking a detailed self assessment against the European Foundation for Quality Management's (EFQM) excellence model. This review has identified further scope for improvement and action is now being taken to address the issues identified.

## Best Value

In the light of the modernisation agenda, the authority is reviewing its approach to Best Value reviews to achieve a more strategic approach. This will link to the IRMP framework by focusing on outputs and processes rather than services. and will complement the EFQM process. A workshop to examine the BVR programme has been scheduled for December 2003, and the Authority anticipates having the new approach in place for April 2004.

Our review of the implementation of two Best Value reviews, Control & Communications and Damage Control, found that progress was satisfactory with officers being able to provide summaries of progress made against required actions. There were some cases where action had not been taken or delayed as they were significantly affected by the White Paper. Examples of delayed actions include:

- Providing a permanent location for secondary control.
- The feasibility of joint Damage Control working with neighbouring fire authorities.

The Authority will need to ensure that where specific actions have been delayed they are kept under review and revised once the full effect of the new legislation is known.



## Best Value Performance Plan

Our statutory review of the 2002/2003 Best Value Performance Plan found that it complied in all significant respects with legislation and statutory guidance.

Having completed our statutory audit of your 2003/04 Best Value Performance Plan we are able to issue our opinion and statutory BVPP report. These are included in this letter at Appendix 1.

## Performance information

Through its use of PBViews the Authority has good overall arrangements for collecting and publishing performance information. Whilst our testing found that reported information could be agreed to the performance management system we noted that there was scope to ensure:

- All targets set are challenging and aim for service improvement.
- The plan includes details of longer term targets.
- All required information is published, as in the case of two indicators the required information was not published.

## Risk management

The White Paper will place new responsibilities on the Authority to make judgements on the basis of risk assessment and decide the best ways to manage these risks, looking at prevention, enforcement and response management. Through the *Integrated Risk Management Plan* (IRMP) the authority will demonstrate how they are exercising these responsibilities, and the key measure of good performance and success will be the outcome in terms of community safety.

The plan should:

- provide an objective assessment of the risk to life, property and the environment
- identify actions which need to be taken to minimise the risks
- include a measurable action plan which details how the Authority will be addressing the identified risks

Having recently published its first IRMP and action plan it will be a challenge for the

Authority to ensure the measures identified within the plan are achieved.

## IM&T Arrangements

Effective information and communications technology arrangements are important business assets fundamental to the Authority's delivery of front-line services and to the efficient operation of its support services. In addition, the Government is committed to promoting continuous improvement in Local Government services through Electronic Service Delivery (ESD) and has set targets of having 25% of services capable of electronic delivery by 2002 and 100% by 2005.

A failure to grasp fully the potential of technology to support the E-Government agenda could seriously inhibit the Authority's ability to improve its service delivery.

We are currently in the process of undertaking a review of your overall IM&T arrangements.

## Financial aspects of corporate governance

### Financial standing

*The Authority's financial standing at the year-end reflects satisfactory overall control of spending and the expenditure for 2002/03.*

*For 2003/04 a key pressure on the Authority's financial position is the implementation of the fire-fighters pay settlement. As the budget was based on a 3% increase with effect from November 2003 there is potentially a £180,000 additional cost associated with a 7% increase. Given the uncertainty of this and other potential costs of modernisation, it is important that the Authority develops a medium term budget strategy that can accommodate contingencies and avoid shortfalls.*

*The strategy should include sufficient reserves to enable the Authority to meet the potential risks which need to be assessed to ensure there is no unnecessary call on local tax payers.*



### Financial Position – General Fund

The Authority's expenditure for 2002/03 met the budgeted expenditure of £23.89 million.

Provisions at 31 March 2003 amounted to £1.09 million, which included £1.08 million for future costs arising on the fire-fighters pension scheme.

### Financial Position - Capital

Capital expenditure in 2002/03 totalled £0.91 million compared to budgeted expenditure of £1.02m. The main reasons for variations between the budgeted and actual performance are:

- An extra £249,000 was spent on building related projects. This increase on budget was offset by a saving of £252,000 on the vehicle replacement programme as a result of expenditure being deferred to future years and £36,000 less expenditure on IT related projects.

### 2003/2004 Forecast

For the financial year 2003/04 the Authority increased its budget requirement by £2.27 million to £26.16 million, this amounts to an increase of 9.5 per cent. As is the case with most fire authorities, budgets are above the Government's spending assessment, and in the case of the Royal Berkshire Fire Authority, the budget is £0.47 million or 1.85% above the Formula Spending Share (FSS).

At the October 2003 meeting of the Budget Working Party Members were informed that *"The budget was drawn up on the basis of a 4% pay increase for fire-fighters from November 2003. If the settlement was for a 7% rise the additional cost, if not met by efficiency savings would a part year effect of £180,000 on the Authority pay bill."* At this stage, it has not been possible to identify any savings and therefore there will be pressure on the budget. Whilst recognising that the achievement of savings is a challenge, it remains important for Directors to have regard to how all services can be provided differently or more efficiently and therefore be able to report to Members on the benefits and costs, both qualitative and quantitative, of any potential change.

### The future

There are a number of financial pressures facing local authorities and fire authorities in particular. Key issues which will have a significant impact on the future financial position of the Authority are:

- With effect from April 2004 the Authority will become a precepting authority. As such you will receive revenue grant directly from the Government, be bound to your own level of Authority Tax and be potentially subject to capping by Government.
- The new capital finance regime will allow authorities to determine their own borrowing levels providing they can afford to service the resulting debt. The level of affordable debt will need to be determined in accordance with the CIPFA Prudential Code.

With the growth needs of the service and the potential for costs associated with modernisation before benefits are realised, there will be continued pressure on the annual budget. A key element of the new precepting status of the Authority will be the requirement on Members to ensure that are sufficient reserves to meet the potential risks which the Authority may face. In order to come to a figure which does not provide an unnecessary call on local tax payers Members will need to undertake a robust risk assessment of the overall financial position as part of the medium term financial strategy.

### Systems of internal financial control

*On the basis of our work, we are satisfied that overall adequate systems of internal financial control are in place.*

Internal Audit represents a significant part of your internal financial control arrangements and we rely as far as possible on their work. Our review of Internal Audit work concluded that its coverage met CIPFA requirements and overall we were able to place reliance on the work of Internal Audit for your core financial systems. Our work then focussed on a review of your overall arrangements for financial stewardship. On the basis of our work, we are satisfied that other aspects of your internal financial control arrangements are satisfactory.



## Standards of financial conduct & prevention and detection of fraud and corruption

*Arrangements for preventing and detecting fraud and corruption are satisfactory.*

On the basis of our work we concluded that your overall arrangements for prevention of fraud and corruption were satisfactory.

### National Fraud Initiative

Since its inception, in 1996, the National Fraud Initiative (NFI) has been widely recognised as probably the most successful use of IT based data matching in fraud investigation in the public sector. In 2002, for the first time, all health bodies and fire authorities were required to participate. The NFI provides a cost effective means of gathering actionable intelligence, using electronic manipulation of existing information.

The NFI 2002 involved matching data across 1100 public bodies in the public sector who were asked to provide data extracts to the Audit Commission in Autumn 2002.

Our work has been completed, and a final return has already been sent to the Audit Commission's NFI team ahead of the December deadline. We concluded that the Authority has responded positively to NFI 2002. The work was well planned and controlled by the Head of Finance, and no fraudulent activity was identified.

### Legality of transactions

*From the work done to date, we are satisfied with the Authority's arrangements for ensuring the legality of transactions with financial consequences.*

During the year we have held discussions with Officers and have reviewed the Authority's overall arrangements. There are no issues to report to Members.

Furthermore, no matter relating to the accounts for the year ending March 2003 has been raised by members of the public.

## Accounts

*We anticipate giving an unqualified audit opinion on the Authority's financial statements by December.*

Members approved the Authority's financial statements in advance of the 30 September deadline. Having concluded our audit we will be issuing an unqualified audit opinion in December.

Our work on the audit is nearing conclusion and on the basis of our work to date there are no issues which we wish to draw to Members attention.

### Reporting to the Authority

There is a new auditing standard which applies to our audit of your accounts - Statement of Auditing Standard (SAS) 610 'Reporting to those charged with governance'. This requires us to report issues arising from our audit to the Fire Authority before we give our audit opinion on your financial statements.

In previous years we have discussed such issues solely with, but the new requirement encourages openness and accountability by ensuring that Members take responsibility for the Authority's accounts.

We anticipate reporting any relevant matters to Members under SAS 610 in December 2003.

## Audit fee

The proposed fee for the 2002/04 audit was set out in our audit plan agreed at the start of audit, and is repeated in the table below. The work remains in progress and we will provide explanations of any variances as they arise.

Members should note that in order to bring the Audit Commission financial year in line with local authorities, the current plan covers the period from November 2002 to March 2004. In this time we will deliver two statutory audits and two annual audit letters.



**Audit fee for 2002/03 and 2003/04**

Audit area	02/03 £	03/04 £
Accounts	13,750	14,500
Financial aspects of corporate governance	7,750	8,200
Performance	9,300	18,600
TOTAL CODE OF AUDIT PRACTICE AUDIT FEE	30,800	41,300

**Future audit work**

Our audit programme for 2003/04 is included in the Audit Plan 2002-04 which was issued in March 2003. We will discuss the timetable for planning the 2004/05 audit with Officers early in 2004.

The national pay agreement set out a five stage award over the period from 2002 to 2006. This included verification by the Audit Commission that the intended benefits (including any savings where appropriate) of the various national changes are being delivered locally. In considering how best to meet this request the Commission is proposing to carry out a study in two phases, covering the stages of the pay award at 7 November 2003 and 1 July 2004, under section 33 of the Audit Commission Act 1998. The study will require auditors to review and form an assessment of progress in implementing the modernisation agenda, covering;

- production of an Integrated Risk Management Plan
- implementation of the new pay structure
- progress in implementing an Integrated Personal Development System
- progress on ability to use pre-planned overtime;
- progress in reviewing duty systems;
- progress in introducing part-time working for all employees;
- the introduction of other conditions of service (per the new 'grey book');
- use of the revised disputes procedure;

- progress on the change agenda as set out in the introduction to the pay agreement, setting out the responsibilities of the fire service.

**Status of our Annual Audit Annual Letter**

Our Annual Letter is prepared in the context of the Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission. The Letter is prepared by the appointed auditor and is addressed to Members and Officers. It is prepared for the sole use of the audited body, and no responsibility is taken by auditors to any Member or Officer in their individual capacity, or to any third party.

**Closing remarks**

This Letter will be discussed and agreed with senior Officers and Members at the meeting of Authority on 17 December 2003.

Finally, I would like to take this opportunity to express our appreciation for the assistance and co-operation provided during the course of the work. Our aim is to deliver a high standard of audit which makes a positive and practical contribution. We recognise the value of your co-operation and support.

Stephen Taylor  
District Auditor

Date November 2003



## Auditor's Statutory Report on the Best Value Performance Plan

### Auditor's Report to Royal Berkshire Fire Authority on its Best Value Performance Plan for 2003/04

#### Certificate

I certify that I have audited Royal Berkshire Fire Authority's best value performance plan in accordance with section 7 of the Local Government Act 1999 (the Act) and the Audit Commission's Code of Audit Practice. I also had regard to supplementary guidance issued by the Audit Commission.

#### Respective Responsibilities of the Authority and the Auditor

Under the Act the Authority is required to prepare and publish a best value performance plan summarising the Authority's assessments of its performance and position in relation to its statutory duty to make arrangements to secure continuous improvement to the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

The Authority is responsible for the preparation of the plan and for the information and assessments set out within it. The Authority is also responsible for establishing appropriate performance management and internal control systems from which the information and assessments in its plan are derived. The form and content of the best value performance plan are prescribed in section 6 of the Act and statutory guidance issued by the Government.

As the Authority's auditor, I am required under section 7 of the Act to carry out an audit of the best value performance plan, to certify that I have done so, and:

- to report whether I believe that the plan has been prepared and published in accordance with statutory requirements set out in section 6 of the Act and statutory guidance and, where appropriate, recommending how the plan should be amended so as to accord with statutory requirements;
- to recommend:
  - where appropriate, procedures to be followed in relation to the plan
  - whether the Audit Commission should carry out a best value inspection of the Authority under section 10 of the Act
  - whether the Secretary of State should give a direction under section 15 of the Act.

#### Opinion

##### Basis of this opinion

For the purpose of forming my opinion whether the plan was prepared and published in accordance with the legislation and with regard to statutory guidance, I conducted my audit in accordance with the Audit Commission's Code of Audit Practice. In carrying out my audit work, I also had regard to supplementary guidance issued by the Audit Commission.

I planned and performed my work so as to obtain all the information and explanations, which I considered necessary in order to provide an opinion on whether the plan has been prepared and published in accordance with statutory requirements.



In giving my opinion I am not required to form a view on the completeness or accuracy of the information or the realism and achievability of the assessments published by the Authority. My work therefore comprised a review and assessment of the plan and, where appropriate, examination on a test basis of relevant evidence, sufficient to satisfy me that the plan includes those matters prescribed in legislation and statutory guidance and that the arrangements for publishing the plan complied with the requirements of the legislation and statutory guidance.

#### **Opinion**

In my opinion, Royal Berkshire Fire Authority has prepared and published its best value performance plan in all significant respects in accordance with section 6 of the Local Government Act 1999 and statutory guidance issued by the Government.

#### **Recommendations on referral to the Audit Commission/ Secretary of State**

I am required each year to recommend whether, on the basis of my audit work, the Audit Commission should carry out a best value inspection of the Council or whether the Secretary of State should give a direction.

#### **On the basis of my work:**

- I do not recommend that the Audit Commission should carry out a best value inspection of Royal Berkshire Fire Authority under section 10 of the Act
- I do not recommend that the Secretary of State should give a direction under section 15 of the Act.

**Signature** ..... **Date** .....







5. To appoint Members to the following Committees based on the decisions made in respect of the overall allocation of Committee places and how the total number of Committee places will be proportioned between the three Political Groups:

**Executive Committee**

Conservative:.....  
 Liberal/Democrat:.....  
 Labour:.....

**Overview and Scrutiny Committee**

Conservative:.....  
 Liberal/Democrat:.....  
 Labour:.....

**Disciplinary, Appeals and Grievance Committee (DAG)**

Conservative:.....  
 Liberal/Democrat:.....  
 Labour:.....

**C FINANCIAL IMPLICATIONS**

Apart from the possibility that there may be some resource implications in respect of the Overview and Scrutiny Committee there are no financial implications arising from the report.

**D CONTRIBUTION OF THE STRATEGIC PLAN**

There is no contribution to the Strategic Plan

**E ASSESSMENT AGAINST THE PARTNERSHIP FOR COMMON SENSE**

There is no direct impact on the Partnership for Common Sense as the consultation machinery will be maintained.

**F SUPPORTING INFORMATION**

1. The Structure Review Working Party was established by the Fire Authority at its meeting on Wednesday 25 June 2003 and has met on 3 and 29 September, 11 November and 2 December 2003 to consider possible changes to the Authority's Committee structure.
2. To assist Members in understanding the deliberations of the Working Party, copies of the Minutes of the four meetings together with some of the reports considered is attached at the end of this report as **Appendix A** for information.



3. The Working Party has also considered the Rules on Political Proportionality and the duty of the Authority to allocate places on its Committees in accordance with the Overriding Principles of the Local Government and Housing Act 1999 and the Local Government (Committees and Political Groups) Regulations 1990.
4. The following is therefore a summary of the ensuing discussions that took place at the Working Party meeting on Tuesday 1 December 2003 in respect of the issues identified in Resolution 4 above together with the recommendations put forward for consideration and approval by the Fire Authority:

#### **The Total Allocation of Committee Places**

5. The Fire Authority currently has twenty-five members, of whom ten are Conservatives, 9 Liberal/Democrats and 6 Labour. The allocation of seats to Political Groups will vary depending on the total number of Committee places as well as the size of each Committee.
6. The question of whether the Fire Authority should be politically proportioned or not was discussed in some detail by the Working Party. Members are however advised that if they are minded to approve that the allocation of Committee places should be based on the non political proportionality basis it would require a unanimous decision of the Authority. In addition it would be necessary for the Notice of Meeting to include a note to the effect that the Fire Authority is to consider a Committee Structure that does not conform to the Overriding Principles of the Local Government and Housing Act 1999 and the Local Government (Committees and Political Groups) Regulations 1990.
7. The following two recommendations were therefore agreed by the Working Party for consideration by the Fire Authority:

- 4 The overall allocation of Committee places be reduced to 15 based on the following proportionality allocation:

Total No. of Committee Places	Conservative	Liberal/Democrat	Labour
15	6	5	4

- 5 The overall allocation of Committee places be 17 as set out in the original report and based on the following politically proportioned allocation:

Total No. of Committee Places	Conservative	Liberal/Democrat	Labour
17	7	6	4

8. If however Members are minded to adopt the non political proportionality allocation then it will be necessary to rearrange the figures to accommodate this.



### The Size of Each Committee

9. Having taken into account the recommendations in respect of the total number of Committee places the Working Party considered Tables 3-7 of the report presented which set out how the total number of Committee places would be proportioned between the three Political Groups in the event that the Authority decided on an overall allocation of 17. The following two recommendations were therefore approved for consideration and determination by the Authority:

1. That in the event of the Fire Authority supporting a total number of 15 Committee places then they be allocated in accordance with one of the following options. Members are advised however that the Working Party support Option 1 which is the non-proportional option:

#### Option 1

Committee	Conservative	Liberal/ Democrat	Labour	Total
Executive	2	2	2	6
DAG	1	1	1	3
Overview and Scrutiny	2	2	2	6
Total	5	5	5	15

#### Option 2

Committee	Conservative	Liberal/ Democrat	Labour	Total
Executive	2	2	2	6
DAG	1	1	1	3
Overview and Scrutiny	3	2	1	6
Total	6	5	4	15

#### Option 3

Committee	Conservative	Liberal/ Democrat	Labour	Total
Executive	3	2	1	6
DAG	1	1	1	3
Overview and Scrutiny	2	2	2	6
Total	6	5	4	15







# ROYAL BERKSHIRE FIRE AUTHORITY



Headquarters · 103 Dee Road · Tilehurst · Reading · Berkshire · RG30 4FS  
Telephone Reading (0118) 945 2888 Facsimile (0118) 959 0510

Your reference:

My reference: RBFA/DRW  
(please quote on all correspondence)

When calling ask for: David R Weller  
Direct Line: (0118) 932 2288  
E-Mail: [wellerd@rbfrs.co.uk](mailto:wellerd@rbfrs.co.uk)

Date: 11 December 2003

Dear Member

## **AGENDA FOR MEETING OF ROYAL BERKSHIRE FIRE AUTHORITY – APPENDICES MARKED TO FOLLOW**

I refer to the Agenda for the Fire Authority meeting on Wednesday 17 December 2003 and attach a copy of Appendix 1 (Timetable of Meetings) and Appendix 2 (Terms of Reference) referred to in paragraphs 10 and 11 respectively of Agenda item 10.

Please include these additional documents with your papers for the meeting and accept my apologies that I omitted to refer to the fact that they were marked to follow in the original report.

Yours sincerely

A handwritten signature in cursive script that reads 'David'.

David R Weller  
Committee Administrator

To: All Members of the Royal Berkshire Fire Authority







# APPENDIX 1

## PROPOSED SCHEDULE OF MEETINGS EXECUTIVE COMMITTEE, OVERVIEW AND SCRUTINY COMMITTEE AND FIRE AUTHORITY FEBRUARY 2004 TO JUNE 2005

<b>Executive Committee (two monthly cycle)</b>	<b>Overview and Scrutiny Comm (if required)</b>	<b>Combined Fire Authority all at 6.30pm</b>
<b>Thursday 22 January</b>	<b>Thursday 5 February</b>	<b>11 February 04*</b>
<b>Tuesday 2 March</b>	<b>Wednesday 10 March</b>	<b>17 March 04*</b>
<b>Tuesday 1 June</b>	<b>Tuesday 15 June</b>	<b>30 June 04*</b>
<b>Wednesday 14 July</b>	<b>Wednesday 21 July</b>	
<b>Wednesday 22 September</b>	<b>Wednesday 29 September</b>	<b>13 October 04</b>
<b>Wednesday 24 November</b>	<b>Tuesday 30 November</b>	<b>15 December 04</b>
<b>Tuesday 25 January 05</b>	<b>Tuesday 1 February 05</b>	<b>9 February 05</b>
<b>Wednesday 9 March 05</b>	<b>Monday 14 March 05</b>	<b>23 March 05</b>
<b>Wednesday 8 June 05</b>	<b>Wednesday 15 June 05</b>	<b>29 June 05</b>

\*Dates already approved by Fire Authority in December 2002







## APPENDIX 2

### THE ROYAL BERKSHIRE FIRE AUTHORITY THE FULL COUNCIL OF THE FIRE AUTHORITY

#### Functions of the Fire Authority

Only the Full Council of the Fire Authority will exercise the following functions and responsibilities:

- F1 Making, agreeing and/or amending the Authority's Standing Orders and Terms of Reference for its Standing Committees including deciding upon their composition and making appointments to them;
- F2 Appointing the Chair and Vice-Chair of the Authority
- F3 Approving and adopting the Capital and Revenue budget;
- F4 Setting the authority's Precept;
- F5 Any major item of expenditure over £30,000 that is not identified in the annual budget;
- F6 Appointing and revoking the appointment of any member or individual to:
  - i. Any office other than an office in which he or she is employed by the Authority;
  - ii. Any other outside body, organisation or a joint committee of two or more authorities;
  - iii. Any committee or sub committee of such body, organisation or joint committee of two or more authorities;
- F7 Changing the name of the Authority from "The Royal Berkshire Fire and Rescue Service";
- F8 Confirming and/or terminating the appointment of the Chief Fire officer, the Head of Paid Service, the Clerk and Monitoring Officer and the Treasurer;
- F9 Approving, amending and adopting the Authority's Policy Framework including (but not exclusively) the following areas of policy;
  - i. Strategic Plan
  - ii. Community Safety Plan
  - iii. Performance Plan
  - iv. Best Value Plan
  - v. Annual Report
  - vi. Corporate Plan
  - vii. IT & Communications Strategy
  - viii. Integrated Risk Management Plan
- F10 All other matters which, by law, must be reserved to the council of the Fire Authority



**THE ROYAL BERKSHIRE FIRE AUTHORITY**  
**Power and Duties of Committees**  
**and Authorisation of Officers**

**GENERAL**

**Total Number of Committee Places**

The total number of Committee places shall be nominated by the Political Groups in numbers defined in the following Table and in the event of the political balance of the Authority changing then the Table be amended accordingly:

<b>Committee</b>	<b>Conservative</b>	<b>Liberal/Democrat</b>	<b>Labour</b>
<b>Executive</b>	**		**
<b>DAG</b>	**	**	**
<b>Overview and Scrutiny</b>	**	**	**
<b>Total</b>	**	**	**

**\*\* Figures to be inserted when Fire Authority has determined the total number Committee places**

**Terms of Reference**

G1 The acts and proceedings of every committee and sub committee shall be submitted to the Fire Authority or parent committee as the case may be, for confirmation, except where a committee or sub-committee act under powers delegated to them by or with the authority of the Fire Authority, when their acts and proceedings shall be submitted for report only although a minute may be “not received” as a mark of disapproval.

All powers listed in the Terms of Reference are delegated to the committees except where there is a requirement to submit a recommendation to the Fire Authority or another Committee. All delegated powers shall in any event, be subject to the condition that either a major departure in policy or principle or any major formulation of new policy or principle which would affect the use of the Fire Authority’s resources or conflict with the provisions of the Strategic Plan identified in F9 shall be submitted. In all cases a committee or sub-committee exercising delegated powers shall act in accordance with Standing Orders and Financial Regulations and shall give effect to any resolution of the Fire Authority upon matters of policy and principle, but in case of doubt or difficulty, shall submit the matter concerned to the Fire Authority for approval.

G2 In addition to any matters which are specifically delegated from time to time to any committee or sub-committee there shall be delegated subject to any statutory requirement, scheme or order, the following powers:

**The Executive Committee**



- G2.1 To authorise or institute proceedings on behalf of the Fire Authority in a Court of Summary Jurisdiction in relation to offences committed in respect of any of the matters referred to the committee;
- G2.2 To authorise any urgent steps to be taken to defend any proceedings instituted against the Fire Authority in any Court, including the briefing of Counsel, payment of monies into Court and the settlement of actions upon such terms as may seem advisable;
- G2.3 To appoint representatives to attend annual conferences so long as provision in estimates is not exceeded.



## Authorisation of Officers

- G2.4 Where decisions are taken or powers are exercised by officers in pursuance of authorisations given by the Fire Authority or appropriate committees, the following principles and conditions shall apply:
- G2.4.1 Powers shall be exercised in accordance with Standing Orders and Financial Regulations of the Fire Authority;
  - G2.4.2 The officer exercising such a power shall give effect to any resolution of the Fire Authority or appropriate committee upon any matter of principle or policy in relation to the function concerned;
  - G2.4.3 In any case where the officer exercising the power considers that a departure from current policy is likely to be involved, or if the implications are such that the officer considers, after consulting the Chief Fire Officer and the Clerk that reference should be made to members, the matter shall be referred to the appropriate committee for consideration;
  - G2.4.4 All decisions taken by officers in pursuance of authorisation shall, where indicated in the scheme of Delegation to Officers be reported to the appropriate committee for information. Such reports shall be made at the intervals stipulated by the committee concerned.
  - G2.4.5 All delegated powers shall be exercised in consultation with other appropriate Chief Officers;
  - G2.4.6 Decisions on proposed land transactions or contracts involving an employee or member of the Fire Authority shall be made by the relevant committee or sub committee and are expressly excluded from the scheme of Authorisation of Officers;
- G3 Appropriate Chief Officers are authorised to take decisions on all matters falling within the powers of committees when the matter to be decided is certified by the Chief Fire Officer or in the absence of the Chief Fire Officer, his nominated deputy, to be of such urgency that an immediate decision is necessary in the interests of the Fire Authority. Decisions on such matters may only be taken by the appropriate Chief Officers after consultation with the Chairman and Vice-Chairman of the appropriate committee or their substitutes and all such decisions are to be reported to the next meeting of the committee.
- G4 In addition to the matters specifically referred to under each committee; the appropriate Chief Officers or the Clerk are authorised to exercise the following powers and functions:



- G4.1 Expenditure of a routine and recurring nature including the purchase of tools, plant, equipment, furniture and stationery which is provided for in the revenue estimates;
- G4.2 Acceptance of tenders and quotations within the approved estimates as follows:
- i. Where the sum is below £10,000;
  - ii. Where the sum exceeds £10,000, but is under £50,000, subject to the concurrence of the Chairman of the appropriate committee; provided nevertheless that where the lowest tender is not acceptable, the matter must be referred to the appropriate committee for decision;
- G4.3 To make and authorise such visits on Fire Authority business as are necessary, including one day conferences and seminars, so long as provision in estimates is not exceeded;
- G4.4 To institute proceedings on behalf of the FA to recover any debts due to the Fire Authority (including rent arrears) and which are recoverable summarily or in the County Court;
- G4.5 To obtain the opinion of Counsel on any question of doubt or difficulty concerning the Fire Authority's business;
- G4.6 The acceptance, renewal and variation of contracts for the maintenance of equipment and services within the revenue budget;
- G4.7 To institute legal proceedings against persons responsible for damage to Fire Authority property;
- G4.8 To defend any legal proceedings in a court of law, including the appointment of Counsel as appropriate, made necessary by or arising out of a decision of the Fire Authority or committee acting under delegated powers subject to the concurrence of the Chairman and report to committee;
- G4.9 To conduct the Fire Authority's case at Public Inquiries, including the appointment of Counsel as appropriate, arising out of the decisions of the Fire Authority or committee acting under delegated powers;
- G4.10 To institute legal proceedings on behalf of the Fire Authority in respect of any breach of tenancy, covenant or other agreement with the Fire Authority and to serve any preliminary notices necessary for such proceedings subject to consultation with the relevant Chairman and report to committee;
- G4.11 To institute proceedings for the recovery of possession of the Fire authority's land, subject to consultation with the Chairman and report to committee.



**THE ROYAL BERKSHIRE FIRE AUTHORITY  
EXECUTIVE COMMITTEE**

**Terms of Reference**

To discharge all of the functions and responsibilities of the Fire Authority except in so far as such function and/or responsibility or any other matter:

- E1 Has been expressly reserved as a decision of the full council of the Fire Authority; and/or
- E2 Falls within the terms of reference and delegation of any other Committee, sub-Committee or working group of the Authority.

For the avoidance of doubt, the Scheme of Delegation to Officers of the Authority will continue to apply.

**Membership**

The Executive Committee shall have "X" Members.

**Quorum**

The Quorum of the Executive Committee shall be 3 members.

**Non Executive Committee Members Entitlement to Speak**

That all remaining Fire Authority Members receive a copy of the Executive Committee Agenda and be entitled to attend meetings and speak to a particular item at the discretion of the Chairman provided that the Clerk has been advised of his/her intention to speak at least twenty-four hours before the meeting.



**THE ROYAL BERKSHIRE FIRE AUTHORITY  
GRIEVANCE & DISCIPLINARY APPEALS COMMITTEE**

**Terms of Reference**

To hear and determine appeals submitted by any employee [both uniformed and non-uniformed] in accordance with the Authority's disciplinary, grievance and capability rules, policies and procedures.

To make recommendations to the Executive Committee in any case of an appeal where this Committee's decision would have resource implications and/or the Committee decide to recommend a financial payment to the employee.

**Membership**

The Grievance & Disciplinary Appeals Committee shall have 3 Members.

**Quorum**

The Quorum of the Grievance & Disciplinary Appeals Committee shall be 3 members.



## **ROYAL BERKSHIRE FIRE AUTHORITY OVERVIEW AND SCRUTINY COMMITTEE**

### **The Overview and Scrutiny Committee**

The Overview and Scrutiny Committee shall perform all overview and scrutiny functions on behalf of the Authority.

### **Terms of Reference**

- OS1 To review and scrutinise the performance of the Authority its Committees and Sub-Committees and Working Groups in relation to its policy objectives, performance targets and/or particular service areas;
- OS2 To participate in and make recommendations on the development of Authority policy;
- OS3 To be consulted as appropriate on such decisions as those making them see fit before these are made by the Authority or its Committees or Officers;
- OS4 To approve an annual work programme for the Committee to ensure effective use of time and resources;
- OS5 To review the Best Value Programme;
- OS6 To make recommendations to and/or to make a decision to refer back decisions for reconsideration to the Authority Committees, Sub-Committees and Officers;
- OS7 To report direct to the Authority, where it considers it appropriate;
- OS8 To report annually to the Authority on the work undertaken during the year;
- OS9 To make decisions, at the request of the Executive Committee, about the priority of referrals made in the event the volume of such reports creates difficulty for the management of Executive Committee business or jeopardises the efficient running of Authority business;
- OS10 To oversee the involvement of Members in the Best Value Programme, and to receive and consider Best Value improvement plans;



## **Membership**

OS12 The Overview and Scrutiny Committee shall have “X” Members. The Authority will appoint Members at its Annual Meeting. All Councillors except Members of the Executive Committee may be Members of the Overview and Scrutiny Committee. However, no Councillor may be involved in scrutinising a decision in which he/she has been directly involved.

## **Meetings of the Overview and Scrutiny Committee**

OS13 There will be at least five ordinary meetings of the Overview and Scrutiny Committee each year. In addition, extraordinary meetings may be called from time to time, as and when appropriate. The Chair of the Committee has the power to convene additional meetings to consider business or to cancel a meeting for lack of business or to reschedule a meeting, having first consulted with the designated representatives of all groups recognised by the Authority. In addition, extraordinary meetings of the Committee may be called by the Clerk if he/she considers it necessary.

## **Quorum**

OS14 The quorum for the Overview and Scrutiny Committee shall be 3.

## **Work Programme**

OS15 The Overview and Scrutiny Committee will be responsible for setting the Committee’s work programme.

## **Agenda Items**

OS16 Any Member of the Overview and Scrutiny Committee shall be entitled to give notice to the Clerk that he/she wishes an item relevant to the functions of the Committee to be included on the agenda for the next available meeting of the Committee. On receipt of such a request the Clerk will ensure that it is included on the agenda for the next available meeting, having due regard to the Access to Information provisions.

OS17 Any three Members of the Authority who are not Members of the Overview and Scrutiny Committee may give written notice to the Clerk that they wish an item to be included on the agenda of the Committee. If the Clerk receives such a notification, then he/she will include the item for consideration by the Committee on its first available agenda.

OS18 The Overview and Scrutiny Committee will respond, as soon as its work programme permits, to requests from the Authority and or the Executive Committee to review particular areas of the Authority’s activity.



### **Pre-Decision Policy Development and Review of the Corporate Committee**

OS19 The Overview and Scrutiny Committee will contribute to the development of the Authority's policy by identifying and prioritising areas for policy development input. In so doing, it will:

- i. Examine and anticipate issues relevant to the Authority's Strategic Policy Framework;
- ii. Review the Corporate plan and consider which issues/reports/proposals they wish to examine in detail before a decision is made;
- iii. Undertake a detailed examination of any proposal in (ii) above, investigating alternatives, timeframes, costings, consultation processes, seeking background or any other relevant information and formulating recommendations which may be passed to the decision-maker as is appropriate, before the formal decision is made;
- iv. Consult with Members, Chief Officers, Heads of Service or their nominees.

OS20 The Overview and Scrutiny Committee may hold enquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration and may pay to any advisers, assessors and witnesses a reasonable fee and expenses for doing so.

### **Pre-Decision Policy Reports from Overview and Scrutiny Committee**

OS21 Once it has formed recommendations on proposals for policy development, the Overview and Scrutiny Committee will prepare a formal report and submit it to the Clerk for consideration by the Executive Committee;

OS22 The agenda for Executive Committee meetings shall include a standing item for pre-decision policy matters referred to it by the Overview and Scrutiny Committee.

OS23 In preparing reports for Authority and Committee Meetings, Members and Officers will have regard to the comments and issues raised by the Overview and Scrutiny Pre-Decision review process.

### **Review and Scrutiny of Decisions**

OS24 The Overview and Scrutiny Committee may review and scrutinise decisions made and implemented or actions taken in connection with the discharge of any of the Authority's functions.



OS25 In addition to reviewing relevant documentation for these reviews, the Committee may wish to question Members, Chairs of committees, Chief Officers, Heads of Service, or their nominees. In particular the Committee may seek explanations about the following in relation to matters within their remit:

- i. Any particular decision or series of decisions;
- ii. The extent to which the actions taken implement Authority policy; and/or
- iii. Their performance

Members, Chief Officers, Heads of Service or their nominees will be required to attend, where:

- i. The Chair of the committee informs the Clerk of the request in writing or electronically
- ii. The Clerk informs the Member or Officer in writing giving at least 5 working days notice of the meeting at which he/she is to attend;
- iii. The notice will state the nature of the item on which he/she is to attend and whether any papers should be produced. Where the Committee seeks the production of a report, then the Member or Officer concerned will be given sufficient notice to allow for preparation of that documentation;
- iv. Where, in exceptional circumstances, an Officer, or his or her nominee, is unable to attend on the specified date, then the Committee will arrange an alternative date in consultation with the Officer, or his or her nominee. Chief Officers and Heads of Service should ensure that Officers nominated to appear have the appropriate knowledge and responsibilities;
- v. Those appearing before the Committee shall not be required to answer any questions which, in the opinion of the Clerk could render the Authority liable to legal proceedings in any Court or Tribunal;
- vi. Appearances before the Committee will always be conducted in accordance with the Member/Officer Protocol. *(to follow at future date)*

### **Overview and Scrutiny Committee Members' Rights to Documents**

OS26 In addition to their rights as Councillors, Members of the Overview and Scrutiny Committee have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules. *(to follow at future date)*

### **Attendance by Others at Policy Development or Review Meetings**

OS27 The Overview and Scrutiny Committee may invite people other than those referred to in paragraph OS26 above to address it, discuss issues and/or answer questions. It may for example wish to hear from residents, stakeholders



Members and Officers in other parts of the public sector and may invite such people to attend.



## **Procedure at Overview and Scrutiny Committee Meetings**

OS28 The Overview and Scrutiny Committee shall consider the following business:

- i. Apologies for absence
- ii. Minutes of the last meeting;
- iii. Declarations of interest;
- iv. Consideration of matters properly referred to the Committee
- v. Responses of the Authority and/or Executive Committee to reports of the Overview and Scrutiny Committee;
- vi. The business otherwise set out on the agenda for the meeting.

OS29 Where the Overview and Scrutiny Committee conducts investigations (e.g. with a view to policy development), the committee may also ask people to attend to give evidence at committee meetings which are to be conducted in accordance with the following principles:

- i. That the investigation be conducted fairly and all Members of the Committee be given the opportunity to ask questions of attendees, and to contribute and speak;
- ii. That those assisting the Committee by giving evidence be treated with respect and courtesy; and
- iii. That the investigation be conducted so as to maximise the efficiency of the investigation or analysis.

OS30 Following any investigation or review, the Committee shall prepare a report, for submission to the Executive Committee and Fire Authority as appropriate and shall make its report and findings public.

## **Involvement of the FBU**

OS31 When the Overview and Scrutiny Committee are in public session, representatives of the FBU may attend meetings and will be given the opportunity to present material, discuss issues and answer questions, in accordance with the agenda, to enable the Committee to take account of issues raised and material presented in their reports and recommendations. Representatives of the FBU may only be present or contribute to meetings when confidential or exempt information is discussed with the permission of the Chair of the Committee.

## **Deputations at Meetings**

OS32 Any group or society likely to be affected by a matter which appears on an Overview and Scrutiny Committee may ask that a deputation should be received by that body. Such request shall be made to the Clerk by letter by 12 noon on the day before the meeting to which it relates. The group or society making the request shall indicate the matter to which the request relates, the number (which shall not exceed 5), and names and addresses of the persons who will form the deputation and the member of the deputation who will speak for them.



- OS33 On being called by the Chair, the person speaking for the deputation may speak for up to 5 minutes making such remarks as he/she thinks fit, provided that such shall relate to the matter indicated when the request was made, and that they do not make a personal attack upon any person. They will be heard in silence.
- OS34 The Committee may, during a further period not exceeding 5 minutes for each deputation, ask questions of those attending. Such questions shall be asked and answered without discussion.
- OS35 Thereafter the deputation shall withdraw, save that by resolution of the Committee these time periods may be extended.
- OS36 No deputation shall appear before the Committee within 6 months after a deputation has appeared before the Committee with the same or similar objects.
- OS37 Deputations will not be received on subjects that have a general application to all or a substantial portion of the residents of Berkshire.
- OS38 The Chair shall have discretion to accept alternative arrangements to the procedure set out above in exceptional circumstances.
- OS39 Political parties and/or political groups shall not be entitled to use this procedure.
- OS40 Members of the Authority not on the Committee may attend and speak at Overview and Scrutiny Committee Meetings



**ROYAL OF BERKSHIRE FIRE AUTHORITY  
STANDARDS COMMITTEE**

**Terms of Reference**

- S1 To advise the Authority on the adoption, operation, review and amendment of a local Code of Conduct for members and officers.
- S2 To be responsible for ensuring compliance throughout the Authority with all appropriate codes of conduct and procedures, including (but not limited to):
- i. the National Code of Local Government Conduct;
  - ii. the Local Codes of Conduct (when adopted);
  - iii. the Authority's Standing Orders;
  - iv. the Authority's Anti-Fraud and Corruption Policy;
  - v. the Authority's complaints procedures;
  - vi. the seven principles of public life set out in the Nolan Report.
- S3 To monitor and review the various corporate complaints procedures and any complaints submitted through the Local Government Ombudsman.
- S4 To act as an interface with the Regional Standards Board.
- S5 To "consider and determine any allegations against Members of the Authority of misconduct" (e.g. the breach of the National Code) and to resolve upon or recommend to the Authority any sanction it sees fit as a consequence of a finding of misconduct.
- S6 To be responsible for liaison between the Authority and any external agencies (e.g. Police, District Auditor) on matters relating to its role.
- S7 To provide training and guidance to Members on issue of conduct, standards and probity.
- S8 To make recommendations to the Authority on the adoption, implementation, maintenance and review of a Local Code of Conduct for Members and Officers.
- S9 To make recommendations to the Authority on the discretionary elements of the local Code of Conduct, including monitoring and revisions.
- S10 To consider and make recommendations on the effective training of Councillors in matters of conduct and advice to individual Councillors on issues relating to the treatment of personal interests and the propriety of conduct generally.
- S11 To determine the appropriate action on matters referred to it by the Standards Board, other than specific complaints arising from the Code of Conduct.



- S12 To undertake formal investigations into matters referred to the Committee by the Clerk and Monitoring Officer.
- S13 To use disciplinary powers as appropriate to recommend to Authority any or all of the following:
- i. Censure;
  - ii. Require a formal apology to the complainant to be made;
  - iii. Withdrawal of Authority facilities;
  - iv. Removal of the Member from office/positions held;
  - v. Request to the relevant political group to take appropriate action in respect of the Member;
  - vi. To make a formal referral of the Member's conduct to the appropriate agency, e.g. the Police.
- S14 To ensure compliance throughout the Authority with all appropriate Codes of Conduct and procedures from time to time approved by this Committee.
- S15 To review and recommend amendments to corporate, directorate and Ombudsman complaints procedures.
- S16 To consider and determine appropriate matters referred to the Committee.
- S17 To make recommendations to the Authority on the adoption, operation, review and amendment of the Code of Conduct of Authority Employees.
- S18 To consider and make recommendations to Authority on any Members' Allowance Scheme and to monitor and review its operation.
- S19 To arrange for an Ethical Governance Audit of the Authority, its processes and procedures to be undertaken and to consider the report and make appropriate recommendations upon it to the Authority.

### **Membership**

- S1 The Standards Committee shall comprise four non-councillors (lay) members and three Councillors, one from each of the three parties on the Authority in accordance with the Criteria and Procedure for the Committee.
- S2 The criteria for Lay Membership of the Standards Committee will be as follows:.
- i. Close links to a local community in Berkshire.
  - ii. Not politically active, i.e. not a political appointee, not an MP, not a current Parish or District Councillor, not a former Parish, District or County Councillor within the previous ten years or an aspiring future Councillor. Not active in any political parties and having no public links to any of the political parties.
  - iii. Not an employee or former employee of the Authority nor a close relative



- iv. Not involved in the Authority, e.g. not a major supplier, partner, contractor, employee.
- v. A proven track record of contribution to the community. This could involve working in the local community, e.g. as a GP, or having active community links via e.g. the voluntary sector or via public bodies.
- vi. Evidence of relevant experience, e.g. used to the process of hearing and evaluating evidence and coming to a fair decision, used to dealing with complaints on issues of probity, ability to act with impartiality, independence and without fear or favour.
- vii. Exemplary personal character – i.e. a person of sufficient status locally to command respect and public credence.
- viii. Available and willing to undertake the role.

### **Chairman**

The Chairman of the Committee shall be selected from 1 of the 4 Lay Members.

### **Quorum**

The Quorum of the Committee shall be 3 of which at least 2 must be Lay Members.

### **Selection of Lay Members**

The selection of lay members shall be kept non-political.

An invitation will be sent to likely individuals and to key stakeholders requesting nominations against the criteria on a confidential basis. Stakeholders can, amongst others, include the following:

- i. The Chambers of Commerce
- ii. Citizens Advice Bureau
- iii. Major businesses locally
- iv. Local religious leaders
- v. Local community groups and voluntary groups, e.g. the CAB, CVS or direct to e.g. the Lions, Rotary, Soroptimists
- vi. Local housing associations
- vii. Parish councils

Nominees meeting the criteria will be sought from the types of organisations set out above and from stakeholders and local political parties (making it clear that it will not be a political appointment). The candidates to be proposed as lay members should also represent, as far as possible, the geographical spread of the Council area. The candidates meeting the criteria will be referred by the Councillor members of the Standards Committee to the Authority, which will make the appointments.



## **Term of Office**

- (i) The term of office of Members of the Standards Committee be three years with then option to extend membership for a further term of three years.
- (ii) Having served two terms of office, a Member should vacate the Standards Committee for at least a year before being eligible for further appointment.

## **Operation**

Members of the Committee will seek to achieve a consensus view to recommend to the Authority. The Committee will not have executive powers and, in the event of a disputed recommendation, individual Members' views will be reported to the Authority.

## **Process**

- S1 The Terms of reference of the Standards Committee will be made known publicly and advertised as well as specific notification that any complaint concerning a Councillor should be made in the first instance, to the Clerk and Monitoring Officer. Complaints can also be made to other Councillors or other officers who should then refer them to the Clerk and Monitoring Officer.
- S2 An initial review will be undertaken to exclude vexatious complaints, to any outside the Committee's scope or any that have already been investigated. This review will include the following:
- i. Check the complaint is about an existing member of the Authority;
  - ii. Make sure the complainant has identified themselves and is willing to undergo the process;
  - iii. Check the complaint does relate to "misconduct";
  - iv. Check the complaint should not also be referred (or referred instead) to someone else, e.g. Police or District Auditor;
  - v. Check it has not already been investigated;
  - vi. Check there is sufficient information to justify a fuller investigation;
  - vii. Check it is not frivolous or vexatious.
- S3 Complaints may be made by anyone. They are not limited to people on the Electoral roll (this would exclude people working in the area who may be being directly affected), they also include members of staff and other Councillors.
- S4 The complaint should be made in writing and should identify the Councillor or Councillors complained of, the issue of complaint and must be signed by the person complaining.
- S5 If the Clerk and Monitoring Officer believes that the matter should not proceed, the complainant has a right for that decision to be reviewed by the Chairman of the Standards Committee.



- S6 If the complaint is accepted it will proceed to a full investigation carried out by the Clerk and Monitoring Officer or his Deputy.
- S7 As part of the investigation, the Member complained of will have the right to:
- i. receive a full copy of the complaint;
  - ii. to be invited for interview and to submit additional material;;
  - iii. to have a copy of the report which will be made available 10 days before it is considered by the Standards Committee;
  - iv. to attend the relevant Standards Committee, with a representative if required, and give evidence (the Member will be excluded when the Committee goes into private session).
- S8 The Standards Committee reports its recommendations to Authority. At this stage, it is a public report and the matter is considered in public session.
- S9 The Chairman of the Standards Committee be given the right to address the Fire Authority in person, should he/she so wish.

