



South Wales Fire and Rescue Authority Constitution 2022

Based on Model Welsh Constitution



Gwasanaeth Tân ac Achub
De Cymru
South Wales
Fire and Rescue Service

**RAISING AWARENESS
REDUCING RISK**

Table of Contents

Table of Contents

1. Introduction.....	10
1.1. Purpose and Content of the Constitution	10
1.2. How the Fire and Rescue Authority Operates	10
2. Purpose, Definition Interpretation and Amendment of the Constitution	12
2.1. Purpose of the Constitution.....	12
2.2. Definitions in the Constitution.....	12
2.3. Interpretation of the Constitution	14
2.4. Duty to Monitor and Review the Constitution	14
2.5. Protocol for Monitoring and Review of Constitution by Monitoring Officer...	14
2.6. Changes to the Constitution	14
2.7. Suspension of the Constitution.....	15
2.8. Publication.....	15
3. Getting Information and Getting Involved	16
3.1. Getting Information.....	16
3.2. Getting Involved	17
3.3. Getting Involved – Members	18
4. Full Fire and Rescue Authority.....	20
4.1. Introduction	20
4.2. The Policy Framework	20
4.3. The Budget.....	20
4.4. Functions of the Full Fire and Rescue Authority.....	20
4.5. Membership	21
4.6. Fire and Rescue Authority Meetings	22
4.7. Rules of Procedure and Debate.....	22
4.8. Fire and Rescue Authority Procedure Rules – Annual General Meeting of the Fire and Rescue Authority.....	22
4.9. Ordinary Meetings.....	23
4.10. Extraordinary Meetings	23
4.11. Time, Place and Duration of Meetings	24
4.12. Notice of and Summons to Meetings	24
4.13. Chairperson of Meeting.....	25
4.14. Quorum.....	25
4.15. Remote Attendance	25

4.16.	Multi-Location Meetings Policy	25
4.17.	Questions by the Public	35
4.18.	Questions by Members	37
4.19.	Motions on Notice	38
4.20.	Motions without Notice	40
4.21.	Rules of Debate	40
4.22.	Previous Decisions and Motions	43
4.23.	Voting.....	43
4.24.	Minutes	44
4.25.	Record of Attendance	44
4.26.	Exclusion of Public.....	44
4.27.	Members' Conduct.....	45
4.28.	Disturbance by Public	45
4.29.	Filming and Use of Social Media During Meetings.....	46
4.30.	Electronic Broadcasts of Meetings.....	46
4.31.	Suspension and Amendment of Fire and Rescue Authority Procedure Rules	46
4.32.	Family Absence for Members	46
4.33.	Appointment of Substitute Members on Fire and Rescue Authority Bodies 49	
4.34.	Remote Meetings Procedure Rules	49
4.35.	Electronic Broadcasts of Meetings.....	51
5.	The Chairperson.....	52
5.1.	Election	52
5.2.	Resignation, Dismissal, Disqualification and Suspension	52
5.3.	Deputy Chairperson	52
5.4.	Functions and Delegated Authority	52
6.	Scrutiny Committee	54
6.1.	Introduction	54
6.2.	Scrutiny Committee.....	54
6.3.	Specific Functions.....	54
6.4.	Scrutiny.....	54
6.5.	Monitoring Officer.....	55
6.6.	Who May Sit on Scrutiny Committee?.....	55
6.7.	Co-Optees.....	56

6.8.	Who Chairs?	56
6.9.	Role of the Chairperson of the Scrutiny Committee	56
6.10.	Work Programme.....	56
6.11.	Meetings	56
6.12.	Meetings of the Scrutiny Committee	57
6.13.	Rights of Members of the Scrutiny Committee to Documents.....	57
6.14.	Members and Officers Giving Account.....	57
6.15.	Attendance by Others	58
6.16.	Call-In	58
6.17.	Procedure at Scrutiny Committee Meetings.....	60
7.	The Standards Committee	61
7.1.	Membership	61
7.2.	Term of Office	61
7.3.	Quorum	61
7.4.	Voting.....	61
7.5.	Chairing the Committee	61
7.6.	Role and Function	61
7.7.	Annual Report	62
7.8.	Work Programme	63
7.9.	Rules of Procedure and Debate.....	63
8.	Regulatory Committees	64
8.1.	Other Committees	64
8.2.	The Finance, Audit and Performance Management Committee.....	64
8.3.	The HR and Equalities Committee	64
8.4.	Other Committees and Sub-Committees	64
8.5.	Rules of Procedure and Debate.....	65
9.	Officers	66
9.1.	Management Structure.....	66
9.2.	Functions of the Chief Fire Officer.....	67
9.3.	Functions of the Monitoring Officer	69
9.4.	Functions of the Chief Finance Officer (Treasurer)	70
9.5.	Duty to Provide Sufficient Resources to the Head of Paid Service, Monitoring Officer, Chief Finance Officer	71
9.6.	Conduct.....	71
9.7.	Employment.....	71

9.8.	Officer Employment Procedure Rules	71
10.	Finance Contracts and Legal Matters	75
10.1.	Financial Management.....	75
10.2.	Contracts	75
10.3.	Legal Proceedings	75
10.4.	Authentication of Documents	75
10.5.	Common Seal of the Fire and Rescue Authority	75
11.	Responsibility For Functions - Summary	77
11.1.	Who can be Decision Makers?	77
11.2.	Principles of Decision Making	77
11.3.	Functions fall into the following categories:.....	77
11.4.	Other Bodies	77
11.5.	Removal of Delegation.....	78
11.6.	Who May Exercise Officer Delegations?.....	78
11.7.	Officer Scheme of Delegations	78
	Appendix 1 to Section 11	79
12.	Access to Information Procedure Rules	80
12.1.	Scope.....	80
12.2.	Additional Rights to Information	80
12.3.	Rights to Attend Meetings.....	80
12.4.	Notices of Meeting	80
12.5.	Access to Agenda and Reports Before the Meeting	80
12.6.	Supply of Copies.....	81
12.7.	Access to Minutes etc after the Meeting	81
12.8.	Background Papers	81
12.9.	Summary of Public's Rights	81
12.10.	Exclusion of Access by the Public to Meetings.....	82
12.11.	Public Interest Test.....	84
12.12.	Exclusion of Access by the Public to Reports.....	85
12.13.	The Forward Work Programme	85
12.14.	Consultation on Proposals to be Considered by the Authority.....	86
12.15.	Record of Decisions of the Authority	86
12.16.	Scrutiny Committee and Members' Access to Documents	86
12.17.	Additional Rights of Access for Members of the Scrutiny Committee ...	87
13.	Budget and Policy Framework Procedure Rules	88

13.1.	The Framework for Decisions	88
13.2.	Process for Developing the Framework	88
13.3.	Process for Developing the Budget.....	88
13.4.	Decisions Outside the Budget or Policy Framework	89
13.5.	Urgent Decisions Outside the Budget or Policy Framework	89
14.	Financial procedure rules	90
14.1.	Introduction	90
	Who is responsible for ensuring that they are applied?	91
14.2.	Financial Management - General Roles and Responsibilities.....	92
14.3.	Financial Planning.....	96
14.4.	Risk Management and Control of Resources	102
14.5.	Financial Systems and Procedures.....	115
14.6.	Partnerships (joint working)	119
14.7.	APPENDIX 1 to Section 14 Financial Procedure Notes.....	121
15.	Contract Procedure Rules / Procurement Contract Standing Orders	122
15.1.	Basic Principles.....	122
15.2.	SCOPE OF CONTRACT STANDING ORDERS	123
15.2.1.	CSO1 BASIC PRINCIPLES.....	123
15.2.3.	CSO2 OFFICER RESPONSIBILITIES	123
15.2.4.	CSO3 EXEMPTIONS, COLLABORATIVE AND E-PROCUREMENT ARRANGEMENTS.....	124
15.2.5.	CSO4 RELEVANT CONTRACTS.....	125
15.3.	SECTION 2: COMMON REQUIREMENTS	125
15.3.1.	CSO5 STEPS PRIOR TO PURCHASE.....	125
15.3.2.	CSO6 RECORDS.....	126
15.3.5.	CSO7 ADVERTISING, APPROVED LISTS AND FRAMEWORK AGREEMENTS.....	126
15.4.	SECTION 3: CONDUCTING PURCHASE AND DISPOSAL	128
15.4.1.	CSO8 COMPETITION REQUIREMENTS FOR PURCHASE, DISPOSAL AND PARTNERSHIP ARRANGEMENTS.....	128
15.4.2.	CSO9 PRE- TENDER MARKET RESEARCH AND CONSULTATION 130	
15.4.3.	CSO10 STANDARDS AND AWARD CRITERIA	131
15.4.4.	CSO11 INVITATIONS TO TENDER/QUOTATIONS	132
15.4.5.	CSO12 SHORTLISTING.....	132

15.4.6.	CSO13 SUBMISSION, RECEIPT AND OPENING OF TENDERS/ QUOTATIONS	133
15.4.7.	CSO14 CLARIFICATION PROCEDURES AND POST-TENDER NEGOTIATION	133
15.4.8.	CSO15 EVALUATION, AWARD OF CONTRACT AND DEBRIEFING TENDERERS.....	134
15.5.	SECTION 4: CONTRACT AND OTHER FORMALITIES	135
15.5.1.	CSO16 CONTRACT DOCUMENTS	135
15.5.4.	CSO17 BONDS	137
15.5.5.	CSO18 PREVENTION OF CORRUPTION.....	137
15.5.6.	CSO19 DECLARATION OF INTERESTS	137
15.6.1.	CSO20 MANAGING CONTRACTS	138
	DEFINITIONS APPENDIX	140
16.	Code of Conduct for Members	145
16.1.	Interpretation.....	145
16.2.	General Provisions.....	146
16.3.	Interests	148
	APPENDIX 1 TO SECTION 16 Conduct of Members – The Principles	156
17.	Code of Conduct for Employees.....	168
17.1.	Introduction	168
17.2.	Standards	168
17.3.	Confidentiality	168
17.4.	Political Neutrality	169
17.5.	Relationships	169
17.6.	Appointment and Other Employment Matters	170
17.7.	Outside Commitments	170
17.8.	Personal Interests	171
17.9.	Equality	172
17.10.	Tendering Procedures	172
17.11.	Corruption.....	172
17.12.	Possible Inducements.....	172
17.13.	Financial	175
	Appendix 1 to Section 17 Abbreviated list of particularly relevant polices, procedures and appropriate forms	176
	Appendix 2 to Section 17 - Politically restricted posts within South Wales Fire and Rescue Service.....	177

Appendix 3 to Section 17 - Local Government Act 1972, Section 117.....	178
Appendix 4 to Section 17 - Bribery Act 2010.....	180
18. Protocol on Member / Officer Relations.....	181
18.1. Introduction.....	181
18.2. Roles of Members.....	181
18.3. Roles of Employees.....	181
18.4. Respect and Courtesy.....	181
18.5. Provision of Advice and Information to Members.....	183
18.6. Confidentiality.....	184
18.7. Provision of Support Services to Members.....	185
18.8. The Fire and Rescue Authority's Role as Employer.....	185
18.9. Political Activity.....	185
18.10. Sanctions.....	187
18.11. Conclusion.....	187
19. Confidential Reporting – Public Interest Disclosure Procedure ("WHISTLEBLOWING").....	188
19.1. Introduction.....	188
19.2. Corporate Policy.....	188
19.3. Scope and Applicability.....	188
19.4. Responsibilities.....	189
19.5. Issues of Concern.....	190
19.6. Reporting Concerns.....	190
19.7. Confidentiality.....	191
19.8. Raising Concerns Anonymously.....	191
19.9. Untrue Allegations.....	192
19.10. Public Disclosures.....	192
19.11. Reducing Complainant's Potential Concerns.....	192
19.12. Sources of information and Related Documents.....	192
Appendix 1, Form F-31 Public Interest Disclosure (Whistleblowing).....	194
Appendix 2, Management Letter Acknowledging Receipt of Form F-31.....	197
20. MEMBER ROLE DESCRIPTIONS.....	198
20.1. Elected Member Role Description.....	198
20.2. Chairperson Role Description.....	200
20.3. Deputy Chairperson Role Description.....	203

20.4.	CHAIRPERSON OF A COMMITTEE AND WORKING GROUP ROLE DESCRIPTION	205
20.5.	DEPUTY CHAIRPERSON OF A COMMITTEE OR WORKING GROUPS ROLE DESCRIPTION.....	207
20.6.	(standards committee member role description	208
20.7.	standards committee chairperson	208
20.8.	standards committee dep chairperson	208
20.9.	Member Champion Role Description	208
20.10.	Member Person Specification.....	209
20.11.	Chairperson Person Specification	210
20.12.	Deputy Chairperson Person Specification	212
20.13.	CHAIRPERSON OF COMMITTEE OR WORKING GROUP PERSON SPECIFICATION	213
20.14.	DEPUTY CHAIRPERSON OF COMMITTEE OR WORKING GROUP PERSON SPECIFICATION	214
20.15.	DEPUTY CHAIRPERSON OF COMMITTEE OR WORKING GROUP PERSON SPECIFICATION	215

1. Introduction

1.1. Purpose and Content of the Constitution

- 1.1.1. The Constitution describes the various bodies that make up the Fire and Rescue Authority, their functions, Membership and procedural rules.
- 1.1.2. In Section 3 (Getting Information and Getting Involved) we have provided information for members of the public and Fire and Rescue Authority Members on how you can get information about the Fire and Rescue Authority, and how you can get involved. We hope that this will help people who have an interest in the Fire and Rescue Authority's work, or a particular matter it is dealing with, understand where they can get more information, and how they can contribute to Fire and Rescue Authority activities.
- 1.1.3. You can get a better understanding of what each of the Fire and Rescue Authority's Committees do in Sections 4 to 8 of this Constitution. Section 9 provides information on the management and Officer structures of the Fire and Rescue Authority. Some Officers have a specific duty to ensure that the Fire and Rescue Authority operates within the law and uses resources wisely. Responsibility for functions at Section 11 says which Fire and Rescue Authority Committees, and which Officers, have authority to make which decisions.
- 1.1.4. The procedural rules that apply to the different Fire and Rescue Authority Committees are contained in the sections relating to them. You may find these useful if you want to attend a meeting, particularly if you want to be able to ask questions, have a matter discussed, or put your point of view.
- 1.1.5. Sections 16 to 17 **Error! Reference source not found.** have the Codes of Conduct and Protocols which Officers and Members have agreed to comply with. They set the standards of behaviour.
- 1.1.6. The Contents pages at the beginning of this Constitution provide a guide on what is in the Constitution and where you can find it.

1.2. How the Fire and Rescue Authority Operates

- 1.2.1. The Fire and Rescue Authority is comprised of 24 Fire and Rescue Authority Members elected every five years. Each Fire and Rescue Authority Member is democratically accountable to the residents of their electoral division as well as all of those who live in within the combined authority area of South Wales which comprises of:

- Blaenau Gwent
- Bridgend
- Caerphilly
- Cardiff
- Merthyr Tydfil
- Monmouthshire
- Newport
- Rhondda Cynon Taf
- Torfaen
- Vale of Glamorgan

The overriding duty of Fire and Rescue Authority Members is to the whole community, but they have a special duty to their constituents, including those that did not vote for them.

1.2.2. All Fire and Rescue Authority Members have agreed to follow a Code of Conduct, to ensure high standards in the way they undertake their duties. The Standards Committee is responsible for training and advising on the Code of Conduct.

1.2.3. All Fire and Rescue Authority Members meet together regularly as the Fire and Rescue Authority. Meetings of the Fire and Rescue Authority are normally open to the public. Here Fire and Rescue Authority Members decide the Fire and Rescue Authority's overall Policy Framework and set the Budget each year. The Fire and Rescue Authority appoints a Chairperson of the Fire and Rescue Authority annually.

If you need any further help please do not hesitate to contact us.

Monitoring Officer,
South Wales Fire and Rescue Service Headquarters,
Forrest View Business Park,
Llantrisant,
CF71 8LX
Tel: 01443 232000

Whilst the Constitution is very long we hope that you will find it easy to use. We have spent a lot of time trying to make it as easy to follow as is possible with such a long and complex legal document.

You may find it helpful to read this Constitution in conjunction with the Constitution Guide, which is available [*insert hyperlink or other information about how to obtain a copy of the Constitution Guide*].

2. Purpose, Definition Interpretation and Amendment of the Constitution

2.1.Purpose of the Constitution

The purpose of the Constitution is to:

- 2.1.1. enable the Fire and Rescue Authority to provide clear leadership to the Community in partnership with citizens, businesses and other organisations;
- 2.1.2. support the active involvement of citizens in the process of the Authority decision making;
- 2.1.3. help Authority Members represent their constituents more effectively;
- 2.1.4. enable decisions to be taken efficiently and effectively;
- 2.1.5. create a powerful and effective means of holding decision makers to public account;
- 2.1.6. where practicable no one will scrutinise a decision in which they are directly involved;
- 2.1.7. ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and
- 2.1.8. provide a means of improving the delivery of services to the community.

2.2.Definitions in the Constitution

- 2.2.1. The Constitution of the Authority is this document (Sections 1 to 20).
- 2.2.2. Within the Constitution the following words and phrases have the meaning set out below:

“Budget”	the overall revenue and capital budget approved by Full Fire and Rescue Authority (Section 4).
“Chief Fire Officer (Head of paid Service)”	an Officer who must be appointed by law to carry out certain functions. See Section 9 for more details.
“Principal Officer”	any Officer (other than a person whose duties are solely secretarial or administrative or whose duties are otherwise in the nature of support services) who: <ul style="list-style-type: none">• reports directly to the Chief Fire Officer in respect of all or most of their duties; or• the Chief Fire Officer is directly responsible for.
“Constitution Guide”	a document which explains, in ordinary language, the content of this constitution, published by the Fire and Rescue Authority in accordance with section 37 of the Local Government Act 2000.
“Senior Management Team”	includes those Officers designated by the Chief Fire Officer from time to time as Members of the Senior Management Team.

“Fire and Rescue Authority Member”	a person(s) appointed to the Fire and Rescue Authority to represent a Local Authority area within the combined authority area of South Wales.
“Data Protection Legislation”	the Data Protection Act 2018, the UK General Data Protection Regulation (UK GDPR) and all other laws relating to the use, protection and privacy of personal data
“Deputy Chief Fire Officer / Deputy Chief Officer”	a Principal Officer who deputises for the Chief Fire Officer to ensure the Business Continuity of the Service.
“Forward Work Programme”	the Forward Work Programme is a document which lists all of the decisions that the Fire and Rescue Authority and its Committee’s intend to take and what business will be considered and when those matters will be discussed. This does not prevent urgent or unforeseen matters being considered;
“Local Government (Wales) Measure 2011”	referred to as “The Measure”. Legislation introduced, amongst other things, to strengthen local democracy, deal with changes to Authority arrangements, overview and scrutiny, and Member payments.
“Member”	either a Fire and Rescue Authority Member or a person chosen by the Fire and Rescue Authority to serve on one of its Member Bodies (called “a Co-Opted Member”).
“Committees”	any of the following: <ul style="list-style-type: none"> • Full Fire and Rescue Authority; • Scrutiny Committee; • Finance, Audit and Performance Management Committee; • HR and Equalities Committee; • Local Pension Board • Standards Committee
“Monitoring Officer”	an Officer who must be appointed by law to carry out certain functions. See Section 9 for a description of those functions. The Officer will usually have other duties and a different job title. See Section 9 for which Officer is the Monitoring Officer.
“Policy Framework”	See Section 4.2.
“Public Services Board”	created to improve joint working across all public services in each local authority area in Wales;
“Section 112(2) Officer”	an Officer who must be appointed by law to carry out certain functions in relation to financial administration. See 9 for a description of those functions. The Officer

	will usually have other duties and a different job title. See 9 for which Officer is the Section 112(2) Officer;
“Service”	the Fire and Rescue Service discharges the functions of the Fire and Rescue Authority;

2.3. Interpretation of the Constitution

- 2.3.1. We have tried to make the Constitution as clear and as easy to understand as possible. Inevitably, people will have different views about what certain passages mean.
- 2.3.2. During meetings, the person Chairing or presiding at the meeting may interpret the relevant procedure rules.
- 2.3.3. In all other situations, the Monitoring Officer will determine the interpretation and application of the Constitution

2.4. Duty to Monitor and Review the Constitution

- 2.4.1. The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect. The Section 112(2) Officer shall be responsible for keeping under review the Financial Procedure Rules set out in Section 14 of the Constitution and shall make any necessary amendments and revisions as are required from time to time. They shall report any amendments made to Section 14 to the next available Fire and Rescue Authority meeting for noting.

2.5. Protocol for Monitoring and Review of Constitution by Monitoring Officer

A key role for the Monitoring Officer is to make recommendations for ways in which the Constitution could be amended in order to better achieve the purposes set out in this Section. In undertaking this task, the Monitoring Officer may:

- 2.5.1. observe meetings of different parts of the Member and Officer structure;
- 2.5.2. undertake an audit trail of a sample of decisions;
- 2.5.3. record and analyse issues raised with them by Members, Officers, the public and other relevant stakeholders; and,
- 2.5.4. compare practices in this Fire and Rescue Authority with those in comparable authorities, or national examples of best practice.

2.6. Changes to the Constitution

2.6.1. Approval

Subject to paragraphs 2.6.2 and 2.6.3 below, changes to the Constitution will only be approved by the Full Fire and Rescue Authority after consideration of a proposal by the Monitoring Officer or on recommendation the appointed Standing Orders Working Group.

2.6.2. Minor Changes

If, in the reasonable opinion of the Monitoring Officer, a change is:
(a) a minor variation; or
(b) required to be made to remove any inconsistency, ambiguity or typographical correction; or
(c) required to be made so as to put into effect any decision of the Fire and Rescue Authority or its committees,
in which case the Monitoring Officer may make such a change. Any such change made by the Monitoring Officer shall come into force with immediate effect. Such changes shall be reported to the next full Fire and Rescue Authority meeting for information.

2.6.3. Legislative Change

Any part of the Constitution may be amended by the Monitoring Officer where such amendment is required to be made so as to comply with any legislative provision. Such amendments shall take effect when the Monitoring Officer so decides or the legislation (where relevant) so provides. Such changes shall be reported to the next full Fire and Rescue Authority meeting for information.

2.7.Suspension of the Constitution

2.7.1. Limit to Suspension

Any of the procedure rules contained in the Constitution may be suspended to the extent permitted within these rules and the law.

2.7.2. Procedure to Suspend

A motion to suspend any Rules will not be moved without notice unless at least one half of the whole number of Fire and Rescue Authority Members is present. The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in this Section.

2.8.Publication

2.8.1. The Monitoring Officer will ensure that copies of this Constitution and associated Guide are available for inspection at Fire and Rescue Service Headquarters and on the Fire and Rescue Service's website.

2.8.2. The Monitoring Officer will provide a link to a copy of this Constitution to each Member of the Fire and Rescue Authority upon delivery to them of that individual's declaration of acceptance of office on the Member first being appointed to the Fire and Rescue Authority and thereafter ensure that an up to date version is available for inspection and published on the Fire and Rescue Service's website.

2.8.3. The Monitoring Officer will ensure that the Constitution is updated as necessary in accordance with paragraph 2.6.

3. Getting Information and Getting Involved

3.1. Getting Information

3.1.1. Information Available to Members of the Public

a) When Meetings of the Authority Will Take Place

A programme of meetings is available by contacting the Fire and Rescue Authority direct or via the Service website.

b) Forward Work Programme

From the Forward Work Programme, see what decisions will be taken by the Fire and Rescue Authority and what issues the Committees will be considering and when these matters will be discussed.

c) Information Available Prior to a Meeting

Five days before a meeting, the agenda, any report likely to be discussed and background papers to that report shall be available for inspection at the offices of the Fire and Rescue Authority and on the Service website. If an item is added to the agenda later, the revised agenda will be open to inspection from the time when the item is added to the agenda and any report will be made available to the public as soon as it is available and sent to Fire and Rescue Authority Members.

d) Information Available at a Meeting

The Fire and Rescue Authority will make available to members of the public who are physically present at a meeting a copy of the Agenda and of the Reports for the meeting (except during any part of the meeting to which the public are excluded).

e) Information Available After a Meeting

For a period of six years the agenda, reports and the minutes of the meeting shall be available for inspection. The background papers shall remain open for inspection for a period of four years.

f) Fire and Rescue Authority's Accounts

The Public may inspect the Fire and Rescue Authority's accounts and make their views known to the external auditor (sections 29 and 30 Public Audit (Wales) Act 2004). Under the Accounts and Audit (Wales) Regulations 2014, the accounts will be available for public inspection for twenty (20) working days after the date appointed by the auditor.

Information which is confidential or exempt (as defined in paragraphs 12.10.3 and 12.10.4) will not be disclosed to members of the public at any time.

3.1.2. Information Available to Members of the Fire and Rescue Authority

a) Members can see any information, which is available to a member of the public.

b) In addition, a Member may see any information which they need to know in order to fulfil their role as a Member of the Fire and Rescue Authority (otherwise known as "need to know"). A Member will not make public information which is confidential or exempt (as defined in Section 12) without the consent of the Fire and Rescue Authority or

divulge information given in confidence to anyone other than a Fire and Rescue Authority Member or person(s) or organisation(s) entitled to know it.

3.1.3. Members of Scrutiny Committee

A Member of Scrutiny Committee may also see any document containing material relating to:

- a) any business transacted at a meeting of the Authority;
- b) any decision taken by an individual Member of the Authority.

A Scrutiny Committee Member is not be entitled to:

- c) any document in draft form;
- d) any part of a document which contains confidential or exempt information unless that information is relevant to an action or decision they are reviewing or scrutinising or intending to scrutinise and which is included in the Committee's Forward Work Programme.

NB. No Member is entitled to see any information relating to a matter in which they has a prejudicial interest.

3.1.4. Information Available to Officers

The Monitoring Officer, the Section 112(2) Officer and the Chief Fire Officer may see any papers or records held by any part of the Fire and Rescue Authority or its Officers. Other Officers may see any information held by the Fire and Rescue Authority provided:

- a) they need to see the information to do their job; and
- b) that information is processed lawfully in accordance with the Data Protection Legislation.

3.2. Getting Involved

3.2.1. The Fire and Rescue Authority must encourage local people to participate. See the Fire and Rescue Authority's engagement strategy for more information. [\(Hyperlink to engagement strategy on website\)](#)

3.2.2. Members of the Public

Members of the public can get involved in the following ways:

- a) Taking Part in Meetings
 - i. Members of the public can come to and speak at any meeting which the Fire and Rescue Authority has resolved should include participation by members of the public. The rules on when you may speak and for how long are contained in Section 4.
 - ii. You can also ask formal questions at meetings of Full Fire and Rescue Authority (Section 4).

- b) Views of the Public

Under the arrangements put in place by the Fire and Rescue Authority under section 62 of the Local Government (Wales) Measure 2011, members of the public may bring to the attention of the relevant Scrutiny

Committee their views on any matter under consideration by the relevant Committee. The relevant Scrutiny Committee must take into account any views brought to their attention under these arrangements.

c) When are Meetings Open to the Public?

Meetings will be open to the public wherever possible. The public must be excluded from meetings whenever it is likely that confidential information will be disclosed. The public may be excluded from meetings where it is likely that exempt information will be disclosed. (See section 12.10 for definition of exempt information and section 12.11 for definition of public interest.)

d) Making Comments/Complaints

i. A member of the public may comment or complain about Fire and Rescue Service activities by:

- A. using the Fire and Rescue Service's complaints procedure ([link to complaints form on website to be inserted](#));
- B. contacting the Public Services Ombudsman for Wales at 1 Ffordd Yr Hen Gae, Pencoed, CF35 5LJ. Telephone: 0300 790 0203 or via the website <http://www.ombudsman.wales>.

ii. Comments or complaints can be made about an Officer or Member by:

- A. Officer
Contacting the Officer or the Officer's manager.
- B. Members
If the complaint is against a Member, then the complaint should be referred to the Monitoring Officer or the Public Services Ombudsman for Wales (contact details above).

3.3. Getting Involved – Members

Members can get involved by:

3.3.1. Suggesting Items of Business for the Agenda

As a Member of the Fire and Rescue Authority, you have the same rights as members of the public. In addition to these rights you also have the following rights:

- a) Any Member can submit a notice of motion to Fire and Rescue Authority (Section 4) and also ask questions (Section 4).

3.3.2. Participating in Meetings

Members of the Fire and Rescue Authority are entitled to attend any formal meeting of the Fire and Rescue Authority or its committees.

- a) Members of the Fire and Rescue Authority may attend and speak at any meetings where they are a Member of that Committee. Where they are not a Member of that Committee, their attendance and right to speak is at the discretion of the Chairperson of the Committee.

3.3.3. Comments and Complaints

- a) Members may comment, subject to restrictions in the Code of Conduct for Members (Section 16) on any aspect of Fire and Rescue Authority business by:
 - i. talking to Officers;
 - ii. talking to the Chairperson and Deputy Chairperson of the Fire Authority];
 - iii. talking to the Monitoring Officer.
- b) If a Member wishes to complain about an:
 - i. Officer
The procedure set out in the Protocol on Member/Officer Relations may be used (Section 18).
 - ii. Member
The procedure set out in Appendix 3 to Section 16 may be followed.

4. Full Fire and Rescue Authority

4.1. Introduction

The Full Fire and Rescue Authority is a formal meeting of all Fire and Rescue Authority Members. The Full Fire and Rescue Authority is required by law to take certain important decisions including setting the Authority's Budget and approving a number of key plans and strategies, which together form the Policy Framework (listed below). It is responsible for all of the functions, and it will carry out some functions itself, but others will be delegated to Committees or named Officers.

4.2. The Policy Framework

The Policy Framework means the following plans and strategies:

- SWFRA Constitution
- SWFRS Strategic Plan
- SWFRS Improvement Plan
- SWFRS Policy Statements
- SWFRS Strategic Equality Plan
- SWFRS Carbon Reduction Plan
- SWFRS Welsh Language Scheme
- SWFRS Health and Wellbeing Strategy
- Welsh Government Fire and Rescue National Framework
- SWFRS Medium-Term Financial Plan;
- SWFRS Asset Management Plan;
- SWFRS People Plan;
- SWFRS Performance Management Framework;

4.3. The Budget

The Budget includes the allocation of financial resources to different services and projects, proposed contingency funds, and decisions relating to the control of the Fire and Rescue Authority's borrowing requirement, the control of its capital expenditure and the setting of virement limits. The Full Fire and Rescue Authority will decide the Fire and Rescue Authority's overall revenue budget and overall capital budget and any changes to these. (See Section 13 for how the Fire and Rescue Authority can change the Policy Framework or Budget.)

4.4. Functions of the Full Fire and Rescue Authority

Only the Full Fire and Rescue Authority will exercise the following functions:

- 4.4.1. adopting and changing the Constitution;
- 4.4.2. approving or adopting the Policy Framework and Budget;

- 4.4.3. subject to the urgency procedure contained in the Access to Information Procedure Rules in Section 12 of this Constitution, making decisions about any matter in the discharge of an Executive Function which is covered by the Policy Framework or the Budget where the decision maker is minded to make it in a manner which would be contrary to the Policy Framework or contrary to/or not wholly in accordance with the Budget;
- 4.4.4. appointing and removing the Chairperson and Deputy Chairperson of the Authority;
- 4.4.5. agreeing and/or amending the terms of reference for Committees, deciding on their composition and making appointments to them (in accordance with the Local Government and Housing Act 1989) unless the appointments have been delegated by the Fire and Rescue Authority;
- 4.4.6. making the appointment of the Chief Fire Officer; confirming the appointment of the Principal Officers;
- 4.4.7. all matters which by law must be reserved to the Fire and Rescue Authority. For example, approving the appointment or dismissal of the Chief Fire Officer, determining the level (and any change in the level) of remuneration to be paid to the Chief Fire Officer and approving the pay policy statement;
- 4.4.8. appointing representatives to outside bodies unless the appointment has been delegated by the Fire and Rescue Authority;
- 4.4.9. consulting local people, other persons carrying on a business in the Fire and Rescue Authority's area, the officers of the Fire and Rescue Authority and every trade union which is recognised by the Fire and Rescue Authority about the extent to which the Fire and Rescue Authority is meeting its performance requirements;
- 4.4.10. preparing an annual report on the extent to which the Fire and Rescue Authority has met its performance requirements;
- 4.4.11. reviewing, approving and amending the Fire and Rescue Authority's wellbeing objectives in accordance with section 9 of the Well-being of Future Generations (Wales) Act 2005 and the accompanying statutory guidance issued by the Welsh Government;
- 4.4.12. considering reports prepared pursuant to section 54(2)(b) of the Local Government and Elections (Wales) Act 2021, within 3 months of them being made;
- 4.4.13. considering annual reports received from the Standards Committee, within 3 months of them being made; and
- 4.4.14. keeping under review the extent to which:
 - a) it is exercising its functions effectively;
 - b) using its resources economically, efficiently and effectively; and
 - c) its governance arrangements are effective for securing the matters set out in a) and b) above.

4.5.Membership

4.5.1. All Members of the Fire and Rescue Authority shall be Members of Full Fire and Rescue Authority.

4.5.2. Substitution is not possible at meetings of the Fire and Rescue Authority.

4.5.3. Chairing the Fire and Rescue Authority

a) The Fire and Rescue Authority Member elected annually by the Fire and Rescue Authority as its Chairperson will be called the "Chairperson".

b) The Chairperson will cease to be Chairperson if they resign, are dismissed by a vote of Full Fire and Rescue Authority, cease to be a Member of the Fire and Rescue Authority, or are unable to act as a Member of the Fire and Rescue Authority.

4.5.4. Role and Function of the Chairperson

The Chairperson of the Fire and Rescue Authority and in their absence, the Deputy Chairperson will have the following roles and functions:

a) Responsibilities of the Chairperson

- i. to uphold and promote the purpose of the Constitution, and to interpret the Constitution when necessary;
- ii. to preside over meetings of the Fire and Rescue Authority so that its business can be carried out fairly and efficiently and with regard to the rights of Fire and Rescue Authority Members and the interests of the communities of South Wales;
- iii. to ensure that the Fire and Rescue Authority meeting is a forum for the debate of matters of concern;
- iv. to promote public involvement in the Fire and Rescue Authority's activities;
- v. to be the conscience of the Fire and Rescue Authority; and
- vi. to attend such civic and ceremonial functions as the Fire and Rescue Authority and they determines appropriate;

4.6.Fire and Rescue Authority Meetings

There are three types of Fire and Rescue Authority meeting:

4.6.1. the annual meeting;

4.6.2. ordinary meetings; and

4.6.3. extraordinary meetings.

4.7.Rules of Procedure and Debate

The Fire and Rescue Authority Procedure Rules contained in the Sections below will apply to meetings of the Full Fire and Rescue Authority, its standing committees and all other committees.

4.8.Fire and Rescue Authority Procedure Rules – Annual General Meeting of the Fire and Rescue Authority

4.8.1. Timing and Business

The annual general meeting will take place on the second Monday in June each year. The annual meeting will:

- a) elect the Chairperson of the Fire and Rescue Authority;

- b) elect the Deputy Chairperson of the Fire and Rescue Authority;
- c) approve the minutes of the last meeting;
- d) receive any announcements from the Chairperson;
- e) appoint the Scrutiny Committee, a Standards Committee and such other committees and as the Fire and Rescue Authority considers appropriate to deal with matters which are neither reserved to the Fire and Rescue Authority (as set out in Section 11 of this Constitution);
- f) receive from the scheme of delegations (as set out in Section 11 of this Constitution);
- g) approve a programme of ordinary meetings of the Fire and Rescue Authority for the year; and
- h) consider any business set out in the notice convening the meeting.

4.8.2. Selection of Fire and Rescue Authority Members on Committees and Outside Bodies

At the annual meeting, the Fire and Rescue Authority meeting will:

- a) decide which committees and sub-committees to establish for the municipal year;
- b) decide the size and terms of reference for those committees;
- c) decide the allocation of seats to political groups in accordance with the political balance rules;
- d) make appointments to outside bodies.

4.9. Ordinary Meetings

Ordinary meetings of the Fire and Rescue Authority will take place in accordance with a programme decided at the Fire and Rescue Authority's annual meeting. The order of business at ordinary meetings will be as follows:

- 4.9.1. elect a person to preside if the Chairperson and Deputy Chairperson are not present;
- 4.9.2. approve the minutes of the last meeting;
- 4.9.3. receive any declarations of interest from Members;
- 4.9.4. receive any announcements from the Chairperson;
- 4.9.5. receive reports from the Fire and Rescue Authority's committees and receive questions and answers on those reports;
- 4.9.6. consider any other business specified in the summons to the meeting;
- 4.9.7. consider motions; and
- 4.9.8. deal with questions from Members in accordance with section 4.17;
- 4.9.9. receive questions from, and provide answers to, the public in relation to matters which in the opinion of the Chairperson are relevant to the Fire and Rescue Authority's functions / the meeting in question.

4.10. Extraordinary Meetings

- 4.10.1. Calling Extraordinary Meetings

The Monitoring Officer may call Fire and Rescue Authority meetings in addition to ordinary meetings. Those listed below may request the Monitoring Officer to call additional Fire and Rescue Authority meetings:

- a) the Fire and Rescue Authority by resolution;
- b) the Chairperson of the Fire and Rescue Authority;
- c) any five Members of the Fire and Rescue Authority if they have signed a requisition presented to the Chairperson of the Fire and Rescue Authority and they have refused to call a meeting or have failed to call a meeting within seven days of the presentation of the requisition.

4.10.2. Business

The business to be conducted at an extraordinary meeting shall be restricted to the item or items of business contained in the request for the extraordinary meeting and there shall be no consideration of previous minutes or reports from committees etc, except that the Chairperson may at their absolute discretion permit other items of business to be conducted for the efficient discharge of the Fire and Rescue Authority's business.

4.11. Time, Place and Duration of Meetings

4.11.1. Time and Place of Meetings

- a) The time and place of meetings will be determined by the Monitoring Officer and notified in the summons.
- b) Where the meeting is to be conducted in accordance with the Fire and Rescue Authority's arrangements for multi-location meetings, the summons will also include details of how to access the meeting by remote means.

4.11.2. Duration of Meetings

At an ordinary meeting of the Fire and Rescue Authority, when three hours have elapsed after the commencement of the meeting, the Chairperson shall adjourn immediately after the disposal of the item of business being considered at the time. Remaining business will be considered at a time and date fixed by the Chairperson. If they do not fix a date, the remaining business will be considered at the next ordinary meeting.

4.12. Notice of and Summons to Meetings

The Monitoring Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules in Section 12. At least seven days before a meeting, the Monitoring Officer will send a summons signed by them to every Member of the Fire and Rescue Authority. The summons will give the date, time and place of each meeting and, where meetings are conducted in accordance with the Fire and Rescue Authority's arrangements for multi-

locations meetings, details of how to access the meeting by remote means. The summons will also specify the business to be transacted and will be accompanied by such reports as are available.

4.13. Chairperson of Meeting

4.13.1. The person presiding at the meeting may exercise any power or duty of the Chairperson. Where these rules apply to committee and sub-committee meetings, references to the Chairperson should instead be read as references to the Chairperson of that committee.

4.14. Quorum

4.14.1. The quorum of a meeting will be one third of the whole number of Members. During any meeting if the Chairperson counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Monitoring Officer. If they do not fix a date, the remaining business will be considered at the next ordinary meeting.

4.14.2. The quorum rules for the Local Pension Board are specific to this committee and are set out within the terms of reference for that Board.

4.15. Remote Attendance

4.15.1. Members will be regarded as present at a meeting where they attend that meeting by remote means in accordance with the Authority's Procedure for Multi-Location Meetings.

4.15.2. For the purposes of section 4.15.1, attendance "by remote means" means attendance in a different physical location to that of other participants and participating through an online meeting platform.

4.16. Multi-Location Meetings Policy

4.16.1.1. Introduction

Under the Coronavirus Act 2020, Welsh Ministers issued Regulations (The Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020, 'the 2020 Meeting Regulations') which temporarily relaxed the rules for Local Authority meetings during the COVID-19 pandemic. The 2020 Meeting Regulations were intended to enable Authority's to safely continue to discharge their functions during the pandemic, whilst adhering to public health restrictions and guidance. The provisions of the 2020 Meeting Regulations ended on 30th April 2021 and were replaced by new provisions for Local Authority meetings made under the Local Government and Elections (Wales) Act 2021 ("the Act"), some of which were to take effect from 1st May 2021 and others from 5th May 2022. In August 2021, Welsh Government published Interim Statutory Guidance on Multi-Location Meetings which can be found at:

<https://gov.wales/sites/default/files/publications/2021-08/interimstatutoryguidance-on-multi-location-meetings.pdf>

4.16.1.2. What is a Multi-Location Meeting?

- a) A Multi-Location Meeting (MLM) is a meeting whose participants are not all in the same physical place. Some of the participants may be physically located in the meeting venue whilst others join from their home or other remote location.
- b) Under the Act Welsh Government provisions confer on Authorities duties to convene MLMs to enable greater accessibility and public participation in the Local Government decision making process.
- c) Section 47 of the Act required Authorities to make and publish arrangements that ensure that Authority meetings are able to be held by means of any equipment or other facility which enables meeting participants who are not in the same place to attend the meetings and be able to speak to and hear each other. (This provision came into force on 1st May 2021)
- d) However, from 5th May 2022 meeting participants must not only be able to speak to and hear each other but for meetings which are required to be broadcast under Section 46 of the Act participants actively taking part in the meeting must also be able to see and be seen by each other.
- e) When considering arrangements for MLMs or Remote attendance the Authority will also have regard to Welsh Government guidance and / or regulations issued by Welsh Ministers
- f) Section 2 of Welsh Government's Interim Statutory Guidance sets out a number of principles to guide Authorities when developing their meeting arrangements which are transparency, accessibility, good conduct, Welsh Language, local needs and future generations. The Guidance also confirms that the meeting arrangements should be reflected in the procedure rules set out in the Authority's Constitution.

4.16.2. **Broadcasting of Meetings**

Section 46 of the Act requires that Principal Councils shall ensure that meetings of their Authority are broadcast live and are available to view electronically save for when the meeting is not open to the public (Part II – confidential or exempt information). When the Fire and Rescue Authority is required to do so, the livestreaming of meetings shall be published on the Authority's website and archived thereafter for future viewing.

4.16.3. **Notice of a Meeting**

- a) The Authority will ensure that the relevant information shall be included on the Notice of the Meeting (Agenda) advising out how the Committee Members, Officers and the public may attend the meeting.
- b) The Act requires that Notices of Meetings and electronic information relating to meetings (i.e. including notices of meetings, agendas, reports and background papers) must be published on

the Authority's website and must remain available in an electronic format and be available for a minimum of six years following the date of the meeting.

4.16.4. Agendas, Reports, Decision Notices, Minutes and Background Papers

- a) Agendas, Reports, Decision Notices and Minutes of formal meetings will be published on the Authority's website. A small number of hard copies shall be available to members of the public physically attending a meeting. Agenda papers are normally available five clear working days prior to a meeting.
- b) Decision Notices of a meeting (that came into effect under the Act in May 2021) must show decisions made; names of those present; apologies; declarations of interest and outcome of any votes and must be published on the Authority's website within seven working days of the meeting taking place, including the day of the meeting.
- c) From May 2021 background papers must have also been published on the Authority's website.
- d) There is no longer a requirement to post Notices of Meetings at the Authority's offices. However, hard copies of agendas and reports must be available for the public if meetings are held physically and the Authority is also required to make public access provision for members of the public who cannot access documents, for example by providing access to computers, limited copies of documents at meetings or via a fee or making documents available for inspection.

4.16.5. How are Physical or Multi-Location Meetings (MLMs) Conducted?

- a) MLMs are meetings of the Authority or its Committees whose participants are not all in the same physical place. Such meetings can either be held:
 - Hybrid – with some participants joining through remote means and some attending physically in the same place as others; or
 - Entirely Remote – whereby all participants are taking part via remote means.
- b) Hybrid Meetings – will be conducted and broadcasted via the Authority's hybrid meeting solution provider, from the Authority Headquarters (save for meetings either partly or wholly confidential in nature).
- c) Remote only meetings – will be conducted via Microsoft TEAMS and broadcast **live (when the Fire and Rescue Authority is required to do so)** through YouTube (save for meetings either partly or wholly confidential in nature).
- d) Entirely physical meetings – will usually be held in the Authority Headquarters, Forest View Business Park, Llantrisant, CF72 8IX and broadcast via the Authority's Hybrid meeting solution provider, (save for meetings either partly or wholly confidential in nature).

4.16.6. **How Can I Participate or Observe an Authority Meeting?**

- a) A participant at a meeting with the South Wales Fire and Rescue Authority is defined as a person who takes an active part in the meeting. They may be an Elected Member, a Co-Opted Member (with or without voting rights), an officer of the Authority, a person giving evidence to a Committee as a witness, a person who has registered to speak at a Committee (in accordance with Authority procedures), someone presenting a question at a Full Authority meeting (under the Authority's procedure) or a representative from an outside organisation on a Committee.
- b) A member of the public, not participating in a meeting, will be able to observe a meeting by either attending in person where a physical or Hybrid meeting is taking place and/or observing a Remote or Hybrid meeting. An observer at a meeting is defined in the Interim Statutory Guidance as a member of an audience, or otherwise spectating who may be in the same room that a meeting is taking place or they may be observing by remote means.
- c) Covid-19 has had an impact on physical numbers permitted in venues. As a result the number of persons permitted in a Meeting Room may (depending on the situation, any guidance and regulations in force at the time) be reduced and will need to be reviewed regularly in line with Welsh Government Regulations and in line with the Authority's risk assessments and with safety measures being put in place to support safe access and use. N.B. On occasions where physical space for attendance at a meeting may be limited (e.g. as a result of the COVID pandemic) or where there may be technological issues, the Chairperson of a meeting, essential officers supporting the meeting and simultaneous translators will be afforded priority for attendance. With regard to any further attendees the Monitoring Officer and / or Deputy Monitoring Officer in conjunction with the Chairperson of the Authority and / or Committee Chairperson will make any such further determinations. Should technical issues prevent live transmission all efforts will be made to ensure a recording of the meeting is made and uploaded to the Authority's website.
- d) The Monitoring Officer, in consultation with Facilities Management, shall ensure that the maximum physical numbers permitted is clear and that the following system will be put in place:
 - i. **Members** The Monitoring Officer, shall inform each Political Group Leader of the number of their members allowed into the Meeting Room (the calculation will be based on the proportional representation of that Authority Body and the Authority's risk assessments). For Committees which have Co-Opted Members and Observer Representatives, the Monitoring Officer will inform the Chairperson of each Committee of the number of Members (including Co-Opted Members) allowed into a meeting room in exceptional circumstances.

- ii. **Officers** The Monitoring Officer shall ensure that the relevant officers are physically present where appropriate.
 - iii. **Members of the Public** Members of the public who wish to attend a physical meeting in the Authority Headquarters will be able to observe from an appropriate designated area however, should the number of members of the public that wish to be present exceed the maximum number permitted seats will be allocated on a first come first served basis.
- e) With regard to observing Remote and / or Hybrid meetings, members of the public will be able to view a meeting by accessing the link to the meeting online. Members of the public who do not have access to the internet to view live broadcasted meetings can request to attend a public viewing in a suitable location in the Headquarters by contacting Members Services at least 48 hours prior to the meeting.
 - f) Fire Authority Members are encouraged to bring their Authority devices to physical meetings so that they can view the agenda papers online.
 - g) A participant at a meeting wishing to speak in Welsh or a person wishing to use the Welsh Language translation service, at a meeting is required to contact Member Services at least 72 hours before the meeting.

4.16.7. **Quorum**

- a) The quorum of a meeting is one third of the voting Members unless specified otherwise within the Authority's Constitution. The quorum shall include those attending Remotely, at a Multi-Location or physically; providing they are able to speak and be heard by each other and to see and be seen by others when actively participating in proceedings.
- b) If the numbers present fall below the quorum required, the meeting ends immediately.
- c) Apologies for absence by a Member for a meeting can be accepted by Member Services up to the publication of the Decision Notice for the meeting i.e. up to seven days from the meeting (the seven days will include the day of the meeting as per the Act).

4.16.8. **Withdrawal from a Meeting due to a Prejudicial Interest**

- a) Should an Elected Member declare a Prejudicial Interest at a Physical, Multi-Location or Remote meeting, the Member must withdraw from the meeting unless they have obtained a dispensation from the Authority's Standards Committee. However, where Members of the public are able to speak at a meeting, the Elected Member can also remain to make their representations but must leave after their representations are made. (For further

information on declarations of interests at meetings see Authority's Constitution.)

- b) The Elected Member will be invited back into the meeting once the item relating to the prejudicial item has concluded. Should that person not respond to the call to re-join, the meeting will continue without them, providing it is quorate.

4.16.9. **Voting**

- a) Voting will either take place electronically, via a roll call or a mixture of both.
- b) All voting results will be announced by either the Chairperson or the Monitoring Officer before moving to the next item of business.
- c) Should a Member leave the room and not return, their vote will not be able to be provided by another Member. However, if the voting device or audio on the laptop is unavailable the Member may use the message facility in the Remote software to relay their vote to the Chairperson.
- d) Unless a recorded vote is requested in accordance with the Authority's Constitution, the Chairperson will seek a consensus from Members. If no objections are received the recommendations will be considered as carried ("no dissent").
- e) In both a Hybrid or Remote meeting the recorded vote will be carried out and the names of those voting for, against or abstaining will be recorded. If a physical roll call of votes is taken this will be undertaken by the, Monitoring Officer or Deputy Monitoring Officer at Full Authority or for any other meeting.
- f) If a Member cannot initially be contacted to provide their vote, the officer will return to the Member and following a second attempt, if no response is received and the meeting remains quorate, the Member will be considered not present for that part of the meeting.
- g) Remote attendees **should** only use the chat facility in the software system to:
 - Alert the Chairperson if they wish to speak; or
 - If their audio fails to advise of the vote they wish to make. It is also important to note that any information recorded in the chat facility will be a matter of public record which may be subject to a Freedom of Information request. N.B. In the Microsoft TEAMS meeting platform Members may also indicate to the Chairperson that they wish to speak by activating the "Raise Hand" function.
- h) The chat facility **is not to be used for discussions** as all discussions must be made verbally in the meeting for the sake of individuals observing the meeting and / or the meeting recording if a recording is being made.

4.16.10. **How Will Exempt Matters be Dealt With?**

The Chairperson of the meeting shall inform the public when the meeting is moving into private session (Part II). The recording must cease before

any discussion on the item commences. The Member Services Officer will confirm with the Chairperson when the recording has been stopped.

4.16.11. Multi-Location / Remote Attendance – Is a Member “Present”?

- a) Multi-Location and Remote meetings provide additional challenges in terms of meeting attendance. There are a variety of circumstances in which this might become an issue e.g. taking of votes, loss of connection (WiFi or mobile).
- b) To be considered present, the Member must be able to speak and be heard and to see and be seen by others if the meeting is broadcasted. At a meeting the Monitoring Officer shall provide the local determination and will consider issues such as temporary interruptions associated with connection issues.
- c) Any failure in technology / connectivity which results in Members' loss of contact during the meeting shall not invalidate any part of the deliberations or any vote taken. The Chairperson of the Committee may adjourn the meeting if they consider appropriate whilst any technical issues are resolved.

N.B. The meeting platform(s) operated by the Authority have a participants list function which demonstrates to the Chairperson and Member Services Officer which participants are connected to the meeting at any given time.

4.16.12. Public Questions at Authority and Public Speaking Procedures

Should a member of the public wish to ask a question at Authority meetings they must give notice in line with the Authority's procedure.

4.16.13. Formality and Privacy at Meetings

- a) When attending Remote or Hybrid meetings (MLMs) Elected Members and any participants must ensure that the room from which they are accessing the meeting is secure and must ensure that the door of the room is closed so that no disturbance occurs during the course of the meeting as it is important to ensure a degree of formality in the proceedings.

4.16.14. Etiquette at Remote / Multi-Location Meetings

- a) Participants should:
 - i. Dress appropriately for the meeting;
 - ii. Ensure that their microphone is muted if not speaking;
 - iii. Respect the Chairperson and others present;
 - iv. Behave appropriately and be mindful of the Members' Code of Conduct; and
 - v. Use the chat facility appropriately.
- b) Disruptive Behaviour – If a member of the public interrupts proceedings, the Chairperson will warn the person concerned. If they continue to interrupt, the Chairperson will order their removal from the meeting. With regard Elected Members, the procedure

outlined within the Authority's Constitution will apply (see Section 4.27).

4.16.15. All meetings will be facilitated by a Member Services Officer.

4.16.16. The following ICT equipment will be required by participants for Hybrid and Remote meetings –

- Microphones / Headsets;
- Cameras – if meeting is broadcasted;
- Adequate Internet access; and
- Access to the relevant software (Chrome – internet browser) being used for the meeting. – Home Authority provision.

4.16.17. **Viewing and Attending a Meeting Links**

- a) For Members of the public wishing to view the meeting the link to the agenda and to the broadcasting of the meeting will be available on the Authority's website.
- b) A link will be sent to Participants attending irrespective of whether the meeting will be undertaken via Hybrid or Remote means.

4.16.18. **Calendar of Meetings**

- a) The Authority's Calendar of Meetings is agreed on an annual basis and can be found on the Authority's website . The Calendar will also include details of the time of the meeting. However meetings can be subject to change or additional meetings included in the Calendar by the Chairperson of a Committee and / or the Monitoring Officer, as and when required. For details of the venues or whether meetings will be held Hybrid or via Remote means members of the public are requested to view the agenda papers online once published in advance of the meeting (see Section 4 above).
- b) Following Local Government Elections the Authority will have the opportunity to determine the most suitable date and time for meetings to take place. The Authority will also be able to consider each Municipal year which meetings will be held predominantly physically, Remotely or Hybrid and also have regard to the Authority's Diversity Action Plan.

4.16.19. **Invitations to Meetings for Participants**

- a) Invitations will be provided to all meeting participants electronically, and the invitation will detail whether the meeting will be Hybrid, Remote or physical.
 - For meetings taking place on the Services Hybrid meeting solution, Members will receive a calendar meeting reminder for the meeting and will be required to log to join the meeting 15 minutes prior to the commencement time.
 - For meetings taking place on Microsoft TEAMS, the URL joining link for the meeting will be included within meeting invitation itself.

- b) Elected Members and officers will be provided with a shortcut icon on their South Wales Fire and Rescue desktop to connect to Microsoft TEAMS, whether the meeting is being held Remotely or Hybrid.
- c) Other participants attending remotely – members of the public and / or witnesses – will be sent a URL link to join the meeting.
- d) Prior to meetings Member Services Officers who support each of the Authority Committees will also get in touch with registered speakers and / or witnesses to provide assistance if required.

N.B. All participants are advised to contact Member Services at or telephone 01443 232000 at least 48 hours before the meeting should they require assistance prior to the meeting.

4.16.20. **Record of Attendance**

- a) The attendance of each Committee member will be recorded by the Member Services Officer supporting the Committee. These records will be combined or added to the Decision Notice and minutes of the meeting and published on the Authority's website.
- b) Committee members are to inform Member Services no later than seven days (including the day of the meeting) if they are unable to attend a meeting and their apologies will be recorded in the Decision Notice and thereafter the minutes of the meeting.

4.16.21. **Broadcasting of Meetings**

- (a) The broadcasting of meetings does not replace the formal record of the meeting and together with the decisions taken will be published on the Authority's website and retained in hard copy in accordance with the Authority's retention policy.
- (b) Having regard to section 46 of the Local Government and Elections (Wales) Act 2021 the meetings to be conducted and broadcast on a Hybrid basis, (excluding meetings that are wholly or in part confidential in nature) are Full Fire Authority, Finance, Audit and Performance Management Committee, H.R. and Equalities Committee, Standards Committee meetings and Scrutiny Committee meeting.
- (c) Other Committee meetings (including the Annual Meeting) will be conducted and broadcast on a Remote basis (excluding meetings that are wholly or in part confidential in nature) or unless determined otherwise by the Chairperson of the relevant Committee in conjunction with the Monitoring Officer.

Some meetings such as the Senior Management Appointment Committee may be conducted on an 'in person' basis only (e.g. where interviews are being conducted) and as such will not be broadcast where they are wholly or in the main Part II in nature.

N.B. All Committee meetings will be undertaken and **broadcast live (when the Fire and Rescue Authority is required to do so)** on the Authority's website and the recordings uploaded thereafter for future viewing on the Authority's website.

- (d) All agendas on the Authority's website will clearly state whether the meetings will be held via Hybrid or Remote means and / or held physically.

4.16.22. **Online Meeting Platforms**

The Authority will use the Hybrid meeting platform as its primary Remote / Hybrid meeting solution for conducting and broadcasting Hybrid meetings and Microsoft TEAMS for Remote meetings. The logistic and technical requirements for managing video and audio recordings for members sharing a physical space alongside individuals joining remotely requires specialist technology which is currently being met via the Authority's webcast provider. Members are encouraged to use their home Authority provided devices whilst attending meetings. Members of the Committees will also have access to the Microsoft TEAMS meeting platform for use in Remote meetings and informal day to day discussions and correspondence.

N.B. Members are responsible for ensuring access to adequate high-speed internet when joining remotely. Advice can be provided on minimum standards where required. The Authority accepts no responsibility should a Member choose to use a personal device and encounters connectivity issues prior to or during a meeting they wish to attend.

4.16.23. **Attendance at Meetings Whilst out of the Service Area**

- (a) Members wishing to attend meetings whilst out of the Service area and using their own personal or Local Authority devices will be able to do so by accessing free Wifi facilities as the Authority will not be able to reimburse costs.
- (b) Should Members wish to access meetings using mobile phones, due to the cost of international calls the Authority would not be able to reimburse call costs with access via phones personal or otherwise then being a matter for the Member.
- (c) Technical support whilst abroad will not be able to be provided by the Authority's ICT or Member Services Officers.

4.16.24. **Confidential and Exempt Information (Part II)**

- (a) Some information, in accordance with Legislation, may not be able to be made publicly available. This is known as confidential or exempt information (Part II). When such information is to be considered at a formal meeting the documents will only be made available to those entitled to view them on the Authority's internal network. Such matters are usually scheduled at the end of an agenda in order to minimise any inconvenience to observers who will be required to leave the meeting prior to the items being considered. The Chairperson will request that members of the public and press are excluded from the meeting (whether the meeting is being held by Remote, Hybrid or physical means) before continuing with the agenda. Any recording of the meeting will also cease.

- (b) If a meeting is being broadcast the recording will be paused and a notification displayed on the broadcast that the meeting is no longer open to the public.

4.16.25. Training

All Members and officers will receive training to be able to participate at meetings which will include the use of the meeting platform software for joining Remote meetings in the Authority Offices when meetings take place physically in the building. Other participants will also receive support from Member Services regarding how to access the meeting.

4.16.26. Support for Meetings

In the first instance support for meetings will be provided by Officers who will ensure the following:

- Agendas to be emailed electronically (normally at least seven days before the meeting);
- Monitor attendance at Remote meetings and will assist any participant to join or re-join the meeting;
- Facilitate the meeting, voting and take the minutes of the meeting. (Voting at the meeting will be undertaken in adherence to the requirements of the Authority's Constitution and in line with this Policy)
- Facilitate the recording and livestreaming of meetings (in conjunction with an ICT officer).

4.17. Questions by the Public

4.17.1. General

- a) Members of the public may ask questions of Members of the Authority at ordinary meetings of the Fire and Rescue Authority.
- b) The total time allocated for questions by the public should be limited to 30 minutes.

4.17.2. Order of Questions

Questions will be asked in the order notice of them was received, except that the Chairperson may group together similar questions.

4.17.3. Notice of Questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Monitoring Officer no later than midday 3 working days before the day of the meeting. Each question must give the name and address of the questioner.

4.17.4. Number of Questions

At any one meeting no person may submit more than one question and no more than one such question may be asked on behalf of one organisation.

4.17.5. Scope of Questions

The Monitoring Officer may reject a question if it:

- a) is not about a matter for which the Fire and Rescue Authority has a responsibility, or which affects the Combined Service Area;
- b) is defamatory, frivolous or offensive;
- c) is substantially the same as a question which has been put at a meeting of the Fire and Rescue Authority in the past six months;
- d) requires the disclosure of confidential or exempt information.

4.17.6. Record of Questions

- a) The Monitoring Officer will keep a record of each question in a form that enables them to be made available for public inspection and will immediately send a copy of the question to the Fire and Rescue Authority Member to whom it is to be put. Rejected questions will include reasons for rejection.
- b) Copies of all questions will be circulated to all Fire and Rescue Authority Members and will be made available to the public attending the meeting.

4.17.7. Asking the Question at the Meeting

The Chairperson will invite the questioner to put the question to the Fire and Rescue Authority Member named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the Chairperson to put the question on their behalf. The Chairperson may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

4.17.8. Supplementary Question

A questioner who has put a question in person may also put one supplementary question without notice to the Fire and Rescue Authority Member who has replied to their original question. A supplementary question must arise directly out of the original question or the reply. The Chairperson may reject a supplementary question on any of the grounds set out in section 4.17.5 above.

4.17.9. Written Answers

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the Fire and Rescue Authority Member to whom it was to be put, will be dealt with by a written answer.

4.17.10. Reference of Question to the Authority or a Committee

Unless the Chairperson decides otherwise, no discussion will take place on any question, but any Member may move that a matter raised by a

question be referred to the Authority or the appropriate committee. Once seconded, such a motion will be voted on without discussion.

4.18. Questions by Members

4.18.1. On Reports of the Authority or Committees

A Member of the Fire and Rescue Authority may ask the Chairperson of a Committee any question without notice directly arising from an item of the report of the Authority or a Committee, when that item is being received or is under consideration by the Fire and Rescue Authority

4.18.2. Questions on Notice at Full Fire and Rescue Authority Subject to section 4.18.4, a Member of the Fire and Rescue Authority may ask:

- a) the Chairperson; a Member of the Authority;
- b) the Chairperson of any committee;

a question on any matter in relation to which the Fire and Rescue Authority has powers or duties or which affects the Authority.

4.18.3. Questions on Notice at Committees

Subject to section 4.18.4, a Member of a committee may ask the Chairperson of it a question on any matter in relation to which the Fire and Rescue Authority has powers or duties or which affects the Combined Service Area and which falls within the terms of reference of that committee.

4.18.4. Notice of Questions

A Member may ask a question under section 4.18.2 or 4.18.3 if either:

- a) they have given at least five working days' notice in writing of the question to the Monitoring Officer; or
- b) the question relates to urgent matters, they have the consent of the Chairperson or Member to whom the question is to be put and the content of the question is given to the Monitoring Officer by 09:00 on the day of the meeting.

4.18.5. Maximum Number of Questions

A Member may ask only one question under section 4.18.2 or 4.18.3 except with the consent of the Chairperson of the Fire and Rescue Authority, committee. The maximum number of questions that may be asked at any meeting of the Full Fire and Rescue Authority is five and if the number of questions exceeds five the questions to be asked shall be determined by ballot to be conducted by the Monitoring Officer.

4.18.6. Order of Questions

Questions of which notice has been given under section 4.18.2 or 4.18.3 will be listed on the agenda in the order determined by the Chairperson of the Fire and Rescue Authority, committee.

4.18.7. Content of Questions

Questions under section 4.18.2 or 4.18.3 must, in the opinion of the Chairperson:

- a) contain no expressions of opinion;
- b) relate to matters on which the Fire and Rescue Authority has or may determine a policy;

4.18.8. Response

An answer may take the form of:

- a) a direct oral answer at the meeting;
- b) where the desired information is in a publication of the Fire and Rescue Authority or other published work, a reference to that publication; or
- c) where the reply cannot conveniently be given orally, a written answer circulated in writing before the next ordinary meeting of the Fire and Rescue Authority.

4.18.9. Supplementary Question

A Member asking a question under section 4.18.2 or 4.18.3 may ask one supplementary question without notice of the Member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply.

4.18.10. Length of Speeches

A Member asking a question under section 4.18.2 or 4.18.3 and a Member answering such a question may speak for no longer than five minutes unless the Chairperson consents to a longer period.

4.18.11. Time Allowed for Questions at Fire and Rescue Authority Meetings

- a) The time allowed for consideration of questions submitted under section 4.18.2 shall not, without the consent of the Fire and Rescue Authority, exceed 30 minutes.
- a) At the conclusion of the answer to the question under consideration at the expiry of 30 minutes (or such longer period to which the Fire and Rescue Authority has consented) from the time when the first questioner started to speak, the Chairperson shall conclude the meeting.
- b) Any remaining questions shall be responded to in writing before the next ordinary meeting of the Fire and Rescue Authority.

4.19. Motions on Notice

4.19.1. Notice

Except for motions which can be moved without notice under section 4.20 and in cases of urgency, written notice of every motion, must be delivered to the Monitoring Officer not later than 12:00 on the seventh

working day before the Fire and Rescue Authority meeting at which it is to be considered. Motions received will be kept in a form that enables them to be made available for public inspection.

4.19.2. Motion Set Out in Agenda

Motions for which notice has been given will be listed on the agenda in the order determined by the Monitoring Officer.

4.19.3. Scope

Motions must be about matters for which the Fire and Rescue Authority has a responsibility.

4.19.4. Motion to Remove the Chair

- a) A motion to remove the Chairperson cannot be moved unless the notice of motion is signed by a number of Fire and Rescue Authority Members which is at least equivalent to one third of the total number of Fire and Rescue Authority Members (8 Members) on the Fire and Rescue Authority. See Section 5.2.2.
- b) In order for such a motion to be carried it must have the support of at least two thirds of those Members voting and present at the time the question was put.
- c) A motion to remove the Chairperson cannot be moved more than once in any rolling 12 month period.

4.19.5. One Motion per Member

No Member may give notice of more than one motion for any Fire and Rescue Authority meeting, except with the consent of the Chairperson.

4.19.6. Time Allowed for Motions

The time allowed for consideration of motions submitted under this Rule shall not, without the consent of the Fire and Rescue Authority, exceed five minutes. At the conclusion of the speech being delivered at the expiry of five minutes (or such longer period to which the Fire and Rescue Authority has consented) from the commencement of the Fire and Rescue Authority's consideration of the first such motion, the Chairperson shall put to the vote, without further discussion, all the questions necessary to dispose of the motion then under debate provided that:

- a) if the speech to be concluded is a speech proposing a motion, the Chairperson shall allow the motion to be formally seconded (without comment);
- b) if the speech to be concluded is a speech moving an amendment, the Chairperson shall allow the amendment to be formally seconded (without comment) and the mover of the motion to exercise their right of reply; and
- c) otherwise, the Chairperson shall allow the mover of the motion to exercise their right of reply.

Any remaining motions submitted under this Rule shall be deferred to the next ordinary meeting of the Fire and Rescue Authority and shall be dealt with at that meeting in the same order and before any other motions of which notice is given for that meeting.

4.20. Motions without Notice

The following motions may be moved without notice:

- 4.20.1. to appoint a Chairperson of the meeting at which the motion is moved;
- 4.20.2. in relation to the accuracy of the minutes;
- 4.20.3. to change the order of business in the agenda;
- 4.20.4. to refer something to an appropriate Committee or individual;
- 4.20.5. to appoint a committee or Member arising from an item on the summons for the meeting;
- 4.20.6. to receive reports or adoption of recommendations of committees or Officers and any resolutions following from them;
- 4.20.7. to withdraw a motion;
- 4.20.8. to amend a motion;
- 4.20.9. to proceed to the next business;
- 4.20.10. that the question be now put;
- 4.20.11. to adjourn a debate;
- 4.20.12. to adjourn a meeting;
- 4.20.13. to suspend a particular Fire and Rescue Authority Procedure Rule;
- 4.20.14. to exclude the public and press in accordance with the Access to Information Procedure Rules;
- 4.20.15. to not hear further a Member named under section 4.26.5 or to exclude them from the meeting under section 4.26.4; and
- 4.20.16. to give the consent of the Fire and Rescue Authority where its consent is required by this Constitution.

4.21. Rules of Debate

whether as Members of the Scrutiny Committee or in any other capacity which allows them to contribute to the worth of the meeting.

- 4.21.1. These rules of debate apply to all meetings of the Fire and Rescue Authority and its committees.
- 4.21.2. The Chairperson of the Fire Authority or a Committee meeting may allow the rules of debate to be relaxed to enable a full contribution by those attending the meeting.
- 4.21.3. No Speeches until Motion Seconded
No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.
- 4.21.4. Right to Require Motion in Writing

Unless notice of the motion has already been given, the Chairperson may require it to be written down and handed to them before it is discussed.

4.21.5. Secunder's Speech

When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

4.21.6. Content and Length of Speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order and no speech may exceed five minutes without the consent of the Chairperson.

4.21.7. When a Member may Speak Again

A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- a) to speak once on an amendment moved by another Member;
- b) to move a further amendment if the motion has been amended since they last spoke;
- c) if their first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which they spoke was carried);
- d) in exercise of a right of reply;
- e) on a point of order; and
- f) by way of personal explanation.

4.21.8. Amendments to Motions

- a) An amendment to a motion must be relevant to the motion and will either be:
 - i. to refer the matter to an appropriate Committee or individual for consideration or reconsideration;
 - ii. to leave out words;
 - iii. to leave out words and insert or add others; or
 - iv. to insert or add wordsas long as the effect of the above is not to negate the motion.
- b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been decided.
- c) If an amendment is not carried, other amendments to the original motion may be moved.
- d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- e) After an amendment has been carried, the Chairperson will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

4.21.9. Alteration of Motion

- a) A Member may alter a motion of which they have given notice with the consent of the meeting. The meeting's consent will be signified without discussion.

- b) A Member may alter a motion which they have moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- c) Only alterations which could be made as an amendment may be made.

4.21.10. Withdrawal of Motion

A Member may withdraw a motion which they have moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

4.21.11. Right of Reply

- a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment but may not otherwise speak on it.
- c) The mover of the amendment has no right of reply to the debate on their amendment.

4.21.12. Motions which may be Moved During Debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- a) to withdraw a motion;
- b) to amend a motion;
- c) to proceed to the next business;
- d) that the question be now put;
- e) to adjourn a debate;
- f) to adjourn a meeting;
- g) to exclude the public and press in accordance with the Access to Information Procedure Rules; and
- h) to not hear further a Member named under section 4.27.3 or to exclude them from the meeting under section 4.27.4.

4.21.13. Closure Motions

- a) A Member may move, without comment, the following motions at the end of a speech of another Member;
 - i. to proceed to the next business;
 - ii. to act that the question be now put;
 - iii. to adjourn a debate; or
 - iv. to adjourn a meeting.
- b) If a motion to proceed to next business is seconded and the Chairperson thinks the item has been sufficiently discussed, they will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- c) If a motion that the question be now put is seconded and the Chairperson thinks the item has been sufficiently discussed, they

will put the procedural motion to the vote. If it is passed, they will give the mover of the original motion a right of reply before putting their motion to the vote.

- d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chairperson thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, they will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

4.21.14. Point of Order

A point of order is a request from a Member to the Chairperson to rule on an alleged irregularity in the procedure of the meeting. A Member may raise a point of order at any time. The Chairperson will hear them immediately. A point of order may only relate to an alleged breach of these Fire and Rescue Authority Rules of Procedure or the law. The Member must indicate the Rule or law and the way in which they considers it has been broken. The ruling of the Chairperson on the matter will be final.

4.21.15. Personal Explanation

A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the Chairperson on the admissibility of a personal explanation will be final.

4.22. Previous Decisions and Motions

4.22.1. Motion to Rescind a Previous Decision

A motion or amendment to rescind a decision made at a meeting of Fire and Rescue Authority within the past six months cannot be moved unless the notice of motion is signed by at least 8 Members, except in the case of new information becoming available.

4.22.2. Motion Similar to One Previously Rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Fire and Rescue Authority in the past six months cannot be moved unless the notice of motion or amendment is signed by at least 8 Members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

4.23. Voting

4.23.1. Majority

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those Members voting and present at the time the question was put.

4.23.2. Chair's Casting Vote

If there are equal numbers of votes for and against, the Chairperson will have a second or casting vote. There will be no restriction on how the Chairperson chooses to exercise a casting vote.

4.23.3. Method of Voting

Unless a recorded vote is demanded under Rule 4.25.4 the Chairperson will take the vote by show of hands, or by use of the Fire and Rescue Authority's electronic voting system if any, or if there is no dissent, by the affirmation of the meeting.

4.23.4. Recorded Vote

If any Member present at the meeting requests it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

4.23.5. Right to Require Individual Vote to be Recorded

Where any Member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

4.23.6. Voting on Appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

4.24. Minutes

4.24.1. Signing the Minutes

The Chairperson will sign the minutes of the proceedings at the next suitable meeting. The Chairperson will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

4.24.2. No Requirement to Sign Minutes of Previous Meeting at Extraordinary Meeting

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972 (an extraordinary meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of Schedule 12 relating to signing of minutes.

4.24.3. Form of Minutes

Minutes will contain all motions and amendments in the form and order the Chairperson put them.

4.25. Record of Attendance

For those Members in attendance their presence will be recorded on their behalf by Officers.

4.26. Exclusion of Public

Members of the public and press may only be excluded either in accordance with the Access to Information Procedure Rules in Section 12 of this Constitution or section 4.28 (Disturbance by Public).

4.27. Members' Conduct

4.27.1. Speaking at Meetings

When a Member speaks at Full Fire and Rescue Authority they must address the meeting through the Chairperson. If more than one Member signifies their intention to speak, the Chairperson will ask one to speak. Other Members must remain silent whilst a Member is speaking unless they wish to make a point of order or a point of personal explanation.

4.27.2. Chairperson Speaking

When the Chairperson speaks during a debate, any Member speaking at the time must stop.

4.27.3. Member not to be Heard Further

If a Member persistently disregards the ruling of the Chairperson by behaving improperly or offensively or deliberately obstructs business, the Chairperson may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

4.27.4. Member to Leave the Meeting

If the Member continues to behave improperly after such a motion is carried, the Chairperson may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

4.27.5. General Disturbance

If there is a general disturbance making orderly business impossible, the Chairperson may adjourn the meeting for as long as they think necessary.

4.28. Disturbance by Public

4.28.1. Removal of Member of the Public

If a member of the public interrupts proceedings, the Chairperson will warn the person concerned. If they continue to interrupt, the Chairperson will order their removal from the meeting room [or their removal from the online platform by which they are accessing the meeting from another location].

4.28.2. Clearance of Part of Meeting Room

If there is a general disturbance in any part of the meeting room open to the public, the Chairperson may call for that part to be cleared.

4.28.3. Clearance of Online Meeting Platform

If there is a general disturbance on the online meeting platform, the Chairperson may call for the online meeting platform to be muted / temporarily suspended / closed.

4.29. Filming and Use of Social Media During Meetings

Filming is not permitted during meetings. Meetings are video recorded and will be available via the Service Website.

The use of social media is permitted during meetings so long as there is no disturbance to the conduct of the meeting.

4.30. Electronic Broadcasts of Meetings

- 4.30.1. As soon as the Authority has the capability ordinary meetings of the Fire and Rescue Authority will be broadcast live electrically via the Service website so that members of the public not in attendance at the meeting can see and hear the proceedings. Copies of the meeting will be available for seven years after the meeting.

4.31. Suspension and Amendment of Fire and Rescue Authority Procedure Rules

4.31.1. Suspension

All of these Fire and Rescue Authority Rules of Procedure except sections 4.19.4, 4.19.5, 4.23.5 and 4.24.2 may be suspended by motion on notice or without notice if at least one half of the whole number of Members of the Fire and Rescue Authority are present. Suspension can only be for the duration of the meeting. Section 4.19.5 can only be suspended by motion on notice and the motion must have the support of at least two thirds of those Members present and voting.

4.31.2. Amendment

Any motion to add to, vary or revoke these Fire and Rescue Authority Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Fire and Rescue Authority.

4.32. Family Absence for Members

Different Types of Family Absence

- 4.32.1. A Member may be entitled to family absence pursuant to the Local Government (Wales) Measure 2011, subject to compliance with the Family Absence for Members of Local Authorities (Wales) Regulations 2013 (“the Regulations”), as amended by the Family Absence for Members of Local Authorities (Wales) (Amendment) Regulations 2021, as follows:

- a) Maternity absence – for the mother of a child, granted up to a maximum of twenty six weeks;
- b) Newborn absence – for the parent of a child other than the mother, for a period of up to two weeks;
- c) Adopter’s absence – for the adopter of a child, for a period of up to twenty six weeks;
- d) New adoption absence - for the partner of an adopter, for a period of up to two weeks; and

- e) Parental absence – for a Member who becomes responsible for a child (and does not meet the conditions for newborn absence, adopter’s absence or new adoption absence), for a period of up to three months.

4.32.2. Prescribed Conditions

The Regulations prescribe the conditions that Members must satisfy to be entitled to each type of family absence, make provisions regarding the durations, start, cancellation and end of periods of family absence, and set out the administrative process for dealing with family absences. A copy of the Regulations can be obtained from the Monitoring Officer and must be referred to by any Member considering taking family absence. ([link to legislation](#))

4.32.3. Requirement for Member to give Written Notice

A Member intending to take family absence is required to give written notice to the Monitoring Officer, specifying the type of family absence the Member intends to take and the intended start date, as well as certain other specified information in respect of particular types of family absence. Any changes to, or cancellation of, family absence must similarly be notified to the Monitoring Officer. Members should refer to the Regulations for the prescribed information which must be included in the notice, and advice is available in this respect from the Monitoring Officer.

4.32.4. Records and Notification of Family Absence

The Monitoring Officer will keep a record of all notifications and periods of family absence taken and will inform the Chairperson, of the authority. The Monitoring Officer may also inform any other persons, as they consider necessary, for example, fellow ward Members.

4.32.5. Cancellation of Family Absence by Council

4.32.5.1. If the Monitoring Officer reasonably suspects that a Member may not be entitled to the family absence they may cancel or end a Member’s family absence if they are of the view that the Member is not entitled to such absence in accordance with the Regulations.

4.32.5.2. In the event of a decision to cancel family absence, the Monitoring Officer will give written notice to the Member concerned setting out the decision to cancel or bring to an end the period of family absence, and the date from which the Member must return from family absence. If the Member then fails to resume duties, the Authority may withhold the Member’s remuneration and take any other appropriate action.

4.32.6. Members’ Right to Appeal against Cancellation

- a) Member may, within 28 days from being notified of a cancellation of family absence, complain in writing to the Monitoring Officer regarding the cancellation.
- b) The Monitoring Officer will refer any complaint duly made regarding cancellation to the Chairperson (or in their absence the Deputy Chairperson).

- c) The Member's complaint will be considered by a Panel constituted in accordance with the Family Absence for Members of Local Authorities (Wales Regulations 2013), which may either confirm the decision of the Monitoring Officer, or substitute its own decision as to the Member's entitlement to family absence in accordance with the Regulations.
 - d) The decision of the Panel is final.
- 4.32.7. Performance of Duties – At Member's Request
- 4.32.7.1. A Member on maternity absence or parental absence may, subject to paragraphs 4.32.7.2 to 4.32.7.6:
 - a) Attend particular meetings;
 - b) Attend particular descriptions of meetings;
 - c) Perform particular duties; or
 - d) Perform duties of a particular description.
 - 4.32.7.2. The Member must obtain the permission of the Chairperson (or in their absence the Deputy Chairperson) before attending any meeting or performing any duty.
 - 4.32.7.3. A Member may complain in writing to the Monitoring Officer regarding a refusal under paragraph 4.32.7.2.
 - 4.32.7.4. The Monitoring Officer will refer a complaint under paragraph 4.31.7.3 to the Chairperson (or in their absence the Deputy Chairperson).
 - 4.32.7.5. A Panel constituted in accordance with the Family Absence for Members of Local Authorities (Wales Regulations 2013) will determine a complaint made under paragraph 4.31.7.3.
 - 4.32.7.6. The Panel may:
 - a) confirm the decision of the Chairperson (or in their absence the Deputy Chairperson) under ; or
 - b) substitute its own decision as to the Member attending any meeting or performing any duty.
- 4.32.8. Continuing Duties
- 4.32.8.1. If a Member is on family absence leave and it would be difficult to replace that Member on a temporary basis, the Chairperson of Council can request that Member to attend a meeting if it might otherwise be inquorate.
 - 4.32.8.2. A Member on family absence is expected to continue to observe and comply with any duties under the Members' Code of Conduct which remain applicable, including the duty to not bring the office of Member or the Council into disrepute and the duty to not use their position or the resources of the authority improperly or for private advantage (paragraphs 16.2.5. and 16.2.7 of Members' Code of Conduct, Authority's Constitution).
- 4.32.9. Members' Allowances
- In accordance with the determinations of the Independent Remuneration Panel for Wales, a Member on family absence is entitled, for the duration

of the absence, to retain a basic salary and any senior salary for which the Member is eligible

4.33. Appointment of Substitute Members on Fire and Rescue Authority Bodies

- 4.33.1. The substitution rules will not apply to meetings of the Full Authority, the Standards Committee and the Local Pension Board.
- 4.33.2. Subject to any other restrictions elsewhere in the Constitution, any Member of the Fire and Rescue Authority will be permitted to act as a substitute on a Committee.
- 4.33.3. The Monitoring Officer will allow a request from a Member of a Committee to appoint a substitute Member, providing that substitute Member is from the same political group where political balance rules apply.
- 4.33.4. Substitute Members will have all the powers and duties of any ordinary Member of the committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.
- 4.33.5. Substitute Members may attend meetings in that capacity only:
 - a) to take the place of the ordinary Member for whom they are designated substitute;
 - b) where the ordinary Member will be absent for the whole of the meeting; and
 - c) where the ordinary Member or that Member's political group (where political balance rules apply) has notified the Monitoring Officer of the intended substitution at least one hour before the start of the relevant meeting.

4.34. Remote Meetings Procedure Rules

These Remote Meetings Procedure Rules have been adopted by the Authority and have been made in compliance with Section 47 of the Local Government and Elections (Wales) Act 2021.

- 4.34.1. Meetings of the Authority that are open to the Public will be live streamed (subject to some exemptions*), with accessibility for the Public to view meetings being provided via the Service website. Where the Authority has provision for Public speaking at meetings, persons who have registered to speak together with any expert witnesses required to attend, will be forwarded a direct link to attend a meeting.

N.B. * Meetings that will be exempted will be those that are for the most part confidential in nature (Part II) e.g. Early Retirement and Redundancy, elements of these meetings will not be live streamed but the minutes of the meetings will be uploaded to the website as soon as possible thereafter.

- 4.34.2. Hybrid meetings have been introduced i.e. a meeting solution that enables persons who are not in the same place to attend meetings,

both physically and remotely. Meetings of the Authority that are open to the public will be held via this method and the Services website will provide details of accessibility.

- 4.34.3. Time and place – Meetings will be held at the time notified in the agenda but may be held in more than one place and may include electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.
- 4.34.4. Notice of meetings – At least seven before a meeting, save in cases of urgency and/or where following such notice the meeting is moved or cancelled, the Monitoring Officer (or Deputy in their absence) will send an agenda by electronic means to every Member of the Authority or relevant body. The agenda will give the date and time of each meeting together with the details for remote or hybrid access.
- 4.34.5. At such time as sending the notice of the meeting and the agenda, the relevant officer shall arrange for the notice of the meeting and the agenda together with copies of such reports as are available to be published on the Service website.
- 4.34.6. Where a report becomes available after publication of the notice and agenda, the relevant officer shall send it electronically to all Members and arrange for a copy to be published on the Service website as soon as practicable.
- 4.34.7. Quorum – The number of Members required to be present for a quorum includes those in remote attendance. If at any time during the meeting the Chairperson counts the number of Members present and declares that there is not a quorum present, the meeting will adjourn immediately. The remaining business will be considered on a date and time set by the Monitoring Officer in consultation with the Chairperson
- 4.34.8. Declaration of Interests – A member who would ordinarily be required to leave the room during the consideration of an item of business due to the Member having a disclosable prejudicial interest or to having such other interest as the Authorities Code of Conduct may require the Member to do so, shall be deemed to have done so if the Member disconnects their remote access and remains disconnected until such time as the Chairperson invites the Councillor to re-join the meeting.
- 4.34.9. Discussion of confidential business and disclosure of exempt information - Where a motion is passed to exclude the public and press from the meeting due to the discussion of confidential business or exempt information, the right of the public and the Press to see or see and hear, the meeting shall cease and their electronic access will be disconnected and in the case of physical attendance at an Authority meeting be asked to vacate the room.
- 4.34.10. Conduct during meetings – Members in remote attendance or any member of the public exercising a right to speak in remote attendance shall only speak when called upon to do so by the Chairperson and shall cease to speak when told to so by the Chairperson.

N.B. This Procedure is in addition to the Authorities Procedure Rules as contained within the Authority's Constitution and to the Remote Meeting Procedures agreed under Emergency Powers set out within the scheme of delegations.

4.35. Electronic Broadcasts of Meetings

When capability is in place ordinary meetings of the Authority will be broadcast live electronically on the Service website so that members of the public not in attendance at the meeting can see and hear the proceedings. Copies of the meeting will be available for six years after the meeting. At present recordings of all meetings are available on the Service Website.

5. The Chairperson

5.1.Election

5.1.1. The Chairperson will be elected by Full Fire and Rescue Authority.

5.1.2. The Chairperson will usually be elected on an annual basis at the Annual Fire and Rescue Authority meeting for a term of 1 year.

However, where the post of Chairperson becomes vacant between Fire and Rescue Authority Annual General meetings the Chairperson will be elected at the next meeting of the Full Fire and Rescue Authority.

5.2.Resignation, Dismissal, Disqualification and Suspension

5.2.1. Chairperson may resign the position of Chairperson by writing to the Monitoring Officer.

5.2.2. The Chairperson can be dismissed where the Fire and Rescue Authority passes a resolution removing them from office in accordance with the Rules below.

5.2.3. The Chairperson shall cease to be Chairperson if they are suspended or disqualified as a Fire and Rescue Authority Member, or, for other such reasons, cannot fulfil the role of Chairperson.

5.2.4. The Chairperson will cease to be Chairperson upon death or upon suffering any disability which will, or is likely to, prevent them from undertaking the role of Chairperson for a period of three months or more.

5.3.Deputy Chairperson

5.3.1. Appointment

5.3.1.1. The Deputy Chairperson will be elected by Full Fire and Rescue Authority.

5.3.1.2. The Deputy Chairperson will usually be elected on an annual basis at the Annual Fire and Rescue Authority meeting for a term of 1 year. However, where the post of Deputy Chairperson becomes vacant between Fire and Rescue Authority Annual General meetings the Deputy Chairperson will be elected at the next meeting of the Full Fire and Rescue Authority.

5.3.2. Duties of the Deputy Chairperson

The Deputy Chairperson may exercise all the functions of the Chairperson where the position is vacant or where the Chairperson is absent or is otherwise unable to act.

5.4.Functions and Delegated Authority

5.4.1. Role of the Chairperson

The Chairperson will Chairperson meetings of the Authority.

5.4.2. The Authority Scheme of Delegations

The Monitoring Officer, in consultation with the Chairperson, will prepare and submit for approval a Authority Scheme of Delegations setting out the delegations of Executive Functions, including where the principle has

been approved as part of the Fire and Rescue Authority's Executive arrangements, the delegated authority of each member of the Authority and thereafter keep this under review and submit updates to the Scheme, as appropriate.

6. Scrutiny Committee

6.1. Introduction

- 6.1.1. The Fire and Rescue Authority is required to discharge certain overview and scrutiny functions. These functions are an essential component of local democracy. Scrutiny Committee should be powerful committees that can contribute to the development of Fire and Rescue Authority policies and also hold the Authority to account for its decisions. Another key part of the overview and scrutiny role is to review existing policies, consider proposals for new policies and suggest new policies.
- 6.1.2. Overview and scrutiny should be carried out in a constructive way and should aim to contribute to the delivery of efficient and effective services that meet the needs and aspirations of local inhabitants. Scrutiny Committee should not shy away from the need to challenge and question decisions and make constructive criticism.

6.2. Scrutiny Committee

In order to achieve this, the Fire and Rescue Authority have created a Scrutiny Committee which between them will:

- 6.2.1. review or scrutinise decisions made, or actions taken, in connection with the discharge of any of the Fire and Rescue Authority's functions whether by the Authority or its committees;
- 6.2.2. make reports or recommendations to the Fire and Rescue Authority and/or the Committees in connection with the discharge of any functions;
- 6.2.3. consider any matter which affects the Fire and Rescue Authority's area or its inhabitants; and
- 6.2.4. exercise the right to call in for reconsideration decisions made but not yet implemented by the Authority and Officers.

6.3. Specific Functions

Policy Development and Review

- 6.3.1. The Scrutiny Committee may:
- a) assist the Fire & Rescue Authority in the development of policy framework by in-depth analysis of policy issues;
 - b) question members of the Authority and/or Committees and Officers about their views on issues and proposals affecting the area; and
 - c) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working;
 - d) consider the impact of policies to assess if they have made a difference.

6.4. Scrutiny

- 6.4.1. The Scrutiny Committee may:

- a) review and scrutinise the decisions made by and performance of the Authority and/or Committees and Officers both in relation to individual decisions and over time;
- b) review and scrutinise the performance of the Authority in relation to its policy objectives, performance targets and/or particular service areas;
- c) question members of the Authority and/or Committees and Officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- d) make recommendations to the Authority and/or appropriate Committee arising from the outcome of the Scrutiny process;
- e) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Scrutiny Committee and local people about their activities and performance; and
- f) question and gather evidence from any person (with their consent).

6.4.2. Finance

The Scrutiny Committee may review and scrutinise Authority's:

- a) Medium Term Financial Strategy
- b) Revenue Budget setting and monitoring processes
- c) Capital Programme and associated budgets.

6.4.3. Performance

- a) The Scrutiny Committee may undertake the scrutiny of the performance of the Service against the Corporate Objectives, Strategic Themes, associated strategies, plans and performance indicators
- b) The Scrutiny Committee may also receive progress reports from Member Champions to monitor progress and improvement in associated areas.

6.4.4. Annual Report

- a) The Scrutiny Committee will report annually to the Authority on their workings and make recommendations for future work programmes and amended working methods if appropriate.

6.5. Monitoring Officer

One of the roles of the Monitoring Officer is to promote the role of the Fire and Rescue Authority's Scrutiny Committee and to promote support and guidance to Fire and Rescue Authority Members and Officers generally about the functions of the Scrutiny Committee.

6.6. Who May Sit on Scrutiny Committee?

All Fire and Rescue Authority Members except the Chairperson and Deputy Chairperson of any Committee of the Authority may be Members

of the Scrutiny Committee. However, no Member may be involved in scrutinising on decisions in which they have been directly involved.

6.7.Co-Optees

Each Scrutiny Committee shall be entitled to recommend to Fire and Rescue Authority the appointment of non-voting co-optees. In exercising or deciding whether to exercise a co-option, the Authority must, under section 76 of The Measure, have regard to guidance given by the Welsh Ministers and comply with directions given by them.

6.8.Who Chairs?

The Chairperson will usually be elected on an annual basis at the Annual Fire and Rescue Authority meeting by members of the Scrutiny Committee for a term of 1 year. However, where the post of Chairperson becomes vacant between Fire and Rescue Authority Annual General meetings the Chairperson will be elected at the next meeting of the Committee.

6.9.Role of the Chairperson of the Scrutiny Committee

The role of the Chairperson of the Scrutiny Committee will be essential in implementing the new method of working. The Chairperson will liaise with the Monitoring Officer and supervise the Work Programme and identify cross cutting themes.

In summary, therefore, the Chairperson will:

- a) be accountable for delivering the new way of working for scrutiny;
- b) will meet regularly to monitor the Work Programmes of the Authority and other committees;
- c) will liaise with the Authority on issues affecting the Scrutiny Work Programme; and
- d) report at least annually to the Fire and Rescue Authority on progress in implementing the new methods of working.

6.10. Work Programme

The Scrutiny Committee will be responsible for setting their own Work Programme and in doing so they should take into account wishes of Members of that Committee. It may also consider urgent and unforeseen matters not included in the Work Programme.

6.11. Meetings

6.11.1. The Scrutiny Committee will have at least 4 meetings a year.

6.11.2. Extraordinary meetings may be called from time to time in order to deal with call-ins (Section 6.16) where the Chairperson of the Scrutiny Committee and the Chairperson of Fire and Rescue Authority agree it is necessary for the Scrutiny Committee to consider the called in decision before the Committee's next programmed meeting.

6.12. Meetings of the Scrutiny Committee

The Fire and Rescue Authority may determine a cycle of meetings for the Scrutiny Committee.

6.13. Rights of Members of the Scrutiny Committee to Documents

6.13.1. In addition to their rights as Fire and Rescue Authority Members, Members of the Scrutiny have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules in Section 12 of this Constitution.

6.13.2. Nothing in this paragraph prevents more detailed liaison between the Authority and the Scrutiny Committee as appropriate depending on the particular matter under consideration.

6.14. Members and Officers Giving Account

6.14.1. The Scrutiny Committee may scrutinise and review decisions made or actions taken in connection with the discharge of any Fire and Rescue Authority functions. As well as reviewing documentation, in fulfilling the Scrutiny role, it may require any Member of the Authority, Principal and/or any senior Officer to attend before it to explain in relation to matters within their remit:

- a) any particular decision or series of decisions;
- b) the extent to which the actions taken implement Fire and Rescue Authority policy; and/or
- c) their performance

and it is the duty of those persons to attend if so required.

6.14.2. For this purpose, senior Officer includes any Principal Officer and other appropriate senior Officer. Where there are concerns about the appropriateness of the Officer who should attend, the relevant Principal Officer shall discuss this with the Chairperson with a view to achieving consensus.

6.14.3. Where any Member or Officer is required to attend the Scrutiny Committee under this provision, the Chairperson will inform the Monitoring Officer. The Monitoring Officer shall inform the Member or Officer, if necessary in writing, giving at least five working days' notice of the meeting at which they are required to attend (unless agreed otherwise). Any notice will state the nature of the item on which they are required to attend to give account and whether any papers are required to be produced for the Committee.

6.14.4. Where the account to be given to the Scrutiny Committee will require the production of a report, then the Member or Officer concerned will be given sufficient notice to allow for preparation of that documentation.

6.14.5. Where, in exceptional circumstances, the Member or Officer is unable to attend on the required date, then the Scrutiny Committee shall in consultation with the Member or Officer arrange an alternative date for attendance.

6.15. Attendance by Others

The Scrutiny Committee may invite people other than those people referred to in paragraph 6.14 above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and Members and Officers in other parts of the public sector and shall invite such people to attend.

6.16. Call-In

6.16.1. Rules

- a) Where a decision is made by the Authority, an individual Member of the Authority or a Committee of the Authority or under joint arrangements, the decision shall be published by the Monitoring Officer, including where possible by electronic means, and shall be available at the Head Quarters of the Fire and Rescue Authority normally within ten clear working days of it being made. All Members of the Scrutiny Committee will be sent copies of the records of all such decisions within the same time scale, by the person responsible for publishing the decision.
- b) That notice will bear the date on which it is published and will specify that the decision will come into force and may then be implemented, on the expiry of five clear working days after the publication of the decision, unless the Scrutiny Committee objects to it and calls it in for review.
- c) During that period the Monitoring Officer shall call-in a decision for scrutiny by the Scrutiny Committee if so requested in the specified format by five Members of the Scrutiny Committee and, shall then notify the decision taker of the call-in.
- d) If, having considered the decision, the Scrutiny Committee is still concerned about it, then it may refer it back to the decision making Committee for reconsideration, setting out in writing the nature of its concerns or refer the matter to Full Fire and Rescue Authority. If referred to the decision maker they shall then reconsider within a further 30 clear working days, amending the decision or not, before adopting a final decision.
- e) If following an objection to the decision, the Scrutiny Committee does not meet within the period set out above, or does meet but does not refer the matter back to the decision making person or Committee, the decision shall take effect on the date of the Scrutiny Committee meeting, or the expiry of that further 30 working day period, whichever is the earlier.
- f) If the matter was referred to Full Fire and Rescue Authority and the Fire and Rescue Authority does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Fire and Rescue Authority does object, the Fire

and Rescue Authority will refer any decisions to which it objects back to the decision making person or Committee, together with the Fire and Rescue Authority's views on the decision. That decision making Committee or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Authority as a whole, or a Committee of it, a meeting will be convened to reconsider within five working days of the Fire and Rescue Authority's request. Where the decision was made by an individual, the individual will reconsider within five working days of the Fire and Rescue Authority's request.

- g) If the Fire and Rescue Authority does not meet, or if it does but does not refer the decision back to the decision making Committee or person, the decision will become effective on the date of the Fire and Rescue Authority meeting or expiry of the period in which the Fire and Rescue Authority meeting should have been held, whichever is earlier.
- h) In order to ensure that call-in is not abused, nor causes unreasonable delay, certain limitations are to be placed on its use. These are:
 - i. the Scrutiny Committee may only call-in a total of one decision per three month period;
 - ii. three Members of the Scrutiny Committee are needed for a decision to be called in;
 - iii. once a Member has signed a request for call-in under this paragraph, they may not do so again until the period of three months has expired.
- i) The Monitoring Officer may veto any request for call-in if it falls outside the remit of this scheme.
- j) Save in exceptional circumstances all Members requesting a matter be called in must attend the meeting at which the matter is being considered.

6.16.2. Call-In and Urgency

- a) The call-in procedure set out above shall not apply where the decision being taken by the Authority is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would, for example, seriously prejudice the Fire and Rescue Authority's or other public interests. The record of the decision, and notice by which it is made public, shall state whether in the opinion of the decision making person or Committee, the decision is an urgent one, and therefore not subject to call-in. The Chairperson must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Chairperson the Deputy Chair's consent shall be required. In the absence of both, the Monitoring Officer's consent should be required. Decisions taken

as a matter of urgency must be reported at the next available meeting of the Fire and Rescue Authority, together with the reasons for urgency.

- b) The operation of the provisions relating to call-in and urgency shall be monitored annually and a report submitted to Fire and Rescue Authority with proposals for review if necessary.

6.17. Procedure at Scrutiny Committee Meetings

6.17.1. the Scrutiny Committee shall consider the following business:

- a) minutes of the last meeting;
- b) declarations of interest;
- c) consideration of any matter referred to that Scrutiny Committee for a decision in relation to call in of a decision;
- d) responses of the Authority to reports of that Scrutiny Committee;
- e) the business otherwise set out on the agenda for the meeting.

The Rules of Procedure at the Scrutiny Committee will be the same as the Fire and Rescue Authority Procedure Rules except that the Chairperson of the meeting may allow the rules of debate to be relaxed to enable a full contribution by those attending the meeting whether as Members of the Scrutiny Committee or in any other capacity which allows them to contribute to the worth of the meeting.

6.17.2. the Scrutiny Committee may ask people to attend to give evidence or answer questions about any items on their agenda. Meetings should be conducted in accordance with the following principles:

- a) that the business be conducted fairly and all Members of the Scrutiny Committee be given the opportunity to ask questions of attendees, and to contribute and speak;
- b) that those assisting by giving evidence be treated with respect and courtesy;
- c) that the business be conducted as efficiently as possible.

6.17.3. Following any investigation or review, the Scrutiny Committee shall prepare a report, for submission to the Fire and Rescue Authority and shall make its report and findings public.

7. The Standards Committee

7.1.Membership

The Standards Committee is composed of eight Members. Its Membership includes:

- 7.1.1. five “independent” Members, who are not either a Fire and Rescue Authority Member or an Officer or the spouse of a Fire and Rescue Authority Member or an Officer of this Fire and Rescue Authority or any other relevant Authority as defined by the Local Government Act 2000, appointed in accordance with the procedure set out in the Standards Committees (Wales) Regulations 2001 (as amended);
- 7.1.2. three Fire and Rescue Authority Members other than the Chairperson or Deputy Chairperson of any Committees of the Authority.

7.2.Term of Office

- 7.2.1. Independent Members are appointed for a period of not less than four and not more than six years and may be reappointed for a consecutive term.
- 7.2.2. Members of local authorities who are Members of the Standards Committee will have a term of office until the next ordinary local government election following their appointment. They may be reappointed for one further consecutive term.

7.3.Quorum

A meeting of the Standards Committee shall only be quorate when:

- 7.3.1. at least three Members, including the Chairperson, are present; and
- 7.3.2. at least half the Members present (including the Chairperson) are Independent Members.

7.4.Voting

Independent Members and Fire and Rescue Authority Members will be entitled to vote at meetings.

7.5.Chairing the Committee

- 7.5.1. Only an Independent Member of the Standards Committee may be the Chairperson.
- 7.5.2. The Chairperson and Vice Chairperson will be elected by the Members of the Standards Committee for whichever is the shortest period of:
 - i. not less than four years or no more than six years; or
 - ii. until the term of office of the Independent Member comes to an end.

7.6.Role and Function

The Standards Committee will have the following roles and functions:

- 7.6.1. promoting and maintaining high standards of conduct by Fire and Rescue Authority Members and co-opted Members of the Authority;

- 7.6.2. assisting the Fire and Rescue Authority Members and co-opted Members to observe the Members' Code of Conduct;
- 7.6.3. advising the Fire and Rescue Authority on the adoption or revision of the Members' Code of Conduct;
- 7.6.4. monitoring the operation of the Members' Code of Conduct;
- 7.6.5. advising, training or arranging to train Fire and Rescue Authority Members and co-opted Members on matters relating to the Members' Code of Conduct;
- 7.6.6. granting dispensations to Fire and Rescue Authority Members relating to interests set out in the members' code of conduct;
- 7.6.7. dealing with any reports from a case tribunal or interim case tribunal and any report from the Monitoring Officer on any matter referred to that officer by the Local Commissioner in Wales;
- 7.6.8. review, monitor and challenge the content and effectiveness of the Authority's policies, procedures, guidance notes and other documents designed to prevent breaches of the Bribery Act 2010 within the organisation and to make recommendations to improve these to reduce risk to the Authority;
- 7.6.9. overview of complaints handling and Ombudsman investigations;
- 7.6.10. make an Annual Report to Full Fire Authority describing how the Committee's functions have been discharged during the financial year;
- 7.6.11. maintain an Overview of the operation and maintenance of the Authority's complaints handling procedures in so insofar as they relate to issues concerning Members.

7.7. Annual Report

- 7.7.1. As soon as possible after the end of each financial year, the Standards Committee must make an annual report to the Fire and Rescue Authority.
- 7.7.2. The annual report must include: -
 - a) a description of how the Standards Committee has discharged its functions;
 - b) a summary of any reports and recommendations that were referred to the Standards Committee under Chapter 3 of Part 3 of the Local Government Act 2000;
 - c) a summary of the actions that the Standards Committee has taken following consideration of the reports and recommendations referred to in (b) above;
 - d) a summary of any notices that were given to the Standards Committee under Chapter 4 of Part 4 of the Local Government Act 2000; and
 - e) the Standards Committee's assessment of the extent to which members on the Fire and Rescue Authority have complied with their duties to promote and maintain high standards of conduct and to cooperate with the Standards Committee in the exercise of the Standards Committee's functions; and

- f) any recommendations which the Standards Committee considers it appropriate to make to the Fire and Rescue Authority about any matter which falls within the Committee's functions.

7.8. Work Programme

The Committee will prepare a work programme, which will be reviewed and approved at each Committee meeting.

7.9. Rules of Procedure and Debate

7.9.1. The Fire and Rescue Authority Procedure Rules at Section 4 will apply to the meetings of the Standards Committee Members.

7.9.2. When considering the conduct of individual Fire and Rescue Authority Members, the procedures outlined in Appendix 3 to Section 16 will apply.

8. Regulatory Committees

8.1. Other Committees

The Fire and Rescue Authority will appoint the Committees to discharge the functions set out in Section 11 of this Constitution.

8.2. The Finance, Audit and Performance Management Committee

- 8.2.1. The Fire and Rescue Authority will appoint a Finance, Audit and Performance Management Committee to discharge the functions described in Section 11 of this Constitution and in accordance with sections 81-87 of The Measure.
- 8.2.2. The Committee shall comprise of ten Members, which must not include the Chairperson or Deputy Chairperson of the Authority.
- 8.2.3. The Finance, Audit and Performance Management Committee is not politically balanced but contains one representative from each constituent unitary authority.
- 8.2.4. The Chairperson of the Finance, Audit and Performance Management Committee and Deputy Chairperson are appointed at the Fire Authority AGM.
- 8.2.5. A meeting of the Finance, Audit and Performance Management Committee is to be Chaired:
 - a) by the Chairperson of the Finance, Audit and Performance Management Committee, or
 - b) if the Chairperson of the Finance, Audit and Performance Management Committee is absent, by the Deputy Chairperson.
 - c) If both the Chairperson of the Finance, Audit and Performance Management Committee and the Deputy Chairperson are absent, the Committee may appoint a member of the Committee.
- 8.2.6. Members of the Finance, Audit and Performance Management Committee may vote on any matter from the Committee.

8.3. The HR and Equalities Committee

- 8.3.1. The Fire and Rescue Authority will appoint a HR and Equalities Committee to discharge the functions described in Section 11 of this Constitution.
- 8.3.2. The Committee shall comprise of twelve Members, which must not include the Chairperson or Deputy Chairperson of the Authority. **The Fire and Rescue Authority shall appoint Members to the HR and Equalities Committee in accordance with the political balance rules.**
- 8.3.3. The Chairperson of the HR and Equalities Committee and Deputy Chairperson are appointed by the Full Fire and Rescue Authority at the Annual General meeting.

8.4. Other Committees and Sub-Committees

- 8.4.1. The Fire and Rescue Authority will appoint such other Committees as it considers appropriate to the exercise of its functions.

8.4.2. Any Committee appointed by the Fire and Rescue Authority may at any time appoint additional working groups and panels throughout the year. The terms of reference and delegation of powers to them shall be explicit and within the appointment Committees terms of reference.

8.5. Rules of Procedure and Debate

8.5.1. The Fire and Rescue Authority Procedure Rules in Section 4 will apply.

9. Officers

9.1. Management Structure

9.1.1. General

The Full Fire and Rescue Authority may engage such staff (referred to as Officers) as it considers necessary to carry out its functions.

9.1.2. Principal Officers

The Full Fire and Rescue Authority will engage persons for the following posts, who will be designated Principal Officers, which designation includes persons acting temporarily in such capacity:

Post	Functions and Areas of Responsibility
Chief Fire Officer (Head of Paid Service)	<p>Overall corporate management and operational responsibility including overall management responsibility for all Officers.</p> <p>Principal adviser to the Fire and Rescue Authority on general policy.</p> <p>The provision of professional and impartial advice to all parties in the decision-making process to the Full Fire and Rescue Authority, to Scrutiny Committee, and other Committees.</p> <p>Together with the Monitoring Officer, responsibility for a system of record keeping for all the Authority's decisions.</p> <p>Representing the Authority on partnership and external bodies (as required by statute or the Fire and Rescue Authority).</p> <p>Service to the whole Fire and Rescue Authority, on a politically neutral basis.</p>
Deputy Chief (Fire) Officer	<p>To deputise fully for the Chief Fire Officer in their absence and to take such decisions and executive action as may be required to provide an efficient service to the public.</p> <p>To manage a directorate of the Service as appointed by the CFO.</p>

Post	Functions and Areas of Responsibility
Director, Corporate Services / Monitoring Officer	Responsible for Corporate Support Services, Media & Communications, Performance Planning, Information Governance, Property, Business Support, Finance & Procurement, Member Support Services, Legal, Insurance and Corporate Governance Support Senior Information Risk Owner (SIRO), Senior Risk Officer (SRO) and Proper Officer
Director, Technical Services	Fleet Management, Health and Safety, Operational Training and Operational Risk Management and ICT
Director Service Delivery	Operations, Risk Reduction and Fire Control
Director of Human Resources	Employee Relations, Organisation and Employee Development, Equal Opportunities, Human Resources, Occupational Health, Welsh Language and Equality & Diversity
Treasurer	Section 112 (2) Chief Finance Officer / Chief Finance Officer for the Fire and Rescue Authority

9.1.3. Statutory Officers

The Fire and Rescue Authority will designate the following posts as shown:

Post	Designation
Chief Fire Officer	Head of Paid Service
Director of Corporate Services	Monitoring Officer
Treasurer	Responsible Finance Officer Chief Finance Officer (Section 112 (2) Officer)

Such posts will have the functions described in Sections 9.2 to 9.4.

9.2.Functions of the Chief Fire Officer

The core purpose of the role is to advise the Fire and Rescue Authority in the provision of an effective and efficient Fire and Rescue Service, delivering its services in accordance with all statutory, legal and other obligations.

9.2.1. To take all necessary action within approved budgets to discharge the duties, function and responsibilities of the Service under or in relation to the Fire Services Act 2004 including the power to authorise officers to take action under any provision or supplementary power contained within that Act.

- a) To advise the Fire and Rescue Authority in the discharge of statutory duties and expectations within the Fire and Rescue Services Act 2004., the National Framework and other relevant legislation and guidance. To be accountable to the Fire and Rescue Authority, having due regard to such legislation and guidance.
- b) To act as professional advisor to the Fire and Rescue Authority for all matters relating to the Fire and Rescue Service.
- c) The Chief Fire Officer is responsible for providing strategic leadership, direction, coordination and effective management of people and resources within the Fire and Rescue Service to ensure the highest standards of direct service provision. In doing so the role will ensure appropriate corporate policies are put in place to comply with this measure. The Chief Fire Officer must keep the following matters under review:
 - i. the manner in which the exercise by the Fire and Rescue Authority of its different functions is co-ordinated;
 - ii. the Fire and Rescue Authority's arrangements in relation to:
 - A. financial planning,
 - B. asset management, and
 - C. risk management;
 - iii. the number and grades of staff required by the Fire and Rescue Authority for the exercise of its functions;
 - iv. the organisation of the Fire and Rescue Authority's staff;
 - v. the appointment of the Fire and Rescue Authority's staff; and
 - vi. the arrangements for the management of the Fire and Rescue Authority's staff (including arrangements for training and development).

9.2.2. If the Chief Fire Officer considers it appropriate to do so, they must make a report to the Full Fire and Rescue Authority setting out their approach to these matters. As soon as possible after preparing a report, the Chief Fire Officer must arrange for a report to be sent to each Member of the Fire and Rescue Authority.

9.2.3. Acting as the Fire and Rescue Authority's Representative on the Public Services Boards.

9.2.4. Restrictions on Functions

The Chief Fire Officer may not be the Monitoring Officer or the Chief Finance Officer.

9.3.Functions of the Monitoring Officer

These are set out in section 5 of the Local Government and Housing Act 1989 as amended.

9.3.1. Maintaining the Constitution

The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Members, staff and the public.

9.3.2. Ensuring Lawfulness and Fairness of Decision Making

After consulting with the Chief Fire Officer and Chief Finance Officer, the Monitoring Officer will report to the Full Fire and Rescue Authority or to the Authority in relation to any Function if they consider that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

9.3.3. Supporting the Standards Committee

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.

9.3.4. Receiving Reports

The Monitoring Officer will receive and act on reports made by the Public Services Ombudsman for Wales and decisions of the case tribunals.

9.3.5. Conducting Investigations

The Monitoring Officer will conduct investigations into matters referred by the Public Services Ombudsman for Wales and make reports or recommendations in respect of them to the Standards Committee.

9.3.6. Proper Officer for Access to Information

The Monitoring Officer will ensure that decisions, together with the reasons for those decisions and relevant Officer reports and background papers are made publicly available as soon as possible.

9.3.7. Advising whether decisions of the Authority are within the Budget and Policy Framework

The Monitoring Officer will, in conjunction with the Chief Finance Officer, advise whether decisions of the Authority– are in accordance with the Budget and Policy Framework.

9.3.8. Providing Advice

The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to the Fire and Rescue Authority Members.

9.3.9. Restrictions on Posts

The Monitoring Officer cannot be the Chief Finance Officer or the Chief Fire Officer.

9.4.Functions of the Chief Finance Officer (Treasurer)

These are set out in section 112 of the Local Government Finance Act 1988 and section 6 of the Local Government and Housing Act 1989.

9.4.1. Ensuring Lawfulness and Financial Prudence of Decision Making

After consulting with the Chief Fire Officer and the Monitoring Officer, the Chief Finance Officer will report to the Full Fire and Rescue Authority and the Fire and Rescue Authority's external auditor if they considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Fire and Rescue Authority is about to enter an item of account unlawfully.

9.4.2. Administration of Financial Affairs

The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Fire and Rescue Authority.

9.4.3. Contributing to Corporate Management

The Chief Finance Officer will contribute to the corporate management of the Fire and Rescue Authority, in particular through the provision of professional financial advice.

9.4.4. Providing Advice

The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Fire and Rescue Authority Members and will support and advise Fire and Rescue Authority Members and Officers in their respective roles.

9.4.5. Give Financial Information

The Chief Finance Officer will provide financial information to the media, members of the public and the community.

9.4.6. Advising whether Decisions of the Authority are within the Budget and Policy Framework

The Chief Finance Officer will, in conjunction with the Monitoring Officer, advise whether decisions of the Authority are in accordance with the Budget and Policy Framework.

9.4.7. Restrictions on Posts

a) The Chief Finance Officer cannot be the Monitoring Officer.

b) The Chief Finance Officer must be a member of one or more of the following professional bodies: -

i. the Institute of Chartered Accountants in England and Wales;

ii. the Chartered Association of Certified Accountants;

iii. the Chartered Institute of Public Finance and Accountancy;

iv. the Chartered Institute of Management Accountants; or

v. any other Committee of accountants established in the United Kingdom and for the time being approved by the Welsh Ministers for this purpose.

9.5. Duty to Provide Sufficient Resources to the Head of Paid Service, Monitoring Officer, Chief Finance Officer

The Fire and Rescue Authority will provide the Head of Paid Service, the Monitoring Officer, and the Chief Finance Officer with such Officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

9.6. Conduct

Officers will comply with the Officers' Code of Conduct and the Protocol on Officer/Member Relations set out in Sections 17 and 18 of this Constitution.

9.7. Employment

The recruitment, selection and dismissal of Officers will comply with the Officer Employment Rules set out below.

9.8. Officer Employment Procedure Rules

9.8.1. Restrictions on the Appointment of Members as Officers

A Member of the Fire and Rescue Authority is disqualified from being appointed to any Officer position at the Fire and Rescue Authority while they remain a Member.

9.8.2. Recruitment and Appointment

a) Declarations

- i. The Fire and Rescue Authority has drawn up procedures which include a requirement that any candidate for an appointment as an Officer must state in writing whether they have any relationship with any Fire and Rescue Authority Member, Co-opted Member or Principal Officer of the Fire and Rescue Authority.
- ii. No candidate so related to a Fire and Rescue Authority Member or a Principal Officer will be appointed without the authority of the Chief Fire Officer or an Officer nominated by them.

b) Seeking Support for Appointment

- i. The Fire and Rescue Authority will disqualify any applicant who directly or indirectly seeks the support of any Fire and Rescue Authority Member for any appointment with the Fire and Rescue Service.
- ii. No Fire and Rescue Authority Member or employee of the Fire and Rescue Service will seek support for any person for any appointment with the Fire and Rescue Service.

9.8.3. Recruitment of Principal Officers

Where the Fire and Rescue Authority proposes to appoint a Principal Officer and it is not proposed that the appointment be made exclusively from among their existing Officers, the Fire and Rescue Authority will:

- a) draw up a statement including the following:

- i. the duties of the Officer concerned; and
 - ii. any qualifications or qualities to be sought in the person to be appointed;
 - b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
 - c) make arrangements for a copy of the procedures mentioned in paragraph (a) to be sent to any person on request.
- 9.8.4. Appointment of Chief Fire Officer
- a) The Full Fire and Rescue Authority will approve the appointment of the Chief Fire Officer, following the recommendation of such appointment by a committee of the Fire and Rescue Authority. That committee must include at least one Member of the Authority.
 - b) The Full Fire and Rescue Authority may only make or approve the appointment of the Chief Fire Officer where no well-founded objection has been made by any Member of the Authority.
- 9.8.5. Appointments of Principal Officers
- a) The appointment of Principal Officers is the responsibility of the Finance, Audit and Performance Management Committee.
 - b) Where the Finance, Audit and Performance Management Committee is proposing to appoint or dismiss the Chief Fire Officer, the full Fire and Rescue Authority must approve that appointment before the offer of appointment is made or must approve that dismissal before notice of dismissal is given.
 - c) The Finance, Audit and Performance Management Committee shall not make an offer of appointment in relation to any of the Officers named in (a) above until it has complied with Schedule 3 of the Local Authorities (Standing Orders) (Wales) Regulations 2006.
- 9.8.6 Disciplinary Action
- a) **Suspension.** The Chief Fire Officer, Monitoring Officer and Chief Finance Officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than three months.
 - b) **Independent Person.** No other disciplinary action may be taken in respect of any of those Officers except in accordance with a recommendation in a report made by a designated independent person.
 - c) Members will not be involved in the disciplinary action against any Officer below Principal Officer (unless provided for in the employment contract of that Officer) except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Authority's disciplinary, capability and related procedures as adopted from time to time.
 - d) In accordance with legislation [sub-paragraph 3(2) of part 1 of the Schedule 3 to the Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014, as amended by Regulation 10 of

the Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014] the Monitoring Officer is prohibited from dismissing any officer in relation to whom disciplinary action is proposed and who was, but at the time of the proposed disciplinary action no longer is, an officer referred to in the Regulations.

9.8.7 Dismissal

Members will not be involved in the dismissal of any Officer below Principal Officer (unless provided for in the employment contract of that Officer) except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Authority's disciplinary, capability and related procedures as adopted from time to time. Where in the case of the dismissal of:

- the Chief Fire Officer;
- a Principal Officer;

a Committee or sub-committee is discharging the function of the dismissal.

The Full Fire and Rescue Authority will be responsible for a decision to dismiss the Chief Fire Officer.

9.8.8 Procedure for Dealing with Allegations of Misconduct which may Lead to Disciplinary Action Against the Chief Fire Officer, Monitoring Officer or Chief Finance Officer.

9.8.8.1 An investigation committee be appointed to consider the alleged misconduct which must:

- a) consist of a minimum of three Members of the Authority;
 - b) be politically balanced;
- and which must, within one month of its appointment, consider the allegation of misconduct and decide whether it should be further investigated.

9.8.8.2 For the purpose of considering the allegation of misconduct, the investigation committee:

- a) may make such enquiries of the relevant officer or any other person it considers appropriate;
- b) may request the relevant officer or any other person it considers appropriate to provide it with such information, explanation or documents as it considers necessary within a specified time limit;
- c) may receive written or oral representations from the relevant officer or any other person it considers appropriate.

9.8.8.3 Where it appears to the investigation committee that an allegation of misconduct should be further investigated, it must appoint an independent person by agreement with the relevant officer within one month of the date on which the requirement to appoint the designated independent person arose.

9.8.8.4 The designated independent person:

- a) may direct:
 - (i) that the Authority terminate any suspension of the relevant officer;

- (ii) that any such suspension is to continue after the expiry of the period referred to provided such suspension terminate no later than the expiry of three months beginning on the day on which the suspension takes effect;
- (iii) that the terms on which the suspension has taken place are to be varied in accordance with the direction; or
- (iv) that no steps by way of disciplinary action or further disciplinary action against the relevant Officer, other than steps taken in the presence, or with the agreement, of the designated independent person, are to be taken before a report is made to the Authority under (d) below;
- b) may inspect any documents relating to the conduct of the relevant Officer which are in the possession of the Authority, or which the Authority has power to authorise the designated person to inspect;
- c) may require any Member or member of staff of the Authority to answer questions concerning the conduct of the relevant Officer;
- d) must make a report to the Authority:
 - (i) stating an opinion as to whether (and, if so, the extent to which) the evidence obtained supports any allegation of misconduct against the relevant Officer; and
 - (ii) recommending any disciplinary action which appears appropriate for the Authority to take against the Officer.
- e) must no later than the time at which the report is made under d) above send a copy of the report to the relevant Officer.

9.8.8.5 The Officer subject to the disciplinary proceedings and the Authority must, after consulting the designated independent person, attempt to agree a timetable within which the independent person is to undertake the investigation. Where no such agreement is made, the independent person must set a timetable as that person considers appropriate within which the investigation is to be undertaken.

9.8.9 The Authority must consider the report of the independent person within one month of receipt of that report.

10. Finance Contracts and Legal Matters

10.1. Financial Management

The management of the Fire and Rescue Authority's financial affairs will be conducted in accordance with the financial rules set out in Section 11 of this Constitution.

10.2. Contracts

Every contract made by the Fire and Rescue Authority will comply with the Contracts Standing Orders set out in Section 12 of this Constitution.

10.3. Legal Proceedings

10.3.1. The Monitoring Officer is authorised to institute, defend, participate in or settle any legal proceedings and take all necessary steps in any case where such action is necessary to give effect to decisions of the Fire and Rescue Authority or in any case where the Monitoring Officer considers that such action is necessary to protect the Fire and Rescue Authority's interests.

10.3.2. The Monitoring Officer has delegated powers to authorise Officers to appear in court on the Fire and Rescue Authority's behalf.

10.4. Authentication of Documents

10.4.1. Where any document is necessary to any legal procedure or proceedings on behalf of the Fire and Rescue Authority, it will be signed by the Monitoring Officer or other person authorised by them, unless any enactment or otherwise authorises or requires, or the Fire and Rescue Authority has given requisite authority to some other person.

10.4.2. Any contract with a value exceeding £25,000, entered into on behalf of the Fire and Rescue Authority shall be made in writing. Subject to the Contracts Procedure Rules, such contracts must be signed by at least one specified Officer of the Fire and Rescue Authority or made under common seal of the Fire and Rescue Authority attested by at least one specified Officer if they exceed World Trade Organisation Government Procurement Agreement (WTO GPA) thresholds in value.

10.5. Common Seal of the Fire and Rescue Authority

10.5.1. Common Seal

- a) The Common Seal of the Fire and Rescue Authority shall be kept in a safe place in the custody of the Monitoring Officer.
- b) A decision of the Fire and Rescue Authority, including decisions under delegated powers, will be sufficient authority for sealing any document necessary to give effect to the decision.

10.5.2. Sealing and Execution of Documents

- a) The Monitoring Officer of the Fire and Rescue Authority shall have authority to execute any deed or document not required by law to

be under seal which is necessary to effect the decisions of the Fire and Rescue Authority.

b) This function can be delegated further by the named persons.

10.5.3. Record of Sealing of Documents

Any entry of the sealing of every deed or document to which the Common Seal has been affixed shall be made and consecutively numbered in a book to be provided for the purpose.

11. Responsibility For Functions - Summary

The purpose of this Section of the Constitution is to set out who is responsible for making the various decisions in the Fire and Rescue Authority.

11.1. Who can be Decision Makers?

Under this constitution, there are a number of different decision makers:

- 11.1.1. Full Fire and Rescue Authority;
- 11.1.2. a Committee of the Fire and Rescue Authority;
- 11.1.3. an individual Authority Member;
- 11.1.4. an Officer.

The Fire and Rescue Authority will issue and keep up to date a record of which individual has responsibility for particular types of decisions.

11.2. Principles of Decision Making

All decisions of the Fire and Rescue Authority will be made in accordance with the following principles:

- 11.2.1. proportionately (ie the action must be proportionate to the desired outcome);
- 11.2.2. due consideration and the taking of professional advice from Officers;
- 11.2.3. respect for human rights;
- 11.2.4. a presumption in favour of openness;
- 11.2.5. clarity of aims and desired outcomes;
- 11.2.6. consideration of any alternative options; and
- 11.2.7. the giving and recording of reasons for the decision and the proper recording of these reasons.

11.3. Functions fall into the following categories:

- 11.3.1. Functions of the Full Fire and Rescue Authority
The Fire and Rescue Authority is the supreme decision making Committee and may, with some exceptions, exercise any of the functions vested in the Fire and Rescue Authority by Law. It may also delegate many of those functions to a Committee, Sub-Committee or Officer. The functions of the Full Fire and Rescue Authority are set out in Section 4.

11.4. Other Bodies

- 11.4.1. Advisory Bodies
The Fire and Rescue Authority and/or the Chairperson can also set up Advisory Groups.
- 11.4.2. Scrutiny Committee
Scrutiny Committee are responsible for the overview and scrutiny function. They cannot exercise other functions and make decisions.
- 11.4.3. Officer Delegations

Officer delegations are also contained in this Section of the Constitution.

11.5. Removal of Delegation

- 11.5.1. Where a function has been delegated, the Committee that delegated the function may withdraw the delegation generally or in any particular case, and may exercise the function itself.
- 11.5.2. Where a function has been delegated, the decision maker is not required to exercise the delegation and may refer any particular matter to the Committee that made the delegation or any other Committee that has power to exercise the function.

11.6. Who May Exercise Officer Delegations?

- 11.6.1. Where a function has been delegated to an Officer(s) (“delegated Officer(s)”), the decision may be taken in the name of (but not necessarily personally by) such delegated Officer(s) (“authorised Officer(s)”) in accordance with arrangements made from time to time by such delegated Officer(s) for this purpose. The Officer with delegated powers can only delegate to a third party if that Officer is given delegated powers to “delegate on” that decision making.

11.7. Officer Scheme of Delegations

The purpose of this Section of the Constitution is to bring together delegations to Officers and roles and responsibilities of Officers. See Appendix 1 to Section 11 SWFRS Scheme of Delegation.

Appendix 1 to Section 11

Scheme of Delegation from 10.04.2019

SCHEME OF DELEGATION From 10.04.2019

Sally Chapman/80162/Current Constitution/Scheme of Delegation
Last reviewed/ Amended:10.04.2019 Page 1 of 43
Final Version

12. Access to Information Procedure Rules

12.1. Scope

These rules apply to all meetings of the Fire and Rescue Authority, the Authority, Scrutiny Committee, the Standards Committee, and Regulatory Committees.

12.2. Additional Rights to Information

These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

12.3. Rights to Attend Meetings

Members of the public may attend all meetings subject only to the exceptions in these rules.

12.4. Notices of Meeting

12.4.1. Unless a meeting is convened at short notice, the Fire and Rescue Authority will give at least seven days notice of any meeting by posting details of the meeting at SWFRS Fire & Rescue Services Headquarters, Forrest View Business Park, Llantrisant, CF72 8LX, and on its website.

12.4.2. Where the meeting or part of the meeting is open to the public and is held wholly through remote means, the notice must include details of the time of the meeting, and how to access it.

12.4.3. Where the meeting or part of the meeting is open to the public and is held partly through remote means, the notice must include details of the time and place of the meeting and how to access it.

12.4.4. Where the meeting is not open to the public and is held partly through remote means or not held through remote means, the notice must include details of the time and place of the meeting and the fact that it is not open to the public.

12.4.5. Where the meeting is not open to the public and is held through remote means only, the notice must include details of the time of the meeting, the fact that it is being held through remote means only and the fact that it is not open to the public.

12.5. Access to Agenda and Reports Before the Meeting

The Fire and Rescue Authority will make copies of the agenda and reports open to the public available for inspection at the designated office and on its website at least seven days before the meeting. If an item is added to the agenda later, the revised agenda (where reports are prepared after the summons has been sent out, the designated Officer shall make each such report available to the public as soon as the report is completed and sent to Fire and Rescue Authority Members) will be open to inspection from the time the item was added to the agenda.

12.6. Supply of Copies

The Fire and Rescue Authority will supply copies of:

- 12.6.1. any agenda and reports which are open to public inspection;
- 12.6.2. any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- 12.6.3. if the Monitoring Officer thinks fit, copies of any other documents supplied to Fire and Rescue Authority Members in connection with an item to any person either electronically or on payment of a charge for postage and any other printing and handling costs.

12.7. Access to Minutes etc after the Meeting

The Fire and Rescue Authority will make available either electronic or hard copies of the following for a period of six years after the date of a meeting:

- 12.7.1. the minutes of the meeting of the Authority, excluding any part of the minutes of proceedings when the meeting was not open to the public because exempt or confidential information was being considered;
- 12.7.2. a summary of any proceedings not open to the public, where the minutes open to inspection would not provide a reasonably fair and coherent record;
- 12.7.3. the agenda for the meeting;
- 12.7.4. reports relating to items when the meeting was open to the public.

12.8. Background Papers

12.8.1. List of Background Papers

The Officer preparing the report will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in their opinion:

- a) disclose any facts or matters on which the report or an important part of the report is based; and
- b) which have been relied on to a material extent in preparing the report

but does not include published works or those which disclose exempt or confidential information as defined in section 12.10.

12.8.2. Public Inspection of Background Papers

The Fire and Rescue Authority will make available for public inspection for a minimum of four years after the date of the meeting one copy of each of the documents on the list of background papers.

12.9. Summary of Public's Rights

A written summary of the public's rights to attend meetings and to inspect and copy documents will be kept at, and made available to the public at SWFRS Fire & Rescue Services Headquarters, Forrest View Business

Park, Llantrisant, CF72 8LX and published on the Fire and Rescue Service website.

12.10. Exclusion of Access by the Public to Meetings

- 12.10.1. Confidential Information – Requirement to Exclude Public
 - a) The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted, or the nature of the proceedings, that confidential information would be disclosed.
- 12.10.2. Exempt Information – Discretion to Exclude Public
 - a) The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted, or the nature of the proceedings, that exempt information would be disclosed.
 - b) Where the meeting will determine any person’s civil rights or obligations, or adversely affect their possessions, article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public, unless a private hearing is necessary for one of the reasons specified in article 6.
- 12.10.3. Meaning of Confidential Information
 Confidential information means information given to the Fire and Rescue Authority by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.
- 12.10.4. Meaning of Exempt Information
 Exempt information means information falling within the following seven categories (subject to any condition):

No.	Category of Exempt Information	Condition
1.	Information relating to any individual.	Public interest test applies (see below).
2.	Information which is likely to reveal the identity of an individual.	Public interest test applies (see below).
3.	Information relating to the financial or business affairs of any particular person (including the authority holding that information).	Information falling within paragraph 3 is not exempt information by virtue of that paragraph if it is required to be registered under: <ul style="list-style-type: none"> • The Companies Act 1985; • The Friendly Societies Act 1974;

No.	Category of Exempt Information	Condition
		<ul style="list-style-type: none"> • The Friendly Societies Act 1992; • The Industrial and Provident Societies Acts 1965 to 1978; • The Building Societies Act 1986; or • The Charities Act 1993. Public interest test applies (see below).
4.	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Welsh Minister or a Minister of the Crown and employees of, or office holders under, the authority.	Public interest test applies (see below).
5.	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	
6.	Information which reveals that the authority proposes: <ul style="list-style-type: none"> • to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or • to make an order or direction under any enactment. 	Public interest test applies (see below).
7.	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. Public interest test applies (see below).	Public interest test applies (see below).

No.	Category of Exempt Information	Condition
	<p><i>(In relation to a meeting of a Standards Committee, or a Sub-Committee of a Standards Committee, which is convened to consider a matter referred under the provisions of section 70(4) or (5) or 71(2) of the Local Government Act 2000):</i></p> <p>7A Information which is subject to any obligations of confidentiality.</p> <p>7B Information which relates in any way to matters concerning national security.</p> <p>7C The deliberations of a Standards Committee or of a Sub-Committee of a Standards Committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred to it.</p>	

12.11. Public Interest Test

12.11.1. Information which:

- a) falls within 1 to 4, 6 and 7 in the above table; and
- b) is not prevented from being exempt by virtue of the “qualifications” above,

is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

12.11.2. The starting point is that there is a general public interest in release and the public authority has to decide whether in any particular case it would serve the interest of the public better to either disclose or withhold the information.

12.11.3. There is no legal definition of what the public interest is, but the following have been identified as some of the relevant considerations:

- a) There is a distinction between public interest and what merely interests the public.
- b) Does it further the understanding of and participation in the public debate of issues of the day?
- c) Does it promote accessibility and transparency by public authorities for decisions taken by them or in the spending of public money?
- d) Does it allow individuals and companies to understand decisions made by public authorities affecting their lives?
- e) Does it bring to light information affecting public health and public safety?

12.12. Exclusion of Access by the Public to Reports

If the Monitoring Officer thinks fit, the Fire and Rescue Authority may exclude access by the public to reports which, in their opinion, relate to items during which, in accordance with section 12.10, the meeting is likely not to be open to the public. Such reports will be marked “Not for Publication”, together with the category of information likely to be disclosed and if applicable, why in the public interest it is considered that the information should not be disclosed.

12.13. The Forward Work Programme

12.13.1. Period of Forward Work Programme

Forward Work Programmes are a series of documents which list the subject matters of decisions that (a) the Fire Authority and its Committees and (b) what business the Scrutiny Committee will be considering and when those matters will be discussed. This does not prevent urgent or unforeseen matters being considered. Each of those bodies will be responsible for their own Work Programmes. Annual Forward Work Programmes will be prepared by the Monitoring Officer from the beginning of the Municipal Year. Forward Work Programmes are considered and updated where necessary at each meeting of the Authority / Committee.

12.13.2. Contents of Forward Work Programme

- a) The Forward Work Programme will contain matters which the Authority / Committees are likely to consider. It will contain information on:
 - i. the timetable for considering the Budget and any plans forming part of the Policy Framework and requiring Fire and Rescue Authority approval, and which Committee is to consider them;
 - ii. the timetable for considering any plans which are the responsibility of the Authority;
 - iii. any individual matters on which the Authority intends to consult in advance of taking a decision, and the timetable for consultation and decision.

- b) The Forward Work Programme will be published within the papers of the Committees.

12.14. Consultation on Proposals to be Considered by the Authority

- 12.14.1. At least fourteen days should be permitted in the Forward Work Programme for consultation with the relevant Chairs where a matter is to be considered by the Authority and is not urgent (as defined below) or confidential or exempt (as defined in paragraph 12.10).
- 12.14.2. A matter may be considered urgent where the events to which it is addressed were unforeseen at the time that the last Forward Work Programme was produced and a decision is required within four weeks.
- 12.14.3. A decision can only be treated as urgent if the decision taker (if an individual) or the Chairperson of the Committee making the decision obtains the agreement of the Chairperson of the Scrutiny Committee that the taking of the decision cannot be reasonably deferred. If there is no Chairperson of the relevant Scrutiny Committee, or if the Chairperson of the Scrutiny Committee is unable to act, then the agreement of the Chairperson / Deputy Chairperson of the Fire and Rescue Authority in consultation with the Monitoring Officer. Any decisions taken under this urgency procedure will be recorded as having been taken in the absence of consultation in the decision record.

12.15. Record of Decisions of the Authority

- 12.15.1. The Decision Record
 - a) A written record will be made of every Decision made by the Authority and its Committees.
 - b) This decision record will include a statement, for each decision, of:
 - i. the decision made;
 - ii. the date the decision was made;
 - iii. the reasons for that decision;
 - iv. any personal interest declared;
 - v. any dispensation to speak granted by the Authority's Standards Committee;
- 12.15.2. any consultation undertaken prior to the decision.
- 12.15.3. Preparing the Decision Record
 - a) The Monitoring Officer or their representative shall attend any meeting of the Authority, and shall, as soon as reasonably practicable after the meeting, produce a decision record.

12.16. Scrutiny Committee and Members' Access to Documents

- 12.16.1. Rights of Access

Subject to paragraph 12.17.2 below, the Scrutiny Committee will be entitled to access to any document which is in the possession or control of the Authority or its Committees and which contains material relating to any business transacted at a meeting of the Authority or its Committees.
- 12.16.2. Limit on Rights

The Scrutiny Committee will not be entitled to any part of a document that contains:

- a) confidential or exempt information; or
- b) advice provided by a political advisor or assistant

unless that information is relevant to an action or decision that is being reviewed or scrutinised or any review contained in a programme of work of the Committees.

12.17. Additional Rights of Access for Members of the Scrutiny Committee

12.17.1. Rights of Access

All Members will be entitled (except where a Member has a prejudicial interest in any matter) to inspect any document which is in the possession or under the control of the Authority or its Committees and contains material relating to any business transacted at a meeting of a decision making Committee of the Fire and Rescue Authority.

12.17.2. Limitation on Rights

A Member will not be entitled to any part of a document where:

- a) it would disclose exempt information falling within paragraphs 12 to 18 of Part 4 of Schedule 12A of the Local Government Act 1972; or
- b) it would disclose advice of a political advisor or assistant.

12.17.3. Nature of Rights

These rights of a Member are additional to any other right they may have.

13. Budget and Policy Framework Procedure Rules

13.1. The Framework for Decisions

The Fire and Rescue Authority will be responsible for the adoption of its Budget and Policy Framework as set out in Section 4. Once a Budget or a Policy Framework is in place, it will be the responsibility of the Authority to implement it.

13.2. Process for Developing the Framework

13.2.1. The FAPM Committee, following detailed reports from respective Officers, (following appropriate consultation with stakeholders) will present to Fire and Rescue Authority, proposed plans, policies and the associated annual budgets. This will be done allowing adequate time for Fire and Rescue Authority to deal with the matter and, if needed, refer the matter back to the FAPM Committee for further consideration.

13.2.2. The Fire and Rescue Authority will consider the proposals of the FAPM Committee and may adopt them, amend them, refer them back to the FAPM Committee for further consideration, or substitute its own proposals in their place. In considering the matter, the Fire and Rescue Authority shall have before it the FAPM Committee proposals and any related report from the Scrutiny Committee.

13.2.3. The Fire and Rescue Authority shall, at that meeting, make its final decision on the matter on the basis of a simple majority. The decision shall be made public and shall be implemented immediately.

13.3. Process for Developing the Budget

13.3.1. The Authority will follow the process set out in the Financial Procedure Rules in Section 14 of the Constitution. In addition the following process shall apply to the development of the Budget:

- a) The Authority will publicise a timetable for making proposals for the adoption of the Budget, and its arrangements for consultation after publication of the initial proposals. The Chairperson of the Scrutiny Committee will also be notified.
- b) At the end of the consultation period, the FAPM will draw up firm proposals having regard to the responses to the consultation. If the Scrutiny Committee wishes to respond to FAPM in that consultation process then it may do so. The Scrutiny Committee shall report to the Authority on the outcome of its deliberations.

13.3.2. The FAPM will take any response from the Scrutiny Committee into account in drawing up firm proposals for submission and its report will reflect the comments made by consultees.

13.3.3. Once the FAPM has approved the firm proposals, it will refer them at the earliest opportunity to the Fire and Rescue Authority.

13.4. Decisions Outside the Budget or Policy Framework

13.4.1. If the Authority, any of its Committees or any Officers want to make such a decision, they shall take advice from the Monitoring Officer and/or the Chief Finance Officer as to whether the decision they want to make would be contrary to the Policy Framework, or contrary to or not wholly in accordance with the budget.

13.4.2. If the advice of either of those Officers is that the decision would not be in line with the existing Budget and/or Policy Framework, then the decision must be referred by that Committee or person to the Fire and Rescue Authority for decision, unless the decision is a matter of urgency, in which case the provisions in paragraph 13.5 (urgent decisions outside the Budget and Policy Framework) shall apply.

13.5. Urgent Decisions Outside the Budget or Policy Framework

13.5.1. The Authority, one of its Committees or Officers may take a decision which is contrary to the Fire and Rescue Authority's Policy Framework or contrary to or not wholly in accordance with the budget approved by Full Fire and Rescue Authority if the decision is a matter of urgency. However, the decision may only be taken if it is not practical to convene a quorate meeting of the Full Fire and Rescue Authority.

13.5.2. The reasons why it is not practical to convene a quorate meeting of Full Fire and Rescue Authority must be noted on the record of the decision.

13.5.3. Following the decision, a full report will be provided to the next available Fire and Rescue Authority meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

14. Financial procedure rules

14.1. Introduction

14.1.1. What are Financial Procedure Rules (FPR)?

- (a) FPR Rules provide the framework for managing the Fire and Rescue Authority's financial affairs. They are supported by more detailed Financial Procedure Notes (FPN), process notes and bulletins which set out how the procedures will be implemented. The purpose of FPR is to ensure that public accountability and high standards of financial integrity are exercised in the control of public funds that pass through the Authority, and anyone acting on its behalf. They are introduced to protect the interests of the Fire and Rescue Authority, and all those involved with financial administration.
- (b) The FPR identify the financial responsibilities of the Fire and Rescue Authority and officers working within the Service.
- (c) The FPR apply to every Member of the Authority, officer and anyone acting on the Authority's behalf.
- (d) To avoid the need for regular amendment due to changes in post titles generic terms are included for officers as follows:
 - (i) The term, "Chief Finance Officer," refers to the Section 112 (2) Officer who is the Treasurer.
 - (ii) The term, "Principal Officers", refers to the Chief Fire Officer, Chief Finance Officer and Directors.
 - (iii) The term, "Monitoring Officer", is the Director of Corporate Services.
 - (iv) The term, "officer" refers to employees, both operational and corporate.
 - (v) The term, "Authority" refers to the Full Fire and Rescue Authority.
 - (vi) The term, "Member" refers to a member of the Fire and rescue Authority.

14.1.2. Why are they important?

- (a) To conduct its business effectively, the Authority needs to ensure that sound financial management arrangements are in place and that they are strictly adhered to in practice. Part of this process is the establishment of FPR which set out the financial responsibilities of the Authority and everyone working on their behalf. These procedures have been devised as a control to help the Authority manage its financial matters properly in compliance with all necessary requirements.

- (b) Good, sound financial management is a key element of the Authority's corporate governance framework which helps to ensure that the Authority is doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner.
- (c) Good financial management secures value for money, controls spending, ensures due probity of transactions and allows decisions to be informed by accurate accounting information.
- (d) Good financial management requires secure and reliable records and systems to process transactions and information and substantiate the effective use of public money.
- (e) FPR should not be seen in isolation, but rather as part of the overall regulatory framework of the Authority as set out in this constitution.

14.1.3. Who do FPR apply to?

- (a) FPR apply to every Member and officer of the Authority and anyone acting on its behalf. Members and officers have a general responsibility for taking reasonable action to provide for the security and use of the resources and assets under their control, and for ensuring that the use of such resources and assets is legal, is consistent with Authority policies and priorities, is properly authorised and achieves value for money.
- (b) These FPR shall apply in relation to any partnership for which the Authority is the accountable committee unless the Authority expressly agrees otherwise.
- (c) Failure to observe FPR may result in action under the Authority's disciplinary procedures.

Who is responsible for ensuring that they are applied?

- (d) Where an officer is designated by reference to their job title, the responsibilities shall relate to the post holder. Such an officer may arrange for officers under their supervision to carry out any of the obligations required to be performed by them under FPR, or to act in their absence, provided that the named post holder shall retain responsibility to the Chief Finance Officer, the Authority and its committees.
- (e) Principal Officers and Heads of Service are ultimately responsible to the Authority for ensuring that all staff (including contractors providing services on behalf of the Authority) in their service area are aware of the existence and content of the FPR and supporting guidance issued by the Chief Finance Officer and that they comply with them. Failure to comply with the FPR, the FPN or any arrangements made for their purpose, will constitute misconduct.

- (f) The Chief Finance Officer is responsible for maintaining a continuous review of the FPR and submitting any additions or changes necessary to the Authority for approval. The Chief Finance Officer is also responsible for reporting, where appropriate, breaches of the FPR to the Fire and Rescue Authority. In the event of dispute as to the meaning of any of the provisions of the FPR, the matter shall be determined by the Chief Finance Officer whose decision shall be final.
- (g) The Chief Finance Officer, and in their absence the Head of Finance, per the scheme of delegations, is responsible for issuing advice and guidance underpinning the FPR which Members, Principal Officers and others acting on behalf of the Authority are required to follow.
- (h) Where any Principal Officer considers that complying with FPR in a particular situation might conflict with the achievement of value for money or the best interests of the Authority, they shall raise the issue with the Chief Finance Officer who will, if they consider appropriate, seek formal approval from the Authority for a specific waiver of the procedures, or an amendment to the procedures themselves.

14.2. Financial Management - General Roles and Responsibilities

14.2.1. The Role of the Authority

The Authority has a duty towards taxpayers regarding financial decisions and their consequences. The Authority is responsible for approving the budget and policy framework within which the service operates, having regard to the Chief Finance Officer's the medium-term financial plan and budget setting reports. This responsibility includes the approval of Prudential Indicators and treasury management strategy for the approaching financial year. It is also responsible for approving and monitoring compliance with the Authority's overall framework of accountability and control. The role of the Authority is set out in greater detail, this constitution.

14.2.2. The Role of the Finance, Audit & Performance Management (FAPM) Committee

The FAPM committee is responsible for proposing the budget and policy framework to the Fire and Rescue Authority, and for discharging delegations in accordance with that framework.

14.2.3. The Role of the Chief Finance Officer

- (a) The Chief Finance Officer is accountable to the Chief Fire Officer and the Authority and has a statutory duty for overall responsibility for the financial administration and stewardship of the Authority which cannot be overridden and arises from the following;
 - (i) Local Government and Finance Act 1988,
 - (ii) The Accounts and Audit Regulations, as periodically amended;

- (b) The Chief Finance Officer is the Authority's professional adviser on financial matters and is responsible for:
- (i) the proper administration of the Authority's financial affairs;
 - (ii) maintaining a continuous review of FPR and submitting any additions or changes as necessary to the Authority for approval;
 - (iii) periodically reviewing, updating, and monitoring compliance with financial management standards;
 - (iv) advising on the corporate financial position and on the key financial controls necessary to secure sound financial management;
 - (v) providing financial information and advice to the Senior Management Team (SMT) and the Authority on all aspects of its activity including appropriate financial options as necessary;
 - (vi) providing advice, guidance and training for Members and officers on FPR and supporting procedural notes;
 - (vii) determining accounting policies and ensuring that they are applied consistently;
 - (viii) to make judgements and estimates that are reasonable and prudent for inclusion into the annual statement of accounts;
 - (ix) determining accounting procedures and the records keeping of the Authority;
 - (x) reporting, where appropriate, breaches of the FPR to the Authority;
 - (xi) preparing, monitoring and reporting the revenue budget, capital programme and medium-term financial plan positions;
 - (xii) make a report if it appears that the expenditure of the Authority incurred, or is proposed to incur in a financial year, is likely to exceed the resources (including borrowings) available to meet that expenditure;
 - (xiii) ensuring the provision of an effective internal audit function;
 - (xiv) ensuring the provision of an effective treasury management function;
 - (xv) advising on risk management;
 - (xvi) ensuring the Authority complies with the CIPFA Prudential Code for Capital Finance in Local Authorities;

- (xvii) ensuring that Authority spending plans identified in the medium-term financial plan, are based upon robust estimates;
 - (xviii) ensuring that the level of Authority reserves is adequate to meet the known financial risks over the medium term;
 - (xix) ensuring that the annual Statement of Accounts is prepared in accordance with the relevant Code of Practice for every year ending 31 March;
 - (xx) ensuring that financial information is available to enable accurate and timely monitoring and reporting of comparisons of financial performance indicators;
 - (xxi) ensuring that proper professional practices, standards and ethics are adhered to;
 - (xxii) acting as head of profession in relation to the standards, performance and development of finance staff including the training and professional development of all staff employed in posts designated as requiring a qualified accountant, accounting technician, or auditor;
 - (xxiii) the appointment of all finance staff and will be consulted on any proposal to create or delete a post requiring such a qualification for appointment;
- (c) Section 114 of the Local Government Finance Act 1988 requires the Chief Finance Officer (to be undertaken following consultation with the Monitoring officer) to report to the Authority and external auditors, if it appears to them that a Member, officer or partnership through which the Authority is represented:
- (i) has made, or is about to make a decision which involves incurring expenditure which is unlawful;
 - (ii) has taken or is about to take, unlawful action which has resulted or would result in a loss or deficiency to the Authority;
 - (iii) is about to make an unlawful entry in the Authority's accounts.
- (d) Section 114 of the 1988 Act also requires:
- (i) the Chief Finance Officer to nominate a properly qualified Member of staff to deputise should they be unable to perform the duties under section 114 personally, and this will be the Head of Finance;
 - (ii) the Authority to provide the Chief Finance Officer with sufficient staff, accommodation and other resources, including legal advice where necessary, to carry out the duties under section 114, as determined by the Chief Finance Officer.

- (e) The Chief Finance Officer:
 - (i) is required to approve all FPR, records, systems and accounts throughout the Authority which are necessary to ensure that the tasks defined in these procedures are properly carried out. The Authority, its committees, groups and officers will also ensure that the Chief Finance Officer is consulted and given the opportunity to advise upon all financial management arrangements necessary to ensure a satisfactory standard of accuracy, reliability, probity and regularity;
 - (ii) shall be given access to any information as is necessary to comply with their statutory duties and with the requirements and instructions of the Authority;
 - (iii) shall be entitled to attend partake in meetings and report on financial matters directly to the Authority, its committees or groups and SMT;
 - (iv) shall be sent prior notice of all meetings of the Authority and its bodies together with full agendas and reports.

14.2.4. The Role of Principal Officers

- (a) Principal Officers are each accountable to the Authority for the financial management and administration of those services and activities allocated to them in accordance with FPR and the policy framework.
- (b) Principal Officers are responsible for:
 - (i) the effective monitoring and control of expenditure against their service area
 - (ii) ensuring that adequate and effective systems of internal control are operated to ensure the safeguarding of assets; the accuracy, legitimacy and proper processing of transactions, and to maintain adequate records and audit trails leading from the source of the income/expenditure through to the accounting statements;
 - (iii) ensuring that the Authority are advised of the financial implications of all proposals and that these have been approved by the Chief Finance Officer in advance of proposals being presented to the Authority;
 - (iv) consulting with the Chief Finance Officer in seeking approval regarding any matters which may affect the Authority's finances materially, before any commitments are incurred or before reporting to the Authority or any of its committees;
 - (v) consulting with each other on any issue with corporate financial implications before submitting policy options or

recommendations to the Chief Finance Officer , the Authority, its committees, and groups.

- (vi) informing the Chief Finance Officer when they or their reports intend to meet with representatives of government service areas or outside bodies on matters which may involve current / future financial or economic proposals and be given the opportunity of being represented or advised of the proposals as the Chief Finance Officer considers necessary.
- (vii) ensuring and making arrangements for all employees who are responsible for financial administration in their service area, to be issued with appropriate instructions and support to do so effectively.
- (viii) immediately notifying the Chief Finance Officer of any known or suspected breach of security, theft or irregularities concerning cash, inventories, credit/purchasing cards or other property of the Authority, or suspected irregularity of the same.
- (ix) promoting financial management standards and practices set by the Chief Finance Officer, monitoring adherence and developing their staff in this respect and in liaison with the Chief Finance Officer .

14.3. Financial Planning

14.3.1. Strategic Planning

- (a) The full Fire and Rescue Authority is responsible for agreeing the budget and policy framework which will be proposed by FAPM committee in conjunction with the Chief Finance Officer.
- (b) The preparation of the medium-term financial plan is part of the strategic policy framework of the Authority and aims to ensure that spending plans are prudent, affordable, and sustainable and reflect Fire and Rescue Authority priorities.
- (c) The policy framework comprises various plans and strategies, as defined in this constitution. In terms of financial planning, the key elements are:
 - (i) SWFRA Constitution
 - (ii) SWFRS Strategic Plan
 - (iii) SWFRS Improvement Plan
 - (iv) SWFRS Policy Statements
 - (v) SWFRS Strategic Equality Plan
 - (vi) SWFRS Carbon Reduction Plan

- (vii) SWFRS Welsh Language Scheme
 - (viii) SWFRS Health and Wellbeing Strategy
 - (ix) Welsh Government Fire and Rescue National Framework
 - (x) SWFRS Medium-Term Financial Plan;
 - (xi) SWFRS Asset Management Plan;
 - (xii) SWFRS People Plan;
 - (xiii) SWFRS Performance Management Framework;
- (d) The Authority is responsible for approving procedures for agreeing variations to approved budgets, plans and strategies forming the policy framework and for determining the circumstances in which a decision will be deemed to be contrary of these things. Under the constitution, the Monitoring Officer has a duty to advise whether decisions of the Authority are in accordance with the budget and policy framework.
- (e) The Chief Finance Officer is responsible for advising and supplying financial information required for plans within the budget and policy framework and contributing towards the development of service targets, objectives and performance information.
- (f) Principal Officers are responsible for the preparation and monitoring of service improvement plans, objectives and performance indicators within their service areas in accordance with the performance management framework determined by the Chief Fire Officer. They are required to integrate budget planning and submissions with service planning and the strategic planning framework.
- (g) Service improvement plans should align with Authority values and priorities and be consistent with and based upon the budget allocated by the Authority to the service.

14.3.2. Budget Preparation

- (a) The FAPM committee, in consultation with the Chief Finance Officer, is responsible for determining the general budget strategy and issuing annual guidelines to Principal Officers on:
- (i) preparing a detailed annual revenue/capital budgets;
 - (ii) preparing medium-term financial plans (three years);
 - (iii) preparing the capital programme;
 - (iv) the timetable for preparing and agreeing the Authority budgets;
- (b) The guidelines will take account of:

- (i) Authority priorities as reflected in the Strategic and Improvement plans;
 - (ii) spending pressures;
 - (iii) what future funding is available;
 - (iv) what level of reserves are available;
 - (v) the affordability, sustainability and prudence of capital investment plans;
 - (vi) legal requirements;
 - (vii) value for money and other relevant government guidelines;
- (c) The Chief Finance Officer is responsible for;
- (i) developing and maintaining a resource allocation process that ensures the consideration of the Authority's policy framework;
 - (ii) ensuring that a detailed revenue budget is prepared on an annual basis and a medium-term financial plan on a three yearly basis;
 - (iii) ensuring a capital programme is prepared on an annual basis;
 - (iv) consulting with constituent councils on budget proposals, and to report the results of this back to the Authority in order that it might set its respective budgets for the ensuing year and agree constituent fire levy's;
 - (v) prescribing the budget format which will determine the level of detail at which financial control and management will be exercised;
 - (vi) advising the Authority and relevant committees on prudent levels of reserves.
- (d) Principal Officers are responsible for;
- (i) ensuring budget estimates are prepared in accordance with guidance issued by the Chief Finance Officer and reflect agreed service performance plans, strategies and policy framework.
 - (ii) consider the revenue implication of capital submissions, acceptance of grants, donations (cash and non-cash) and whole life projects and work streams if committing the Authority to additional future expenditure;

14.3.3. Budget Approval

- (a) The Authority is responsible for agreeing the budget and policy framework. The policy framework comprises of several statutory plans and strategies.
- (b) The Authority's revenue and capital budgets will be proposed by the FAPM committee and will be approved by the Full Fire and Rescue Authority.
- (c) The Full Fire and Rescue Authority may amend the proposed budget or ask the FAPM committee to reconsider it before approving it.

14.3.4. Budget Transfers (Virement)

- (a) During the year, Principal Officers and Heads of Service may need to transfer budgetary provision (virement) from one service area to another, or between budget headings, to reflect changed service needs or priorities within the financial limits set. This is a requirement for both revenue and capital budgets.
- (b) The FAPM committee is responsible for
 - (i) approving procedures for agreeing variations to approved budgets;
 - (ii) for setting the virement level;
 - (iii) agreeing procedures for carrying forward under and overspending on budget headings at each financial year end.
- (c) The following limits have been approved for the authorisation of budget virements:
 - (i) Principal Officers can vire up to £50,000 between any one budget head to another for which they are responsible, during the financial year with written approval of the Head of Finance or Senior Accountant;
 - (ii) Principal Officers can vire up to £100,000, between different service areas on agreement, during the financial year with written approval of the Head of Finance or Senior Accountant and consequent reporting to FAPM committee;
 - (iii) FAPM committee can vire in excess of £100,000 between budget headings and service areas following a joint report of the Chief Finance Officer and the responsible Principal Officer. The report must explain the implications, both financial and non-financial, for the current and future financial years.
- (d) No virement may be approved, other than with the specific authority of the FAPM committee if the total cash limited budget of the Fire and Rescue Authority is likely to be overspent

- (e) Nothing in these regulations is intended to prevent spending in emergency circumstances as agreed between the Chief Fire Officer and the Chief Finance Officer and Monitoring Officer
- (f) The Chief Finance Officer will use their delegated authority to authorise the release of funds from contingencies.
- (g) Authority approval is required for any budget transfer, of whatever amount, where the proposed transfer will result in a change of policy, the introduction of a new service or the termination of an existing service.
- (h) Capital budget cannot be vired to a revenue budget head.
- (i) The Authority sets a multiyear capital programme, with the latter year's indicative only. To ensure an effective capital programme, expenditure can be brought forward with the approval of the Chief Finance Officer and in line with treasury policies.

14.3.5. Budget Monitoring and the Control of Income and Expenditure

- (a) The Chief Finance Officer is responsible for:
 - (i) developing an effective framework of budgetary management and control;
 - (ii) providing appropriate financial information to enable budgets to be monitored effectively;
 - (iii) periodic reporting to FAPM committee and relevant groups on the overall Authority budget monitoring position;
 - (iv) submitting reports to the FAPM committee, the Authority and its groups, in consultation with the relevant Principal Officers, where a Principal Officer is unable to balance expenditure and resources within existing approved budgets under their control and to recommend appropriate action.
 - (v) determining the definition of capital and revenue transactions, having regard for accounting requirements and government regulations;
 - (vi) all payments to employees, Members and creditors;
 - (vii) maintaining the Authority's tax records;
 - (viii) advising Principal Officers on all taxation issues that affect the Authority;
 - (ix) ensuring that all funding notified by external bodies is received and properly recorded in the Authority's accounts;

- (x) agreeing arrangements for the collection of income due to the Authority;
 - (xi) agreeing banking, borrowing and other credit requirements, e.g. leasing, rentals, hire purchase etc;
 - (xii) agreeing the write off, of bad debts in accordance with the Authority's debt recovery policy.
- (b) The Authority is responsible for approving contractual arrangements for any work for third parties or external bodies unless the responsible Principal Officer is authorised in this respect under the scheme of delegations.
- (c) It is the responsibility of Principal Officers to:
- (i) comply with Contract Standing Orders and relevant internal guidance in committing expenditure;
 - (ii) liaise and secure approval from the Chief Finance Officer to carry out an option appraisal before committing expenditure for goods / services that include credit arrangements;
 - (iii) control income and expenditure within their service area and ensure this is properly accounted for;
 - (iv) monitor performance in conjunction with the budget, taking account of financial information provided by the Chief Finance Officer;
 - (v) ensure that budgetary provision is identified for all expenditure incurred;
 - (vi) report on spending variances within their own areas to the Chief Finance Officer;
 - (vii) not support recurring revenue expenditure from one-off sources of funding, savings, or income, or create future commitments, including full-year effects of decisions made part way through a year, for which they have not identified future resources;
 - (viii) ensure, after consultation with the Chief Finance Officer that there is prior approval by the Authority or FAPM committee (as appropriate) for new proposals, of whatever amount, that; create financial commitments in future years; change existing policies, initiate new policies or cease existing policies; materially extend or reduce the authority's services;
 - (ix) take any corrective action necessary to avoid exceeding their budget allocation and immediately alert the Chief Finance Officer to any problems.

14.3.6. Reporting Authority Spending at Year End

- (a) The Full Fire and Rescue Authority is responsible for approving the annual un-audited Statement of Accounts.
- (b) The Chief Finance Officer is responsible for:
 - (i) publishing a timetable for the closure of the accounts annually and advise staff and external auditors accordingly;
 - (ii) ensuring the Authority's annual Statement of Accounts is prepared in accordance with the CIPFA Code of Practice on Local Authority in the United Kingdom, the Accounts and Audit Regulations and any other relevant guidelines.
 - (iii) facilitating the external audit process leading to a satisfactory audit report, including the agreement and issuance of letters of representation as appropriate;
- (c) It is the responsibility of Principal Officers to ensure that arrangements are put in place each year to deliver the elements of the Authority's closure timetable that apply to their service area in the format requested.

14.3.7. Use of Authority Reserves

- (a) The establishment of reserves and incurring of expenditure from reserves will be authorised by the Authority, by recommendation of the Chief Finance Officer.
- (b) The Chief Finance Officer is responsible for;
 - (i) advising the Authority on reserve level and arrangements. The advice will be based upon an annual risk assessment of the prudent levels that should be maintained;
 - (ii) managing the Authority reserves in accordance with decisions taken by the Authority, its committees and relevant codes of accounting practice and policies;
 - (iii) reporting the reserve position annually at financial year end as part of the statement of accounts reporting process.

14.4. Risk Management and Control of Resources

14.4.1. Risk Management

- (a) It is essential that robust, integrated systems are developed and maintained for identifying, evaluating, and managing all significant strategic and operational risks to the Authority. This should include the proactive participation of all those associated with planning and delivering services.

- (b) The Authority is responsible for establishing its approach to risk management and for reviewing the effectiveness of risk management arrangements.
- (c) The Chief Fire Officer is responsible for;
 - (i) the timely identification of strategic risks affecting the Authority, in conjunction with Principal Officers;
 - (ii) developing risk management systems and controls in conjunction with Principal Officers;
 - (iii) annual reporting to the Authority and its committees on the corporate risk register in addition to periodic risk updates.
- (d) Principal Officers are responsible for;
 - (i) risk management, having regard to advice from the Chief Finance Officer, and other specialist officers e.g., crime prevention, fire prevention, health and safety.
 - (ii) promoting and embedding risk management arrangements and advising the Authority and internal officers on the proper insurance cover for material risks where appropriate;
 - (i) undertaking regular reviews of risks within their service area and ensuring findings from these are fed back into the risk management cycle to ensure these are managed appropriately.

14.4.2. Internal Control

- (e) Internal control refers to the systems of control devised by management to help ensure the Authority's objectives are achieved in a manner that promotes economic, efficient, and effective use of resources and that its assets and interests are safeguarded.
- (f) The Chief Finance Officer is responsible for advising on effective systems of internal control. Effective systems of internal control should ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice.
- (g) It is the responsibility of Principal Officers to;
 - (i) establish sound arrangements for planning, appraising, authorising and controlling their operations in order to achieve continuous improvement, value for money, effective use of resources and achieving their financial performance targets;
 - (ii) review existing controls in the light of changes affecting the Authority and to establish and implement new ones in liaison with the Chief Finance Officer. To include the introduction or removal

of controls that are unnecessary or not cost or risk effective, e.g., duplication;

(iii) ensure all staff within their service area have a clear understanding of the consequences of lack of control.

(h) The Authority is required to provide an Annual Governance Statement in accordance with the Accounts and Audit Regulations. As part of this statement, the Chief Fire Officer and the Chair of the Fire and Rescue Authority are required to comment on the effectiveness of the entire internal control environment within the Authority as this is a key indicator of good governance.

14.4.3. Insurance

(a) Insurance provision is a way of managing risk.

(b) The Monitoring Officer is responsible for:

(i) effecting insurances falling within the framework approved by the Authority and dealing with all claims in consultation with other Principal Officers where necessary;

(ii) reviewing, at least annually, all insurances in consultation with Principal Officers.

(c) It is the responsibility of Principal Officers to:

(i) advise the Monitoring Officer of all new risks, properties, vehicles or potential liabilities for which insurance may be required; and of any changes affecting existing risks or insurance cover required;

(ii) notify the Monitoring Officer in writing without delay of any loss, liability or damage or any event likely to lead to a claim, and shall provide such information and explanations required;

(iii) consult with the Monitoring Officer on the terms of any indemnity which they are requested to give on behalf of the Authority.

(iv) ensure that employees, or anyone covered by the Authority's insurances, do not admit liability, or make any offer to pay compensation that may prejudice the assessment of liability in respect of any insurance claim.

14.4.4. Audit Requirements

(a) The requirement for an internal audit function for local authorities is implied by Section 151 of the Local Government Act 1972, and section 112 of the Local Government Finance Act 1988, which require that authorities "make arrangements for the proper administration of their

financial affairs". The Accounts and Audit Regulations, require that a "relevant authority must undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance".

- (b) The Chief Finance Officer, as determined by the Authority, will ensure;
- (i) appropriate arrangements are in place to maintain an adequate, effective and continuous internal audit service;
 - (ii) to approve, in consultation with the Monitoring Officer the strategic, and annual audit plans which take account of the relative organisational risks;
 - (iii) continued liaison with external auditors and to advise the Authority, its committees, Principal Officers and officers of their responsibilities in relation to the external audit process.
- (c) Principal Officers are responsible for;
- (i) ensuring internal/external auditors have the required access to people, property, assets and information;
 - (ii) responding promptly to audit queries, recommendations and agreed actions
- (d) The strategy and terms of reference for internal audit are detailed within the Internal Audit Charter which is reviewed and approved by the FAPM Committee at the beginning of each financial year. Internal audit services are subcontracted to a third party and as such the charter is developed externally and subsequently adopted by the Authority.
- (e) Under section 13 of the Public Audit (Wales) Act 2004, the Auditor General for Wales is responsible for appointing external auditors to each local authority in Wales. The basic duties of the external auditor are defined in the Public Audit (Wales) Act 2004 and the Local Government Act 1999. Section 16 of the 2004 Act requires the Auditor General for Wales to prepare a code of audit practice, which external auditors follow when carrying out their duties. The code of audit practice sets out the auditor's objectives to review and report upon the audited body's:
- arrangements to secure economy efficiency and effectiveness in its use of resources
 - financial statements
 - compliance with statutory requirements in respect of the preparation and publication of its Improvement Plan.

- (f) The Authority may, from time to time, be subject to audit, inspection, or investigation by external bodies such as HM Revenue and Customs, who have statutory rights of access to property, information, and people.
- (g) The Chief Finance Officer is responsible for reporting to the Authority and its committees, where appropriate, the findings of such inspections and taking relevant action to implement recommendations and action required.

14.4.5. Preventing Fraud and Corruption

- (a) The Authority will not tolerate fraud and corruption in the administration of its responsibilities, whether from inside or outside the Authority.
- (b) The Chief Finance Officer is responsible for the development, maintenance and review of an anti-fraud and anti-bribery policy.
- (c) It is the responsibility of Principal Officers to;
 - (i) promote the anti-fraud and anti-bribery policy within their service areas and ensure that all suspected irregularities are reported to the Head of Finance;
 - (ii) immediately notify and liaise with the Head of Finance, in relation to the investigation of suspected irregularities within their service area, in line with Authority's anti-fraud and anti-bribery policy;
 - (iii) take appropriate action to prevent further loss and to secure records and documentation against removal or alteration;
 - (iv) instigate the disciplinary procedures where the outcome of an investigation indicates improper behaviour by an officer;
 - (v) ensure officers working within their service area comply with Authority guidance regarding the acceptance of hospitality, gifts and other benefits in line with the hospitality and gifts policy.
- (d) The Head of Finance will take whatever steps are considered necessary, on behalf of the Chief Finance Officer to investigate and report upon the matter in line with the fraud response plan.

14.4.6. Use of and Disposal of Assets

- (a) Authority assets include buildings, furniture, vehicles, plant and equipment, computer systems, stocks and stores (inventories), money and investments, data and information worth many millions of pounds.

- (b) The Chief Finance Officer is responsible for
 - (i) issuing advice and guidance to safeguard the use and disposal of assets as outlined above;
 - (ii) issuing advice and guidance to service areas on the introduction and maintenance of inventories;
 - (iii) approving the write off, of inventories in accordance with the scheme of delegations.
 - (iv) to ensure assets are valued in accordance with relevant codes of practice;
 - (v) to maintain asset registers as required for accounting and audit purposes in conjunction with Principal Officers;
 - (vi) the acceptance (or not) and use of external funding and donations and determining the implications for financial planning;
 - (vii) guidance to services areas on cash handling and receipting bank payments.
- (c) The Monitoring Officer is responsible for;
 - (i) determining arrangements for the acquisition and disposal of land and buildings in liaison with the Chief Finance Officer;
 - (ii) ensuring safe custody of all title deeds under arrangements agreed with the Chief Finance Officer.
- (d) Principal Officers are responsible for;
 - (i) ensuring that effective arrangements are in place for the care and custody all assets within their service area;
 - (ii) maintaining assets registers and inventories as advised by the Chief Finance Officer;
 - (iii) ensuring that assets are disposed of in accordance with procedures approved by the Chief Finance Officer;
 - (iv) seeking to identify opportunities to minimise and eliminate resource requirements without having a detrimental effect on service delivery;
 - (v) ensuring that no Authority asset is subject to personal use by an officer without proper authorisation by the relevant Principal Officer;

- (vi) ensuring cash handling is undertaken in line with the Chief Finance Officer s and Authority guidance for their service area.

14.4.7. Confidentiality, Security and Protection of Information

- (a) All employees of the Authority have a personal responsibility for the protection and confidentiality of information, whether held in manual or computerised records as specified in the information management policies.
- (b) It is the responsibility of Principal Officers in liaison with Director of Technical Services and Monitoring Officer, to ensure that all computerised systems within their service areas are operated in accordance with legal requirements and all appropriate officers are familiar with the guidance provided.
- (c) It is the responsibility of the Director of Technical Services to;
 - (i) ensure a central inventory of technology for oversight and planning purposes;
 - (ii) issue detailed guidance to all officers responsible for computer equipment.
- (d) Financial records, manual and computerised should be retained and disposed of in accordance with the Authority's document retention practices where there are no requirements prescribed by statutory or other external regulations.

14.4.8. Treasury Management

- (a) It is vital that the Authority's money is managed in a secure and controlled way. Borrowing is undertaken to fund capital investment, and the impact on the revenue budget is minimised whilst balancing the need to maintain adequate cash flow. Surplus funds can be invested with external organisations, and it is essential these are reputable, and risk is spread according to the confines of the Treasury Management Strategy Statement (TMSS) and policies therein.
- (b) The Authority has adopted CIPFA's Treasury Management in the Public Services: Code of Practice.
- (c) Accordingly, the Authority is responsible for approving a TMSS, on an annual basis, stating the policies and objectives of its treasury management activities.
- (d) The Authority is also responsible for approving Treasury Management Practices (TMPs), setting out the way the Authority will seek to achieve these, and prescribing how it will manage and control those activities.

- (e) The Authority will receive reports from the Chief Finance Officer on its treasury management policies, practices, and activities, including as a minimum, an annual strategy, a mid-year progress report and an annual review after the year has closed.
- (f) The Authority has delegated its responsibility for the implementation and monitoring of its treasury management policies and practices to the FAPM committee.
- (g) Responsibility for the execution and administration of its treasury management decisions, including decisions on borrowing, investment, and financing, have been delegated to the Chief Finance Officer, who will act in accordance with the Authority's TMSS and TMPs.
- (h) The Chief Finance Officer is responsible for providing suitable training to the Authority if this isn't secured at their home authority.
- (i) It is the responsibility of Principal Officers to notify the Chief Finance Officer of planned monetary receipts or payments (outside of the payroll and creditor systems).

14.4.9. Banking

- (a) All arrangements concerning banking services, including the opening, closing and operation of the Authority's bank accounts shall be made upon direction of the Chief Finance Officer.
- (b) The Chief Finance Officer is responsible for the regular reconciliation of the Authority's bank accounts with the internal financial systems.
- (c) Principal Officers are responsible for;
 - (i) ensuring that all banking arrangements determined by the Chief Finance Office are observed and to advise them of any changes in their service area that may require a change in these arrangements;
 - (ii) to ensure all income is collected securely and where appropriate, banked promptly.

14.4.10. Income Collection

- (a) Income can be a vulnerable asset, and effective income collection systems are necessary to ensure that all income due is identified, collected, receipted, banked (if appropriate), assigned and reconciled to financial systems. It is preferable to obtain income in advance of supplying goods or services as this improves the Authority's cash flow and avoids the time and cost of administering debts.
- (b) The Chief Finance Officer is responsible for;

- (i) approving all methods of income collection, records and systems;
 - (ii) use debt recovery procedures as considered necessary to collect any income due to the Authority which has not been paid within specified time limits.
 - (iii) ensuring cash payments totalling €15,000 or more (equivalent in £), are not accepted into the Authority, in accordance with the money laundering regulations;
 - (iv) ensuring that credit notes to replace a debt are only raised to correct a factual inaccuracy or administrative error in the calculation and/or billing of the original debt.
- (c) The Authority has a statutory responsibility to conform to the Proceeds of Crime Act 2002 and the Money Laundering Regulations 2007.
- (d) Accordingly, the Authority is responsible for the approving the Authority's money laundering policy.
- (e) Responsibility for the implementation and administration of the Authority's money laundering policy has been delegated to the Chief Finance Officer who is responsible for nominating an officer and deputy, to act as the Authority's Money Laundering Reporting Officer and these are;
- (i) Head of Finance
 - (ii) Head of Corporate Support
- (f) Principal Officers are responsible for:
- (i) ensuring all income is held securely;
 - (ii) ensuring compliance with income and banking arrangements specified by the Chief Finance Officer;
 - (iii) notifying the Chief Finance Officer promptly in writing of all money due to the Authority, and of contracts, leases and other agreements and arrangements entered into, which involve the receipt of money;
 - (iv) ensuring all employees use receipts to substantiate all income received on behalf of the Authority. To seek approval from the Chief Finance Officer for alternative receipting arrangements, where it is considered inappropriate, in advance of implementing such arrangements;
 - (v) ensuring that upon opening incoming mail, all income is immediately recorded by the employee concerned either by

way of remittance record or by another means, approved by the Chief Finance Officer;

- (vi) establishing proper accountability wherever money is being handled. To ensure that every transfer of the Authority's money from one employee to another is evidenced in the records of the service area concerned;
- (vii) reviewing fees and charges, at least annually and in consultation with the Chief Finance Officer and before reporting to FAPM committee;
- (viii) ensuring that when income is due to the Authority and the receipt is not to be made at the time i.e., a debtor, all amounts due are claimed on official invoices or by arrangements approved by the Chief Finance Officer. Instructions for the cancellation or reduction of invoices for income must be authorised by the appropriate Principal Officer in conjunction with the Chief Finance Officer;
- (ix) ensuring cash payments totalling €15,000 or more (or equivalent in £), are not accepted, in accordance with the money laundering regulations;
- (x) notifying the Chief Finance Officer of outstanding income, i.e., reserved debtors, relating to the previous financial year as soon as possible after 31st March and in line with the closure timetable;
- (xi) seeking to achieve receipt by direct debit or standing orders in situations where regular payments to the Authority are due.

14.4.11. External Funding

- (a) External funding is potentially a very important source of income and funding conditions need to be carefully considered to ensure they are compatible with the aims and objectives of the Authority. Funds from external agencies provide additional resources to enable the Authority to deliver services to the local community.
- (b) Principal Officers are responsible for;
 - (i) ensuring that any bids for external funding are made in consultation with and approved by the Chief Finance Officer and the finance team;
 - (ii) ensuring that any project to be funded by external funding does not commence until proper approval has been obtained and the source of external funding confirmed;

- (iii) ensuring any match funding requirements are given due consideration prior to entering into long-term agreements and that future Authority budgets reflect these where appropriate;
 - (iv) ensuring full consideration has been given to exit arrangements relating to time limited grant funding and this has been approved by the Chief Finance Officer;
 - (v) ensure that audit requirements are met.
- (c) The Chief Finance Officer is responsible for;
- (i) ensuring all funding notified by external bodies is received and properly recorded in the Authority's records and accounts. Principal Officers are responsible for providing all necessary information to enable this to be achieved.
 - (ii) ensuring all claims for funds are made by the due date.
 - (iii) certifying and ensuring all funding claims and other financial returns required by Government Service areas and other relevant bodies are made by the due date.

14.4.12. Debt Collection

- (a) The FAPM committee is responsible for approving the Authority's debt recovery policy.
- (b) The Chief Finance Officer is responsible for;
- (i) maintaining records of debts and the implementation of the Authority's debt recovery policy;
 - (ii) setting and approving the arrangements for the writing off, of irrecoverable debts, and to write off such debts for the Authority up to the value of £10,000;
 - (iii) ensuring approval from FAPM committee for writing off debts in excess of £10,000 has been obtained and reported;
 - (iv) ensuring that appropriate accounting adjustments are made following any write-off action;
 - (v) ensure that any sum due to the Authority shall only be discharged by payment or write off.
- (c) Principal Officers are responsible for:
- (i) ensuring effective systems are in place to allow sums due to the Authority to be easily identified;

- (ii) ensuring debtor accounts are raised accurately and promptly and that adequate records are maintained to support the raising of the debt and any recovery action taken;
- (iii) assisting in the collection of debt by providing any further information necessary to pursue the debt or monitoring debts on the Authority's behalf, as requested by the Chief Finance Officer;
- (iv) ensuring that the appropriate approval, as specified in the debt recovery policy, is obtained to write off debts.

14.4.13. Voluntary Funds and Trust Funds

- (a) Principal Officers, in consultation with the Chief Finance Officer, must approve any employee's involvement in a voluntary or trust fund.
- (b) Principal Officers and/or Trust/Funds Managers are responsible for ensuring that funds are managed and administered in accordance with any statutory and specific requirement for each fund, and to equivalent standards as those applicable to the Fire and Rescue Authority generally.

14.4.14. Corporate Credit Cards and Purchase Cards

- (a) All applications for corporate cards must be approved by the Chief Finance Officer.
- (b) The Chief Finance Officer will issue guidelines regarding the application process and for their controlled use.
- (c) Card holders are personally responsible for the security of cards and for ensuring compliance with guidelines for their use.

14.4.15. Employees

- (a) The Chief Fire Officer is responsible for providing overall effective management to employees and for ensuring that there is proper use of the evaluation or other agreed systems for determining the remuneration of a job.
- (b) The Chief Finance Officer is responsible for paying employees securely, accurately and on time and for the payment of travel and subsistence claims.
- (c) Principal Officers are responsible for ensuring the operation of adequate and effective procedures for payroll and personnel matters to allow the Chief Finance Officer to fulfil their responsibilities.
- (d) The Director of HR is responsible for;

- (i) the appointment of officers in accordance with HR procedure rules, approved establishment and pay grades;
 - (ii) approve the format of records for notifying appointment, terminations, sickness, special leave and any other personal matters;
 - (iii) approve the form of all timesheets, overtime, expense and allowance claims in conjunction with the Chief Finance Officer;
 - (iv) to maintain all necessary personnel records concerning pay, pension, national insurance, income tax and to liaise with the Chief Finance Officer regarding payments to employees and government agencies;
 - (v) ensuring HR systems are updated with contract information in a manner that ensures timely and accurate payment of salaries and associated payments;
 - (vi) ensuring payment approval hierarchies and controls are in place, i.e., authorisation process, and the same officer cannot submit and approve a claim in the HR system. To ensure these are kept up to date and are effective for the purposes of ensuring accurate and appropriate authorisation of employee payments;
 - (vii) maintaining up to date HR officer, user access to personnel systems, to be subject to regular review and audit.
- (e) Principal Officers are responsible for;
- (i) ensuring officer compliance with Authority policies in relation to claims for travel and subsistence, and for agreeing and arranging the most cost-effective means of travel and subsistence;
 - (ii) furnishing the Chief Finance Officer with all information required to arrange payment by relevant deadline dates for pay, pension, income tax and national insurance purposes;
 - (iii) making arrangements to ensure the Director of HR and Chief Finance Officer, as appropriate, are notified promptly, and in the approved format, of all matters affecting the remuneration of officers within their service area;
 - (iv) ensuring regular reviews of service area establishments;
 - (v) ensure that payroll transactions are processed only through the payroll system. Ensuring that cash in hand and other non-PAYE payments are not permitted giving careful consideration of the employment status of individuals

employed on a self-employed basis. The HM Revenue and Customs applies a tight definition of self-employed status, and in cases of doubt, advice shall be sought from the Chief Finance Officer;

- (vi) ensuring the Chief Finance Officer and Director of HR are notified of the details of any employee benefits in kind, to enable full and complete reporting within the income tax self-assessment system;
 - (vii) ensuring all claims for the payment of car mileage, travel and subsistence, and incidental expenses are submitted promptly by officers in the approved format;
 - (viii) Ensuring no employee may authorise a payment or other benefit to themselves or any document which would lead to a payment or other benefit.
- (f) Principal Officers are also responsible for controlling employee numbers by:
- (i) advising the Chief Finance Officer and Authority on the annual budget necessary to cover estimated staffing levels;
 - (ii) adjusting the staffing levels to that which can be funded within approved budget provision and varying levels as necessary within that constraint in order to meet changing operational needs;
 - (iii) the proper use of recruitment and appointment procedures;
 - (iv) monitoring employee costs through periodic budget and establishment reports;
 - (v) monitoring vacancies, retirements etc and undertaking effective workforce planning.

14.5. Financial Systems and Procedures

14.5.1. General

- (a) Sound systems and procedures are essential for an effective framework of accountability and control.
- (b) The Chief Finance Officer is responsible for:
 - (i) the operation of the Authority's accounting and financial systems;
 - (ii) the form of accounts and any supporting financial records;
 - (iii) advising Principal Officers on the establishment and operation of trading accounts and business units.

- (c) Any changes proposed by Principal Officers to the existing financial systems or procedures or the establishment of new incarnations, must first be approved by the Chief Finance Officer.
- (d) It is the responsibility of Principal Officers to:
 - (i) ensure the proper operation of financial processes in their own services areas and agree with the Chief Finance Officer any changes to these processes to meet their own specific service needs;
 - (ii) ensure that their employees receive relevant and appropriate financial training;
 - (iii) ensure that where appropriate, computer and other systems are registered in accordance with information management policy;
 - (iv) ensure that their employees are aware of their responsibilities under Freedom of Information and Data Protection Legislation.

14.5.2. Contracts, Agreements and Purchasing

- (a) All contracts, agreements and purchases are subject to the requirements of the Authority's CSO, and the procedures and financial limits which they prescribe.
- (b) The Head of Finance is responsible for developing procurement strategy and providing advice on procurement issues.
- (c) The Monitoring Officer is responsible for agreeing the content and format of contracts and agreements and for signing any contract or legal agreement involving a charge upon assets or property.
- (d) Authority Members involved in contractual or purchasing decisions on behalf of the Authority will declare their interests and act in accordance with the Members' Code of Conduct.
- (e) Financial donations to third parties will not be made by an officer of the Authority. Authority budgets are predicated on goods, services and supplies purchased in pursuance of service delivery and best value objectives.
- (f) The Chief Finance Officer is responsible for issuing guidance to service areas on the procedures to be adopted in relation to:
 - (i) placing requisitions for goods, supplies and services;
 - (ii) placing of official orders;
 - (iii) to approve all exceptions to the use of official orders

- (iv) potential financing options, e.g. buy, rent or lease;
 - (v) receipting of goods, supplies and services;
 - (vi) the authorisation of invoices, interim certificates and final accounts for building or construction contracts;
 - (vii) the system and timescales for the payment of creditors;
 - (viii) records and procedures required in relation to monitoring and control of contracts are communicated to contract managers (contract owners);
- (g) The Chief Finance Officer has overall responsibility for;
- (i) approving the format of official orders and arrangements for placing orders under the approved Purchase Order Processing System (POPS);
 - (ii) ensuring safe and efficient arrangements for all payments;
 - (iii) approving any arrangements for the use of debit, credit and procurement card';
 - (iv) to ensure payments in advance of the receipt of goods or services is only made where it is essential in order to secure the particular supply or where a beneficial discount would otherwise be lost;
- (h) Principal Officers are responsible for ensuring:
- (i) before entering into purchasing commitments, the estimated cost is covered by financial provision in the budget to which it relates;
 - (ii) official orders are raised through the approved POPS for all works, goods and services supplied to the Authority except for internal services, periodical payments e.g., utility payments, or such other exceptions as the Chief Finance Officer may approve.
 - (iii) all employees within their service area comply with the Contract Standing Order (CSO);
 - (iv) they have identified officers for the roles of requisitioner and approver, ensuring there is adequate division of responsibility in place;
 - (v) to ensure that there is a segregation of duties between the officers requisitioning and approving to ensure proper financial administration of budget;

- (vi) officers in their service area declare any links or personal interests that they may have with purchasers, suppliers or contractors if they are engaged in contractual or purchasing decisions on behalf of the Authority. Any employee declaring such an interest or having such an interest will not participate in, or act to influence, or appear to influence, any decisions relating to the matter.
- (vii) officers do not use official orders to obtain goods or services for their private use;
- (viii) goods, services, and supplies are checked on receipt to verify that they are in accordance with the order. This check shall, where possible, be carried out by a different officer from the officer who approved the order.
- (ix) The goods received (GR) function is undertaken promptly and relevant details entered in the POPS by the requisitioner or approver.
- (x) debit, credit, and procurement cards are only used under arrangements approved by the Chief Finance Officer.
- (xi) arrangements to ensure that loans, leasing, hire purchase or rental arrangements and indeed any credit arrangements, are not entered into without prior agreement from the Chief Finance Officer . This is because of the potential impact on future budget setting, the Authority's borrowing powers, to protect the Authority against entering unapproved credit arrangements and to ensure that value for money is being obtained.
- (xii) appropriate records are maintained to substantiate decisions made under delegated powers;

14.5.3. Payment of Members' salaries and related payments

- (a) The Chief Finance Officer is responsible for operating secure and reliable systems to process Members' salaries.
- (b) The Monitoring Officer is responsible for approving for payment, Member allowances, travel, and subsistence upon receiving the prescribed form, duly completed, and authorised. All claims will be examined and checked for reasonableness with respect to the items and amounts claimed.
- (c) It is the responsibility of Authority Members to submit properly, certified claims for travel and subsistence allowances in accordance with the format and timescales specified by the Chief Finance Officer.

14.5.4. Taxation

- (a) The Chief Finance Officer is responsible for ensuring that appropriate advice and guidance is available to Principal Officers on all taxation issues that affect the Authority, having regard to guidance issued by appropriate bodies and relevant legislation.
- (b) The Chief Finance Officer is responsible for maintaining the Authority's tax records, making all payments, receiving tax credits and submitting returns by their due date as appropriate and complying with HM Customs and Excise regulations.
- (c) Principal Officers are responsible for;
 - (i) compliance with any guidance issued by the Chief Finance Officer;
 - (ii) maintaining necessary receipts to allow VAT to be reclaimed on credit/procurement card purchases and travel and subsistence claims;
 - (iii) ensuring all persons 'employed' by the Authority are added to the payroll, as described above, and that tax is deducted from any payments, except where the individuals are bona fide self-employed or are employed by a recognised staff agency.

14.6. Partnerships (joint working)

- (a) The Authority may form partnerships with other local, public, private, voluntary and community sector organisations to achieve efficiencies in delivering services. The Authority is responsible for approving any delegations of its powers, to address local needs.
- (b) The Authority can delegate its functions, including those relating to partnerships to officers. Details are set out in the Scheme of Delegation that forms part of this constitution. Where its functions are delegated, officers remain accountable for them to the Authority.
- (c) The Chief Fire Officer, or appropriate Principal Officers, or nominated officer will;
 - (i) where appropriate, represent the Authority on partnership and external bodies, in accordance with the respective decisions of the Authority;
 - (ii) ensure all transactions, including the use of Authority assets, comply with the policies, procedures processes of the Authority;
 - (iii) ensure that partnership / project appraisal processes and a strategic business case is in place to assess the viability of projects in terms of resources, staffing and expertise;

- (iv) work in conjunction with the Chief Finance Officer to ensure all financial implications of engaging in a partnership are fully costed in advance of entering into agreements;
 - (v) to ensure that appropriate insurance arrangements are made;
 - (vi) ensure effective review, monitoring and reporting of partnership arrangements are in place;
 - (vii) to ensure that the Authority is not put at risk from any bad debts as a result of the partnership;
 - (viii) to ensure that all contracts are properly devised, documented and shared with relevant officers of the Authority;
 - (ix) to ensure that partnership work does not impact adversely upon the services provided by the Authority and are within its legal powers;
- (d) The Chief Finance Officer in conjunction with the Monitoring Officer, are responsible for;
- (i) ensuring the accounting arrangements to be adopted relating to partnerships align with service plans, budgets and relevant regulations;
 - (ii) ensuring the risks have been fully appraised before agreements are entered into and mitigations are identified to manage these;
 - (iii) establishing the overall governance arrangements and legal issues when arranging contracts / agreements with external bodies;
 - (iv) to consider and approve reasonable variation to FPR provided a satisfactory level of control over the interests of the Authority, its officers and Members is maintained.

14.7. APPENDIX 1 to Section 14 Financial Procedure Notes

OP-05.002	Anti-Fraud and Anti-Bribery Policy
OP-05.003	Public Interest Disclosure Procedure (Whistleblowing)
OP-05.005	Procurement Procedures
OP-05.006	Hospitality and Gifts
CP-06	Information Management
	Procurement Card Policy - Pending
	Internal control procedure note – P/card Process Note
	Internal control procedure note – P/card User Guide
	Annual Statement of Account (SOA) (contains accounting policies)
	Annual closure of financial year end and SOA timetable
	Internal control procedure note – Outturn reporting
	Internal control procedure note – Control Account Reconciliations
	Internal control procedure note – Fixed Asset Register Maintenance
	Internal control procedure note – Banking (cheques and cash)
	Internal control procedure note – Budget Holder Manual (tbc)
	Internal control procedure note – Bank payments Payroll /Creditors /Other
	Internal control procedure note – Cash Flow Monitoring
	Internal control procedure note – Fuel Card Audit Checks
	Fraud Response Plan
	Reserves Strategy
	HR Bulletin 2022 (01) Overpayment of Salaries and Other Payments – Repayment arrangements

15. Contract Procedure Rules / Procurement Contract Standing Orders

15.1. Basic Principles

- 15.1.1. All procurement procedures must:
- 15.1.2. A **BRIEF GUIDE TO CONTRACT STANDING ORDERS**
- 15.1.3. Introduction
- 15.1.4. These Contract Standing Orders (issued in accordance with section 135 of the 1972 Local Government Act) are intended to promote good procurement practice and public accountability and deter corruption. Following these Standing Orders is the best defence against allegations that a purchase has been made incorrectly or fraudulently.
- 15.1.5. Officers responsible for procurement or disposal must comply with these Contract Standing Orders. They lay down minimum requirements although a more thorough procedure may be appropriate for particular contracts and it is therefore recommended that advice be sought from a member of the Procurement team.
- 15.1.6. The Standing Order covers both Capital and Revenue expenditure contracts, from large complex Capital Schemes to goods and services of a revenue nature. They have to be followed for all spend irrespective of funding source e.g. Fire Authority, Welsh Government etc.
- 15.1.7. For the purposes of these Standing Orders, where there is a requirement for communication to be in writing, this shall be deemed to include e-mail and fax transmissions as well as hard copy. Officers of the service must:-

- Follow the Standing Orders and accompanying Procurement Procedural Guide if you purchase goods, services or works.
- Take all necessary legal, financial and professional advice.
- Declare any personal financial interest in a contract. Corruption is a criminal offence.
- Appraise the purchasing need and ensure that the Most Advantageous Tender (MAT) route is followed to select the most suitable supplier when undertaking a competitive procurement exercise.
- Check whether there is an existing Corporate Contract, Framework or Dynamic Purchasing System that you can make use of before undergoing a competitive process. The Procurement Team can provide guidance in this regard.
- Allow sufficient time for the submission of bids.
- Keep bids confidential.

- Complete a written contract and/or provide a Fire and Rescue Service purchase order before the supply or works begin.
- Identify a project lead with responsibility for ensuring the contract delivers as intended.
- Keep documented records of dealings with suppliers.
- Assess each contract throughout its term to see how well it is meeting the contractual requirements..

All costs stated in these Standing Orders are exclusive of VAT

15.2. SCOPE OF CONTRACT STANDING ORDERS

15.2.1. CSO1 BASIC PRINCIPLES

15.2.2. All purchasing and disposal procedures must:

- achieve Best Value for public money spent on the most advantageous tender (MAT) methodology
- be consistent with the highest standards of integrity
- ensure fairness in allocating public contracts
- comply with all legal requirements
- ensure that Non-commercial Considerations do not influence any Contracting Decision
- support the corporate and departmental aims and objectives
- comply with the Wales Fire & Rescue Procurement Service Strategy

15.2.3. CSO2 OFFICER RESPONSIBILITIES

15.2.3.1.1. Officers

15.2.3.1.2. Officers responsible for purchasing or disposal must comply with these Contract Standing Orders, Financial Regulations, the Code of Conduct and with all UK and World Trade Organisation Government Procurement Agreement (WTO GPA) binding legal requirements. Officers must ensure that any Agents, Consultants and contractual partners acting on their behalf also comply.

15.2.3.1.3. Officers must:

- have regard to the guidance within the Procurement Procedures
- check whether a suitable Corporate Contract, Framework or Dynamic Purchasing System exists before seeking to let another contract; where a suitable Corporate Contract, Framework or Dynamic Purchasing System exists, this must be used unless there is an auditable justification not to
- keep the records required by CSO6
- take and duly consider all necessary legal, financial and professional advice.

- 15.2.3.1.4. When any employee either of the authority or of a service provider may be affected by any transfer arrangement, Officers must ensure that the Transfer of Undertaking (Protection of Employment) (TUPE) issues are considered and obtain legal advice before proceeding with inviting Tenders or Quotations.
- 15.2.3.2. Principal Officers
- 15.2.3.2.1. Principal Officers must:
- a) ensure that their staff comply with these Contract Standing Orders
 - b) ensure that contracts completed by signature or seal are forwarded to the Procurement Department who will arrange for their safekeeping. A copy is also to be retained by the user department.
 - c) ensure that exemptions are properly recorded under CSO3.
- 15.2.4. **CSO3 EXEMPTIONS, COLLABORATIVE AND E-PROCUREMENT ARRANGEMENTS**
- 15.2.4.1. Exemptions
- 15.2.4.1.1. Exemptions to these Contract Standing Orders will only be granted in exceptional circumstances upon receipt of the PROC02 Exemption Request Form. Where exemptions are granted this does not negate the need to have a contract in writing in accordance with these Contract Standing Orders. Guidance upon when exemptions may be appropriate can be found in the Procurement Procedures.
- 15.2.4.1.2. Where a proposed contract is likely to exceed the WTO GPA Threshold for Supplies, Services and Works Contracts, subject to CSO 3.1.3, no officer has delegated powers to grant an exemption.
- 15.2.4.1.3. Where an exemption is necessary because of an unforeseeable emergency involving immediate risk to persons, property or serious disruption to Fire and Rescue Authority services, the Designated Officers may jointly approve the exemption but if the value of the exemption exceeds £25,000 they must prepare a report for the next Fire and Rescue Authority to support the action taken where applicable.
- 15.2.4.1.4. All exemptions must be recorded using the PROC02 Request for Exemption Form. Exemptions shall be managed and approved by the Procurement Officer together with any relevant authorised officer.
- 15.2.4.1.5. The Procurement Team must monitor the use of all exemptions.
- 15.2.4.2. Collaborative Procurement
- 15.2.4.2.1. In order to secure Value for Money, the Authority may enter into collaborative procurement arrangements. The Officer must consult the Procurement team where the purchase is to

be made using collaborative procurement arrangements with another public sector body.

15.2.4.2.2. All purchases made via another public sector body are deemed to comply with these Contract Standing Orders and no exemption is required. However, purchases above the WTO GPA Threshold must be let under the Public Contract Regulations 2015 (or any subsequent enactment), unless the public sector body has satisfied this requirement already by letting their contract in accordance with the Public Contract Regulations 2015 (or any subsequent enactment) on behalf of the authority and other consortium members.

15.2.4.2.3. Advice must be sought from a member of the Procurement team regarding the terms and conditions of contract applicable to any collaborative arrangement, including the requirement to undertake competition between providers, copies of which must be retained by Procurement.

15.2.4.3. E-Procurement

15.2.4.3.1. The use of e-procurement technology does not negate the requirement to comply with all elements of these Contract Standing Orders, particularly those relating to competition and Most Advantageous Tender or Quote.

15.2.5. **CSO4 RELEVANT CONTRACTS**

15.2.5.1. All Relevant Contracts must comply with these Contract Standing Orders. A Relevant Contract is any arrangement made by, or on behalf of, the Authority for the carrying out of works or for the supply of goods, materials or services. These include arrangements for:

- a) the supply, maintenance or disposal of goods
- b) the hire, rental or lease of goods or equipment
- c) the delivery of services, including (but not limited to) those related to:
 - i. the recruitment of staff
 - ii. land and property transactions
 - iii. financial and consultancy services.

15.2.5.2. Relevant Contracts do not include:

- a) contracts of employment which make an individual a direct employee of the authority, or
- b) land transaction agreements for which Financial Regulations shall apply.

15.3. SECTION 2: COMMON REQUIREMENTS

15.3.1. **CSO5 STEPS PRIOR TO PURCHASE**

15.3.1.1. The Officer must appraise the purchase, in a manner commensurate with its complexity and value, and taking into account any guidance in the Procurement Procedure, by:

- a) appraising the need for the expenditure and its priority
- b) defining the objectives of the purchase

- c) assessing the risks associated with the purchase and how to manage them
- d) considering what procurement method is most likely to achieve the purchasing objectives, including internal or external sourcing, partnering, packaging strategy, carbon reduction, social value, the circular economy and collaborative procurement arrangements with other public sector bodies
- e) consulting users as appropriate about the proposed procurement method, contract standards and performance and user satisfaction monitoring
- f) drafting the special terms and conditions that are to apply to the proposed contract for approval by the procurement officer in the first instance
- g) setting out these matters in writing using the PROC05 Pre-procurement form if the Total Value of the purchase exceeds £25,000.

15.3.1.2. The Officer must confirm in writing to the Procurement Officer that there is specific authority or delegated approval for the expenditure for all purchases over £25,000

15.3.2. **CSO6RECORDS**

15.3.3. For all procurements the following records must be kept:

- a) any exemptions and the reasons for them
- b) the method for obtaining tender/quotes (see CSO 8.1)
- c) the Award Criteria in descending order of importance
- d) quotation/tender documents sent to and received from Suppliers
- e) clarification and post-quotation/tender negotiation (to include minutes of meetings)
- f) any Contracting Decision and the reason for it
- g) the reason for selecting the winning supplier.
- h) Documented records of communications with the successful contractor
- i) the contract documents
- j) post-contract evaluation and monitoring
- k) communications with Tenderers and with the successful contractor throughout the period of the contract.

15.3.4. Successful quotations and tenders must be kept for six years after the end of the contract. Where a contract is signed under seal then the retention period is twelve years after the end of the contract. Documents which relate to unsuccessful Tenderers should be kept for 12 months from award of contract, provided there is no dispute about the award.

15.3.5. **CSO7ADVERTISING, APPROVED LISTS AND FRAMEWORK AGREEMENTS**

15.3.6. Identifying and Assessing Potential Tenderers

15.3.6.1. Officers shall ensure that, where proposed contracts, irrespective of their Total Value, might be of interest to potential

Suppliers located in member states of the EU, a sufficiently accessible advertisement is published. Generally, the greater the interest of the contract to potential bidders from member states of the EU, the wider the coverage of the advertisement should be. Officers should seek the professional advice of their Procurement Officer to ensure suitable advertisements are made. Examples of where such advertisements may be placed include:

- a) portal websites specifically created for contract advertisements such as Sell2Wales
- b) national official journals, or
- c) Find a Tender Service (FTS)

15.3.6.2. Officers are responsible for ensuring that all Tenderers for a Relevant Contract are suitably assessed. The assessment process shall establish that the potential Tenderers have sound:

- a) economic and financial standing
- b) technical ability and capacity to fulfil the requirements of the authority

Officers should seek professional financial advice on economic and financial standing for risk critical and or high value procurements.

15.3.6.3. Suitable assessment shall be achieved in respect of proposed contracts that are expected to exceed the WTO GPA Threshold for Supplies, Services and Works Contracts by selecting firms from:

- a) Framework Agreements; or
- b) Dynamic Purchasing Systems; or
- c) Shortlists assessed from expressions of interest in a particular contract submitted in response to a public advertisement through a restricted procedure; or
- d) Evaluation of offers received in response to a public advertisement through an open procedure

15.3.7. Approved or Select List

15.3.7.1. To facilitate the administration of an "Approved or Select List" the "Constructionline" register of pre-qualified suppliers may be utilised where considered appropriate. The list of preferred bidders must give equal opportunity to prospective suppliers by rotation to ensure no one supplier is favoured. No other form of approved list or select list shall be maintained.

15.3.8. Framework Agreements

15.3.8.1. The term of a Framework Agreement in most circumstances should not usually exceed an initial term of four years. There may be exceptional circumstances where a longer term is appropriate and this must be discussed with the procurement team prior to the process commencing. An agreement may be entered into with one or more providers.

15.3.8.2. Contracts based on Framework Agreements may be awarded by either:

- a) applying the terms laid down in the Framework Agreement (where such terms are sufficiently precise to cover the particular call-off) without reopening competition, or
- b) where the terms laid down in the Framework Agreement are not precise enough or complete for the particular call off, by holding a mini competition in accordance with the following procedure:
 - i. inviting the organisations within the Framework Agreement that are capable of executing the subject of the contract to submit written Tenders
 - ii. fixing a time limit which is sufficiently long to allow Tenders for each specific contract to be submitted, taking into account factors such as the complexity of the subject of the contract
 - iii. awarding each contract to the Tenderer who has submitted the best Tender on the basis of the Award Criteria set out in the specifications of the Framework Agreement

15.3.8.3. Copies of the contract must be obtained from the lead organisation whenever possible and the appropriate reference quoted on all correspondence / official orders to ensure compliance.

15.3.9. Dynamic Purchasing Systems (DPS)

15.3.9.1. A DPS may be entered into for commonly used, off the shelf, goods and services. Initial set up of the DPS is established by admitting all suppliers who respond to advertising notice meeting our conditions of participation. The period of validity must be outlined in the notice advertising the DPS. The DPS must remain open to suppliers to join throughout its duration, as long as they meet our conditions of participation.

15.3.9.2. All suppliers on the DPS must be invited to bid for each contract to be awarded. Invites and subsequent supplier responses must be made electronically. Awards must be based on the award criteria set out in the notice advertising the DPS. Direct Awards are not permitted.

15.3.9.3. When using a DPS set up by another lead organisation the DPS Guidance document of the lead organisation must be used to ensure correct use.

15.3.9.4. The Procurement Officer must be consulted whenever there is an intention to form or utilise a DPS.

15.4. SECTION 3: CONDUCTING PURCHASE AND DISPOSAL

15.4.1. CSO8 COMPETITION REQUIREMENTS FOR PURCHASE, DISPOSAL AND PARTNERSHIP ARRANGEMENTS

15.4.1.1. Purchasing - Competition Requirements.

15.4.1.1.1. Where the Total Contract Value for a purchase is within the values in the first column below, the Procurement Procedure in the second column must be followed.

Total Contract Value for Term including any options to extend (4 year term if not otherwise stated)	Procurement Procedure
Under £5,000 – One Off Under £10,000 - Recurring	Value for Money (1 quote)
£5,000 to £24,999 – One Off £10,000 to £24,999 - Recurring	At least three written quotes or Invitation to Quote (ITQ) on Sell2Wales portal
£25,000 to £119,999	Formal quotations through advertisement and ITQ / Contract Notice on Sell2Wales portal
£120,000 to WTO GPA threshold	Invitation to Tender through advertisement on Sell2Wales portal
Above WTO GPA Threshold	Invitation to tender by advertisement on the Sell2Wales and Find A Tender portals

15.4.1.1.2. The Officer must calculate the Total Value including any options to extend in accordance with the definition given in the Definitions Appendix to these Contract Standing Orders. An Officer must not enter into separate contracts nor select a method of calculating the Total Value in order to minimise the application of these Contract Standing Orders.

15.4.1.1.3. Where the WTO GPA Procedure is required, the Officer shall consult a member of the Procurement team to determine the method of conducting the purchase e.g. . Open, Restricted, Competitive Dialogue or Innovation Procedure

15.4.1.1.4. Where the estimated value is considered to be under the WTO GPA Threshold for Supplies, Services or Works Contracts but on return of quotes it is discovered that the lowest offer is above this amount then a tender process will be implemented.

15.4.1.1.5. Where the estimated value is considered to be under the £25,000 quote threshold limit but on return of quotes it is discovered that the lowest offer is above £25,000 then a variance of £2,500 will be permitted rather than re-starting the formal quote process as this would be more cost effective. Similarly where the estimated value is considered to be under the £120,000 tender threshold limit but on return of quotes it is discovered that the lowest offer is above £120,000 then a variance of £12,000 will be accepted.

15.4.1.2. Assets for Disposal

15.4.1.2.1. Assets for disposal must follow the route as outlined in the Service's Disposal Procedure. The method of disposal of surplus or obsolete stocks/stores or assets other than land must be formally agreed as outlined in the Services Disposal Procedure and Scheme of Delegations.

15.4.1.2.2. Donations of any assets of the Authority can only be made in accordance with the Service's Disposal Procedure and Scheme of Delegations

15.4.1.2.3. Providing Services to External Purchasers

15.4.1.2.4. The Monitoring Officer/Clerk, a member of the Procurement team and Financial Regulations must be consulted where contracts to work for organisations other than the Authority are contemplated.

15.4.1.3. The Appointment of Consultants to Provide Services

15.4.1.3.1. Consultant architects, engineers, surveyors and other professional Consultants shall be selected and commissions awarded in accordance with the procedures detailed within these Contract Standing Orders and as outlined in 15.4.1.1.1

15.4.1.3.2. The engagement of a Consultant shall follow the agreement of a written brief that adequately describes the scope of the services to be provided and shall be subject to completion of a formal acceptance letter and purchase order for values under £25,000 or contract of appointment / call-off contract for values exceeding £25,000.

15.4.1.3.3. Records of consultancy appointments shall be maintained in accordance with CSO6.

15.4.1.3.4. Consultants shall be required to provide evidence of, and maintain professional indemnity insurance policies to the satisfaction of the relevant Principal Officer for the periods specified in the respective agreement.

15.4.1.4. Nominated Sub-Contractors / Products

15.4.1.4.1. Where a sub-contractor, supplier or product is to be nominated to a main contractor these standing orders shall apply. This shall take the form of invitation to open competition.

15.4.1.4.2. The terms of such invitation shall require an undertaking by the Tenderer that if they are selected then they will be willing to enter into a contract with the main contractor on terms which indemnify the main contractor against their own obligations under the main contract in relation to the work and goods included in the sub-contract unless provision is made contrary under conditions of contract.

15.4.1.4.3. The Officer shall nominate to the main contractor the person whose tender or quote is most satisfactory.

15.4.2. **CSO9 PRE- TENDER MARKET RESEARCH AND CONSULTATION**

15.4.2.1. The Officer responsible for the purchase:

- a) may consult potential suppliers prior to the issue of the Invitation to Tender or quote in general terms about the nature, level and standard of the supply, contract packaging and other relevant matters, provided this does not prejudice any potential Tenderer; and
- b) must not seek or accept technical advice on the preparation of an Invitation to Tender or Quotation from anyone who may have a commercial interest in them; and
- c) must not request a supplier to produce prototypes or run trials of goods prior to a procurement process as this could provide a supplier with a competitive advantage and render them ineligible to tender or quote; and
- d) must seek advice from a member of the Procurement Team.

15.4.3. **CSO10 STANDARDS AND AWARD CRITERIA**

15.4.3.1. The Officer must ascertain what are the relevant British, European or International standards which apply to the subject matter of the contract. The Officer must include those standards which are necessary properly to describe the required quality. The Procurement Officer must be consulted if it is proposed to use standards other than British or European standards.

15.4.3.2. Contracts should be let on a “whole life costing” basis taking into account initial, ongoing and disposal costs. This shall apply to sustainable elements of a contract which may incur costs up front but lead to savings or greater efficiencies overall during the life of the project or asset.

15.4.3.3. The Officer must define Award Criteria that are appropriate to the purchase and designed to secure an outcome giving Value for Money for the Authority. The basic criteria shall be:

- a) 'most advantageous', where considerations other than price also apply.
- b) 'highest price' if payment is to be received, or
- c) 'lowest price' where payment is to be made by the Authority

If the first criterion is adopted, it must be further defined by reference to sub-criteria which may refer only to relevant considerations. These may include price, service, quality of goods, running costs, technical merit, previous experience, delivery date, cost effectiveness, quality, relevant environmental considerations, disposal (current stock and/or tendered stock), aesthetic and functional characteristics (including security and control features), safety, after-sales services, technical assistance, social value, added value and any other relevant matters.

15.4.3.4. Award Criteria must not include:

- a) matters which discriminate against suppliers who are signatories to the WTO GPA.

- b) Information relating to past performance to the Service (subject to amendments to the Public Contract Regulations)
- c) Personal affiliations, knowledge or experience of suppliers

15.4.4. **CSO11 INVITATIONS TO TENDER/QUOTATIONS**

15.4.4.1. The Invitation to Tender or Invitation to provide a Quotation shall state that no Tender or Quotation will be considered unless it is received by the date and time stipulated in the Invitation. No Tender or Quotation delivered in contravention of this clause shall be considered unless there is proof of there being a technical fault with the relevant tender portal. Dispensation will have to be granted by the Procurement Officer or a relevant officer.

15.4.4.2. All formal Invitations to Tender or Quote shall include all of the following:

- a) A specification that describes the Authority's requirements in sufficient detail to enable the submission of competitive offers.
- b) A requirement for Tenderers to declare that the Tender/Quote content, price or any other figure or particulars concerning the Tender/Quote have not been disclosed by the Tenderer to any other party (except where such a disclosure is made in confidence for a necessary purpose).
- c) A requirement for Tenderers to complete fully and sign all Tender/Quote documents including a form of Tender/Quote and certificates relating to canvassing and non-collusion.
- d) Notification that Tenders/Quotes are submitted to the Fire Authority on the basis that they are compiled at the Tenderers expense
- e) A description of the Award Procedure and, unless defined in a prior advertisement, a definition of the Award Criteria in objective terms along with their weightings in terms of importance.
- f) A stipulation that any Tenders/Quotes submitted by fax or other electronic means shall not be considered other than through an E-Tendering portal.
- g) The method by which any arithmetical errors discovered in the submitted Tenders is to be dealt with. In particular, whether the overall price prevails over the rates in the Tender or vice versa.

15.4.4.3. All Invitations to Tender or Quotations must specify the goods, service(s) or works that are required, together with the terms and conditions of contract that will apply (see CSO 16).

15.4.4.4. The Invitation to Tender or Quotation must state that the Fire Authority is not bound to accept any Quotation or Tender.

15.4.4.5. All Tenderers invited to Tender or quote must be issued with the same information at the same time and subject to the same conditions. Any supplementary information must be given on the same basis.

15.4.5. **CSO12 SHORTLISTING**

- 15.4.5.1. Any shortlisting must have regard to the financial and technical standards relevant to the contract and the Award Criteria. Special rules apply in respect of tenders above WTO GPA Thresholds.
- 15.4.6. **CSO13 SUBMISSION, RECEIPT AND OPENING OF TENDERS/ QUOTATIONS**
- 15.4.6.1. Tenderers must be given an adequate period in which to prepare and submit a proper Quotation or Tender, consistent with the complexity of the contract requirement. Normally at least four weeks should be allowed for submission of Tenders unless exceptional circumstances prevail. The above WTO GPA Procedure lays down specific time periods and the Procurement Officer will provide advice on these where required.
- 15.4.6.2. All formal Tenders/Quotes must be returned to the Designated Officer or their nominated representative via the relevant tendering portal. Quotes below £25k must be returned either to the designated officer or through the quotes email address where they will be opened simultaneously. Quotes below £25K must be recorded on the PROC4.
- 15.4.6.3. Where a procurement portal is being used all submissions received by other means (e.g. fax/email) must be rejected.
- 15.4.6.4. The Procurement Officer or their nominated representative must ensure that all formal Tenders/Quotes are opened at the same time when the period for their submission has ended. Quotations and Tenders up to the WTO GPA Threshold shall be opened by the relevant designated officers. Electronic Tenders are subject to opening by a member of the procurement team as a full audit trail of all activities is kept on record.
- 15.4.7. **CSO14 CLARIFICATION PROCEDURES AND POST-TENDER NEGOTIATION**
- 15.4.7.1. During the tender process suppliers may seek clarification on any aspects of the tender, in writing. Responses to any clarification queries will be shared with all suppliers who have expressed an interest in the tender unless commercially sensitive. Points of clarification during the tender evaluation period must be carried out by the procurement team.
- 15.4.7.2. If post-tender negotiations are necessary after a single-stage Tender or after the second stage of a two-stage Tender, then such negotiations shall only be undertaken with the Tenderer who is identified as having submitted the best Tender and after all unsuccessful Tenderers have been informed. During negotiations tendered rates and prices shall only be adjusted in respect of a corresponding adjustment in the scope or quantity included in the Tender documents. Officers appointed by the Principal Officer to carry out post-tender negotiations should ensure that there are recorded minutes of all negotiation meetings and that both parties agree actions in writing.

- 15.4.7.3. Post-tender negotiation must only be conducted in accordance with the guidance issued by the Procurement team who must be included and consulted wherever it is proposed to enter into post-tender negotiation. Negotiations must be conducted by a team of at least two Officers, one of whom must be from the procurement team.
- 15.4.7.4. Where post-tender negotiation results in a fundamental change to the specification (or contract terms) the contract must not be awarded but re-tendered.

15.4.8. **CSO15 EVALUATION, AWARD OF CONTRACT AND DEBRIEFING TENDERERS**

- 15.4.8.1. Apart from the debriefing required or permitted by these Contract Standing Orders and any Freedom of Information Requests, the confidentiality of Quotations, Tenders and the identity of Tenderers must be preserved at all times and information about one Tenderer's response must not be given to another Tenderer.
- 15.4.8.2. Contracts must be evaluated and awarded in accordance with the Award Criteria. During this process, Officers shall ensure that submitted Tender prices are compared with any pre-tender estimates and that any discrepancies are examined and resolved satisfactorily.
- 15.4.8.3. The arithmetic in compliant Tenders must be checked. If it becomes clear that there is a clerical error in a quote/tender then that quote/tender shall be considered as if such error had been corrected and a quote/tender shall not be invalidated by such a clerical error unless the error is of such a nature as to render it unclear as to what the terms of the quote/tender are. The Tenderer shall be given the opportunity of confirming or withdrawing the corrected Tender. In the case of an otherwise successful Tender, should it be withdrawn, then the next competitive Tender in the evaluation process can be considered.
- 15.4.8.4. Officers may accept Quotations and Tenders received in respect of proposed contracts and award these to the successful Tenderer, provided expenditure has been approved by the Fire Authority and a budget been allocated and these have been evaluated fully in accordance with these Contract Standing Orders and, in respect of proposed contracts up to a value of £750,000, or if a framework up to £1,500,000. The awarding of contracts that are expected to exceed £750,000 for a one year term or £1,500,000 for a term in excess of one year shall also be approved by the Fire and Rescue Authority.
- 15.4.8.5. The procurement team will notify all Tenderers simultaneously and as soon as possible of the intention to award the contract to the successful Tenderer. The procurement team must provide unsuccessful Tenderers with a period of at least ten days (standstill period) in which to challenge the decision before the procurement team awards the contract. If the decision is challenged by an

unsuccessful Tenderer then the procurement team shall not award the contract until the matter is resolved.

15.4.8.6. The procurement team shall debrief in writing all those Tenderers who submitted a bid about the characteristics and relative advantages of the leading bidder. The procurement team will provide the following information to unsuccessful suppliers:

- a) how the Award Criteria were applied
- b) how the Tenderer scored on the Award Criteria in comparison to the successful Tenderer.
- c) A summary of the differences in quality scoring between the successful and unsuccessful suppliers

15.4.8.7. If a Tenderer requests in writing the reasons for a Contracting Decision, the Officer must give the reasons in writing within 15 calendar days of the request. If requested, the Officer may also give the debriefing information at CSO 15.6 above to Tenderers who were deselected in a pre-tender Shortlisting process.

15.5. SECTION 4: CONTRACT AND OTHER FORMALITIES

15.5.1. CSO16 CONTRACT DOCUMENTS

15.5.1.1. Relevant Contracts

15.5.1.2. All Relevant Contracts that exceed £25,000 shall be in writing with advice sought from the Procurement Team.

15.5.1.3. All Relevant Contracts, irrespective of value, shall clearly specify:

- a) what is to be supplied (i.e. the works, materials, services, matters or things to be furnished, had or done)
- b) the provisions for payment (i.e. the price to be paid and when)
- c) the time, or times, within which the contract is to be performed
- d) the provisions for the Fire and Rescue Authority to terminate the contract.
- e) Any extension periods.

15.5.1.4. Where a contract is let it shall be under the Fire and Rescue Authority's own Terms and Conditions. These can include standard J.C.T, N.E.C, I.C.E. conditions of contract as appropriate and as amended if required. Only exceptionally will the standard terms and conditions issued by the contracting authority apply and requires express approval by the Legal Officer to contract under others terms and conditions.

15.5.1.5. In addition, every Relevant Contract of purchase over £25,000 must also state clearly as a minimum:

- a) that the contractor may not assign or sub-contract without prior written consent
- b) insurance requirements
- c) Health and Safety requirements
- d) Equality Act requirements
- e) Freedom of Information Act & Data Protection (GDPR) requirements

- f) Welsh Language Act requirements
- g) where Agents are used to let contracts, that Agents must comply with the Fire and Rescue Authority’s Contract Standing Orders
- h) a right of access to relevant documentation and records of the contractor for monitoring and audit purposes if relevant.
- i) All sustainability requirements including ethical, moral, environmental.
- j) Code of Practice for Ethical Employment in the Supply chain requirements.
- k) Wellbeing of Future Generations (Wales) Act requirements
- l) Any Commercial Social Value elements included within Tenders/Quotes

15.5.2. Contract Formalities

15.5.2.1. Agreements shall be completed as follows.

Total Value	Method of Completion	By
£25,000 to WTO GPA threshold	Signature	Relevant Approved Signatory
Any Deed (regardless of value) or procurement above WTO GPA threshold and all land transactions. Any contracts below WTO GPA where appropriate as advised by the Monitoring Officer	Seal	Relevant Approved Signatory

15.5.2.2. All contracts must be concluded formally in writing before the supply, service or construction work begins, except in exceptional circumstances, and then only with the written consent of the Designated Officer. An Award letter or letter of intent is insufficient to commence the contract.

15.5.2.3. The Officer responsible for securing signature of the contract must ensure that the person signing for the other contracting party has authority to bind it and detail the authority on the contract signing/sealing form.

15.5.3. Sealing

15.5.3.1. Where contracts are completed as a deed, such contracts shall be signed and sealed by the Monitoring Officer as detailed in CSO 15.5.2.1 above.

15.5.3.2. Every Fire and Rescue Authority sealing will be consecutively numbered, recorded and signed by the person sealing the document. The seal must not be affixed without the authority of the

Monitoring Officer acting under delegated powers and in their absence the Deputy Monitoring Officer.

15.5.3.3. A contract must be sealed where:

- a) It is a deed or
- b) the Fire and Authority may wish to enforce the contract more than six years after its end or
- c) the price paid or received under the contract is a nominal price and does not reflect the value of the goods or services or
- d) the Total Value exceeds the WTO GPA Threshold.

15.5.4. **CSO17 BONDS**

15.5.4.1. The Officer must consult the Head of Finance and Procurement about whether a Bond or Parent Company Guarantee is needed:

- a) where the Total Value exceeds £1,000,000, or
- b) where it is proposed to make stage or other payments in advance of receiving the whole of the subject matter of the contract and there is concern about the stability of the Tenderer.

15.5.5. **CSO18 PREVENTION OF CORRUPTION**

15.5.5.1. All Officers must comply with the Code of Conduct and must not invite or accept any gift or reward in respect of the award or performance of any contract. It will be for the Officer to prove that anything received was not received corruptly. High standards of conduct are obligatory. Corrupt behaviour will lead to dismissal and is a crime under the statutes referred to in CSO 15.5.5.2 below.

15.5.5.2. The following clause must be put in every written Fire and Rescue Authority and Service contract:

"The Fire and Rescue Service/Authority may terminate this contract and recover all its loss if the Contractor, its employees or anyone acting on the Contractor's behalf do any of the following things:

- a) offer, give or agree to give to anyone any inducement or reward in respect of this or any other Fire and Rescue Authority or Service contract (even if the Contractor does not know what has been done), or
- b) commit an offence under the Bribery Act 2010, or
- c) commit any fraud in connection with this or any other Fire and Rescue Authority or Service contract whether alone or in conjunction with Fire and Rescue Authority members, contractors or employees.

Any clause limiting the Contractor's liability shall not apply to this clause".

15.5.6. **CSO19 DECLARATION OF INTERESTS**

15.5.6.1. If it comes to the knowledge of a member or an employee of the Authority or Service that a contract in which he or she has a pecuniary interest has been or is proposed to be entered into by the Fire and Rescue Authority or Service, he or she shall immediately give written notice to the Monitoring Officer.

- 15.5.6.2. Such written notice is required irrespective of whether the pecuniary interest is direct or indirect. An indirect pecuniary interest is distinct from a direct pecuniary interest in as much as it is not a contract to which the member or employee is directly a party.
- 15.5.6.3. A shareholding in a body not exceeding a total nominal value of £1,000 or 1% of the nominal value of the issued share capital (whichever is the less) is not a pecuniary interest for the purposes of this contract standing order.
- 15.5.6.4. The Monitoring Officer shall maintain a record of all declarations of interests notified by Members and Officers
- 15.5.6.5. The Monitoring Officer shall ensure that the attention of all Members is drawn to the National Code of Local Government Conduct.

15.6. SECTION 5: CONTRACT MANAGEMENT

15.6.1. CSO20 MANAGING CONTRACTS

- 15.6.1.1. Heads of Service in sponsoring departments are to name contract leads for all new contracts. All contracts must have a named postholder contract lead for the entirety of the contract.
- 15.6.1.2. Contract Leads must follow the procedures set out in the Fire and Rescue Service's Contract Management Guide.
- 15.6.1.3. A business case must be prepared for all procurements with a potential lifetime value over the WTO GPA Threshold. Provision for resources for the management of the contract, for its entirety, must be identified in the business case.
- 15.6.1.4. For all complex contracts or those with a value of over £120,000 contract leads should, where appropriate:
 - a) maintain a risk register during the contract period
 - b) undertake appropriate risk assessments and for identified risks ensure mitigation measures are in place
- 15.6.1.5. All contracts which have a value higher than the WTO GPA Threshold limits, or which are High Risk, are to be subject to regular review meetings with the contractor in line with the advice provided by the Procurement Team.
- 15.6.1.6. All variations to contract (in line with the original objectives/specification) or terms and conditions must be formally recorded on a "variation to contract" form, following advice from the Procurement Officer and endorsed by all parties.
- 15.6.1.7. During the life of the contract, the Contract Manager must monitor on a regular basis and at least annually:
 - a) performance
 - b) compliance with specification, contract terms and conditions and contract cost
 - c) any Value for Money requirements
 - d) user satisfaction and risk management.
- 15.6.1.8. Where a contract provides for an optional extension to the term, then this shall be granted upon written confirmation to the

Procurement Team from the Contract Manager incorporating data from the reviews carried out under CSO22.

- 15.6.1.9. In exceptional circumstances an extension of up to 12 months may be granted where a contract has expired and no optional extension exists provided the proposed extension value for the Authority does not exceed the WTO GPA Threshold for Supplies and Services Contracts. This must be recorded on a Contract Extension form and approved by the relevant authorised signatories. An example of this would be where there has been an unavoidable delay in the procurement process resulting in a possible period of Non Compliance or National frameworks not being renewed in time. Failure to plan for the expiry of a contract and re-tendering / quotation will not be considered an unavoidable delay.
- 15.6.1.10. Where the total value of an extension of an expired contract is above the WTO GPA Threshold then no extension shall be granted without Fire and Rescue Authority approval.

These contract standing orders should be read in conjunction with the procurement procedures guide which contain more detailed guidance on how to procure goods, services, works and consultancy and the Authority's Financial Regulations and Scheme of Delegations

DEFINITIONS APPENDIX

Agent	A person or organisation acting on behalf of the Fire and Rescue Service or on behalf of another organisation
Award Criteria	The criteria by which the successful Quotation or Tender is to be awarded (see further CSO 10 & 11.2).
Award Procedure	The procedure for awarding a contract as specified in CSO's 8, 10 & 15.
Best Value	<p>The duty, which Part 1 of the Local Government Act 1999 places on local authorities, to secure continuous improvement in the way in which functions are exercised, having regard to a combination of economy, efficiency and effectiveness as implemented by the Fire and Rescue Service.</p> <p>This terminology has now in many instances been superseded by Value for Money.</p>
Bond	An insurance policy: if the contractor does not do what it has promised under a contract with the Fire and Rescue Authority or Service, it can claim from the insurer the sum of money specified in the bond (often 10% of the contract value). A bond is intended to protect the Fire and Rescue Authority and Service against a level of cost arising from the contractor's failure.
Principal Officer	Any of the Directors of the Fire and Rescue Service.
Code of Conduct	The code regulating conduct of officers issued by the Monitoring Officer contained in the general Standing Orders of the Fire and Rescue Authority.
Committee	A committee which has power to make decisions for the Fire and Rescue Authority or Service, for example a joint committee with another Fire & Rescue Authority or local authority, but not a scrutiny committee.
Consultant	Someone employed for a specific length of time to work to a defined project brief with clear outcomes to be delivered, who brings specialist skills or knowledge to the role, and where the Fire and Rescue Service has no ready access to employees with the skills, experience or capacity to undertake the work.

Contracting Decision	Any of the following decisions: <ul style="list-style-type: none"> - composition of approved lists - withdrawal of invitation to tender - whom to invite to submit a quotation or tender - shortlisting award of contract - any decision to terminate a contract.
Contract Manager	An officer from the User Department responsible for ensuring that the outcomes of the procurement are met
Corporate contract	A contract let by Procurement to support the Fire and Rescue Service's aim of achieving value for money.
Delegated Officer	An officer appointed to ensure compliance with the procurement procedure.
Financial Officer	The most senior officer representing the Chief Fire Officer or designated by him/her to provide financial advice to the Chief Fire Officer.
Financial Regulations	The financial regulations of the Authority outlining officer responsibilities to financial matters.
Framework Agreement	An agreement between one or more authorities and one or more economic operators, the purpose of which is to establish the terms governing contracts to be awarded during a given period, in particular with regard to price and, where appropriate, the quantity envisaged.
Government Procurement Agreement	The successor agreement to the general agreement on trade and tariffs. The main signatories other than those in the European economic area are the USA, Canada, Japan, Israel, South Korea, Switzerland, Norway, Aruba, Hong Kong, China, Liechtenstein, and Singapore.
WTO GPA Procedure	The procedure required by the GPA where the Total Value exceeds the GPA threshold.
GPA Threshold	The contract value at which the GPA Public Contract Regulations apply.
High Profile	A high profile purchase is one that could have an impact on functions integral to Fire and Rescue Service's service delivery should it fail or go wrong.
High Risk	A high risk purchase is one which presents the potential for substantial exposure on the Fire and Rescue Authority's or Service's part should it fail or go wrong.

High Value	A high value purchase is where the value exceeds the WTO GPA values
Invitation to Tender	Invitation to tender documents in the form required by these Contract Standing Orders.
Line Manager	The officer's immediate superior or the officer designated by the Principal Officer to exercise the role reserved to the line manager by these Contract Standing Orders.
Nominated Suppliers and Sub-contractors	Those persons specified in a main contract for the discharge of any part of that contract.
Non-Commercial Considerations	<p>(a) The terms and conditions of employment by contractors of their workers or the composition of, the arrangements for the promotion, transfer or training of or the other opportunities afforded to, their workforces (workforce matters).</p> <p>(b) Whether the terms on which contractors contract with their sub-contractors constitute, in the case of contracts with individuals, contracts for the provision by them as self-employed persons of their services only.</p> <p>(c) Any involvement of the business activities or interest of contractors with irrelevant fields of government policy.</p> <p>(d) The conduct of contractors or workers in industrial disputes between them or any involvement of the business activities of contractors in industrial disputes between other persons (industrial disputes).</p> <p>(e) The country or territory of origin of supplies to, or the location in any country or territory of the business activities or interests of contractors.</p> <p>(f) Any political, industrial or sectarian affiliations or interests of contractors or their directors, partners or employees.</p> <p>(g) Financial support or lack of financial support by contractors for any institution to or from which the authority gives or withholds support.</p> <p>(h) Use or non-use by contractors or technical or professional services provided by the authority under the Building Act 1984 or the Building (Scotland) Act 1959.</p>

	(i) Workforce matters and industrial disputes, as defined in paragraphs (a) and (b), cease to be non-commercial considerations to the extent necessary or expedient to comply with Best Value, or where there is a transfer of staff to which the transfer of undertakings (Protection of Employment) Regulations 1981 (TUPE) may apply.
Officer	The officer designated by the Principal Officer to deal with the contract in question.
Parent Company Guarantee	A contract which binds the parent of a subsidiary company as follows: if the subsidiary company fails to do what it has promised under a contract with the Fire and Rescue Service, the Fire and Rescue Service can require the parent company to do so instead.
Priority Services	Those services required to be tendered as defined in the Public Contract Regulations where the thresholds exceed the WTO GPA thresholds.
Procurement Strategy	The document setting out the Fire and Rescue Service's approach to procurement and key priorities for the next few years.
Procurement Service	The Fire and Rescue Procurement Service charged with providing strategic direction and advice to secure Value for Money in the Fire and Rescue Service's activities.
Procurement Procedures	The suite of guidance documents, together with a number of standard documents and forms, which supports the implementation of these Contract Standing Orders. The guide is available on the Fire and Rescue Service's intranet.
Quotation	A quotation of price and any other relevant matter (without the formal issue of an invitation to tender).
Relevant Contract	Contracts to which these Contract Standing Orders apply (see CSO 16).
Shortlisting	The process of selecting candidates who are to be invited to quote or bid or to proceed to final evaluation.
Supervising Officer	The Line Manager's immediate superior.
Tender	A proposal submitted in response to a Invitation to Tender.
Tenderer	Any person who asks or is invited to submit a quotation or tender

Total Value	<p>The whole of the value or estimated value (in money or equivalent value) for a single purchase or disposal calculated as follows:</p> <p>(a) where the contract is for a fixed period, by taking the total price to be paid or which might be paid during the whole of the period</p> <p>(b) where the purchase involves recurrent transactions for the same type of item, by aggregating the value of those transactions in the coming 12 months</p> <p>(c) where the contract is for an uncertain duration, by multiplying the monthly payment by 48</p> <p>(d) for feasibility studies, the value of the scheme or contracts which may be awarded as a result</p> <p>(e) for nominated suppliers and sub-contractors, the total value shall be the value of that part of the main contract to be fulfilled by the nominated supplier or sub-contractor.</p>
<p>TUPE – Transfer of Undertakings (Protection of Employment) Regulations 2006 (SI 2006 No: 246)</p>	<p>Subject to certain conditions, these regulations apply where responsibility for the delivery of works or services for the service is transferred from one organisation (eg private contractor, services in-house team) to another (eg following a contracting out or competitive tendering process), and where the individuals involved in carrying out the work are transferred to the new employer. These regulations seek to protect the rights of employees in such transfers, enabling them to enjoy the same terms and conditions, with continuity of employment, as existed with their former employer. Broadly, TUPE regulations ensure that the rights of employees are transferred along with the business.</p>
Value for Money	<p>Value for money is not the lowest possible price, it combines goods or services that fully meet your needs, with the level of quality required, delivery at the time you need it, social value considerations and at an appropriate price.</p>

16. Code of Conduct for Members

16.1. Interpretation

16.1.1. In this code:

“co-opted Member”	in relation to a relevant authority, means a person who is not a Member of the authority but who: (a) is a Member of any committee of the authority; or (b) is a Member of, and represents the authority on, any joint committee or joint sub-committee of the authority, and who is entitled to vote on any question which falls to be decided at any meeting of that committee;
“meeting”	means any meeting: (a) of the relevant authority; (b) of any executive or board of the relevant authority; (c) of any committee, sub-committee, joint committee or joint sub-committee of the relevant authority or of any such committee, sub-committee, joint committee or joint sub-committee of any executive or board of the authority; or (d) where Members or Officers of the relevant authority are present other than a meeting of a political group constituted in accordance with regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990(1), and includes circumstances in which a Member of an executive or board or an Officer acting alone exercises a function of an authority;
“Member”	includes, unless the context requires otherwise, a co-opted Member;
“register of members’ interests”	means the register established and maintained under section 81 of the Local Government Act 2000;

“registered society”	means a society, other than a society registered as a credit union, which is— (a) a registered society within the meaning given by section 1(1) of the Co-operative and Community Benefit Societies Act 2014; or (b) a society registered or deemed to be registered under the Industrial and Provident Societies Act (Northern Ireland) 1969;
“relevant authority”	means: (a) a county Fire and Rescue Authority; (b) a county borough Fire and Rescue Authority; (c) a community Fire and Rescue Authority; (d) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004(2) or a scheme to which section 4 of that Act applies; (e) a National Park authority established under section 63 of the Environment Act 1995(3);
“you”	means you as a Member or co-opted Member of a relevant authority; and
“your authority”	means the relevant authority of which you are a Member or co-opted Member.

16.1.2. In relation to the Fire and Rescue Authority:-

- a) “proper officer” means an officer of that Fire and Rescue Authority within the meaning of section 270(3) of the Local Government Act 1972; and
- b) “standards committee” means the standards committee of the Fire and Rescue Authority which has functions for which it is responsible under section 56(1) and (2) of the Local Government Act 2000.

16.2. General Provisions

16.2.1. Save where paragraph 16.2.3 applies, you must observe this code of conduct:

- a) whenever you conduct the business, or are present at a meeting, of the authority ;
- b) whenever you act, claim to act or give the impression you are acting in the role of Member to which you were elected or appointed;
- c) whenever you act, claim to act or give the impression you are acting as a representative of the authority ; or
- d) at all times and in any capacity, in respect of conduct identified in paragraphs 16.2.5(a) and 16.2.7.

- 16.2.2. You should read this code together with the general principles prescribed under section 49(2) of the Local Government Act 2000 in relation to Wales.
- 16.2.3. Where you are elected, appointed or nominated by your Local Authority You must:
- a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;
 - b) show respect and consideration for others;
 - c) not use bullying behaviour or harass any person; and
 - d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, the Fire Authority.
- 16.2.4. You must not:
- a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;
 - b) prevent any person from gaining access to information to which that person is entitled by law.
- 16.2.5. You must:
- a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute;
 - b) report, whether through the authority's confidential reporting procedure or direct to the proper authority, any conduct by another Member or anyone who works for, or on behalf of, the authority which you reasonably believe involves or is likely to involve criminal behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a fixed penalty);
 - c) report to the authority's Monitoring Officer any conduct by another Member which you reasonably believe breaches this code of conduct;
 - d) not make vexatious, malicious or frivolous complaints against other Members or anyone who works for, or on behalf of, the authority.
- 16.2.6. You must comply with any request of the authority's Monitoring Officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.
- 16.2.7. You must not:
- a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;
 - b) use, or authorise others to use, the resources of the authority:

- i. imprudently;
 - ii. in breach of the authority's requirements;
 - iii. unlawfully;
 - iv. other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the authority or of the office to which you have been elected or appointed;
 - v. improperly for political purposes; or
 - vi. improperly for private purposes.
- 16.2.8. You must:
- a) when participating in meetings or reaching decisions regarding the business of the authority, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by the authority's Officers, in particular by:
 - i. the authority's Head of Paid Service;
 - ii. the authority's Chief Finance Officer;
 - iii. the authority's Monitoring Officer; (who should be consulted when there is any doubt as to the authority's power to act, as to whether the action proposed lies within the Policy Framework agreed by the authority or where the legal consequences of action or failure to act by the authority might have important repercussions);
 - b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the authority .
- 16.2.9. You must:
- a) observe the law and the authority's rules governing the claiming of expenses and allowances in connection with your duties as a Member;
 - b) avoid accepting from anyone gifts, hospitality (other than official hospitality, such as a civic reception or a working lunch duly authorised by the authority), material benefits or services for yourself or any person which might place you, or reasonably appear to place you, under an improper obligation.
- 16.2.10. If you are a Chairperson of a political group, you must:
- a) take reasonable steps to promote and maintain high standards of conduct by the members of the group; and
 - b) co-operate with the Fire and Rescue Authority's standards committee (and any sub-committee of the committee) in the exercise of the standards committee's functions.
 - c) In complying the a) and b) above, you must have regard to any guidance issued by the Welsh Ministers.

16.3. Interests

16.3.1. Personal Interests

- a) You must in all matters consider whether you have a personal interest, and whether this code of conduct requires you to disclose that interest.
- b) You must regard yourself as having a personal interest in any business of the authority if:
 - i. it relates to, or is likely to affect:
 - A. any employment or business carried on by you;
 - B. any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;
 - C. any person, other than the authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a Member;
 - D. any corporate Committee which has a place of business or land in the authority's area, and in which you have a beneficial interest in a class of securities of that Committee that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that Committee;
 - E. any contract for goods, services or works made between the authority and you or a firm in which you are a partner, a company of which you are a remunerated director or a Committee of the description specified in paragraph (D) above;
 - F. any land in which you have a beneficial interest and which is in the area of the authority;
 - G. any land where the landlord is the authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a Committee of the description specified in paragraph (D) above;
 - H. any Committee to which you have been elected, appointed or nominated by the authority
 - I. any:
 - 1. public authority or Committee exercising functions of a public nature;
 - 2. company, registered society, charity, or Committee directed to charitable purposes;
 - 3. Committee whose principal purposes include the influence of public opinion or policy;
 - 4. trade union or professional association; or
 - 5. private club, society or association operating within the authority's area, in which you have membership or hold a position of general control or management;

- J. any land in the authority 's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;
- ii. a decision upon it might reasonably be regarded as affecting:
 - A. your wellbeing or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;
 - B. any employment or business carried on by persons as described in (A);
 - C. any person who employs or has appointed such persons described in (A), any firm in which they are a partner, or any company of which they are directors;
 - D. any corporate Committee in which persons as described in (A) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
 - E. any Committee listed in paragraphs 16.3.1(b)(i)(l)1 to 16.3.1(b)(i)(l)5 in which persons described in (A) hold a position of general control or management, to a greater extent than the majority of:
 - 1. in the case of an authority with electoral divisions or wards, other Fire and Rescue Authority taxpayers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or
 - 2. in all other cases, other Fire and Rescue Authority tax payers, ratepayers or inhabitants of the authority's area.

16.3.2. Disclosure of Personal Interests

- a) Where you have a personal interest in any business of the authority and you attend a meeting at which that business is considered, you must disclose orally to that meeting the existence and nature of that interest before or at the commencement of that consideration, or when the interest becomes apparent.
- b) Where you have a personal interest in any business of the authority and you make:
 - i. written representations (whether by letter, facsimile or some other form of electronic communication) to a Member or Officer of the authority regarding that business, you should include details of that interest in the written communication; or
 - ii. oral representations (whether in person or some form of electronic communication) to a Member or Officer of the authority you should disclose the interest at the commencement of such representations, or when it becomes apparent to you that you have such an interest, and confirm the representation and interest in writing within 14 days of the representation.

- c) Subject to section 16.3.5(a)(ii) below, where you have a personal interest in any business of the authority and you have made a decision in exercising a function of an executive or board, you must in relation to that business ensure that any written statement of that decision records the existence and nature of your interest.
- d) You must, in respect of a personal interest not previously disclosed, before or immediately after the close of a meeting where the disclosure is made pursuant to section 16.3.2(a), give written notification to the authority in accordance with any requirements identified by the authority's Monitoring Officer, or in relation to a community Fire and Rescue Authority, the authority's proper officer from time to time but, as a minimum containing:
 - i. details of the personal interest;
 - ii. details of the business to which the personal interest relates; and
 - iii. your signature.
- e) Where you have agreement from your Monitoring Officer that the information relating to your personal interest is sensitive information, pursuant to section 16.4.2(a), your obligations under this section 16.3.2 to disclose such information, whether orally or in writing, are to be replaced with an obligation to disclose the existence of a personal interest and to confirm that your Monitoring Officer has agreed that the nature of such personal interest is sensitive information.
- f) For the purposes of paragraph (d), a personal interest will only be deemed to have been previously disclosed if written notification has been provided in accordance with this code since the last date on which you were elected, appointed or nominated as a Member of the authority .
- g) For the purposes of sub-paragraph (c), where no written notice is provided in accordance with that paragraph you will be deemed as not to have declared a personal interest in accordance with this code.

16.3.3. Prejudicial Interests

- a) Subject to paragraph (b) below, where you have a personal interest in any business of the authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- b) Subject to paragraph (c), you will not be regarded as having a prejudicial interest in any business where that business:
 - i. relates to:
 - A. another relevant authority of which you are also a Member;

- B. another public authority or Committee exercising functions of a public nature in which you hold a position of general control or management;
- C. a Committee to which you have been elected, appointed or nominated by the authority;
- D. your role as a school governor (where not appointed or nominated by the authority) unless it relates particularly to the school of which you are a governor;
- E. your role as a Member of a Local Health Board where you have not been appointed or nominated by the authority;
- ii. relates to:
 - A. the housing functions of the authority where you hold a tenancy or lease with the authority, provided that you do not have arrears of rent with the authority of more than two months, and provided that those functions do not relate particularly to your tenancy or lease;
 - B. the functions of the authority in respect of school meals, transport and travelling expenses, where you are a guardian, parent, grandparent or have parental responsibility (as defined in section 3 of the Children Act 1989) of a child in fulltime education, unless it relates particularly to the school which that child attends;
 - C. the functions of the authority in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay from the authority;
 - D. the functions of the authority in respect of an allowance or payment made under sections 22(5), 24(4) and 173 to 176 of the Local Government Act 1972, an allowance or pension under section 18 of the Local Government and Housing Act 1989 or an allowance or payment under section 100 of the Local Government Act 2000;
- iii. the functions of the authority in respect of an allowance or payment made in accordance with the provisions of Part 8 of the Local Government (Wales) Measure 2011, or an allowance or pension provided under section 18 of the Local Government and Housing Act 1989;
- c) The exemptions in section 16.3.3(b)(i) do not apply where the business relates to the determination of any approval, consent, licence, permission or registration.

16.3.4. Participation in Relation to Disclosed Interests

- a) Subject to paragraphs (b), (c), (e) and (f), where you have a prejudicial interest in any business of the authority you must, unless you have obtained a dispensation from the authority's standards committee:

- i. withdraw from the room, chamber, place or online portal where a meeting considering the business is being held:
 - A. where paragraph (b) applies, immediately after the period for making representations, answering questions or giving evidence relating to the business has ended and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration; or
 - B. in any other case, whenever it becomes apparent that that business is being considered at that meeting;
 - ii. not seek to influence a decision about that business;
 - iii. not make any written representations (whether by letter, or some form of electronic communication) in relation to that business; and
 - iv. not make any oral representations (whether in person or some form of electronic communication) in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.
- b) Where you have a prejudicial interest in any business of the authority you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.
- c) Where you have a prejudicial interest in any business of the authority you may submit written representations to a meeting relating to that business, provided that the public are allowed to attend the meeting for the purpose of making representations, answering questions or giving evidence relating to the business, whether under a statutory right or otherwise.
- d) When submitting written representations under sub-paragraph (2A) you must comply with any procedure that the authority may adopt for the submission of such representations.
- e) Paragraph (a) does not prevent you attending and participating in a meeting if:
- i. you are required to attend a meeting of an overview or scrutiny committee, by such committee exercising its statutory powers; or
 - ii. you have the benefit of a dispensation provided that you:
 - A. state at the meeting that you are relying on the dispensation; and
 - B. before or immediately after the close of the meeting give written notification to the authority containing:
 - 1. details of the prejudicial interest;
 - 2. details of the business to which the prejudicial interest relates;

3. details of, and the date on which, the dispensation was granted; and
 4. your signature.
- f) Where you have a prejudicial interest and are making written or oral representations to the authority in reliance upon a dispensation, you must provide details of the dispensation within any such written or oral representation and, in the latter case, provide written notification to the authority within 14 days of making the representation.

16.4. The Register of Members' Interests

Registration of Financial and Other Interests and Memberships and Management Positions

16.4.1. Registration of Personal Interests

- a) Subject to sub-paragraph (d), you must, within 28 days of:
 - i. the authority's code of conduct being adopted or the mandatory provisions of this model code being applied to the authority ; or
 - ii. your election or appointment to office (if that is later),
 register your personal interests, where they fall within a category mentioned in section 16.3.1(b)(i) in the authority's register of members' interests by providing written notification to the authority's Monitoring Officer.
- b) Subject to sub-paragraph (d), you must, within 28 days of becoming aware of any new personal interest falling within a category mentioned in section 16.3.1(b)(i), register that new personal interest in the authority's register of members' interests by providing written notification to the authority's Monitoring Officer.
- c) Subject to sub-paragraph (d), you must, within 28 days of becoming aware of any change to a registered personal interest falling within a category mentioned in paragraph 19.3.1(b)(i), register that change in the authority's register of members' interests by providing written notification to the authority's Monitoring Officer, or in the case of a community Fire and Rescue Authority to the authority's proper officer.
- d) Sub-paragraphs (a), (b) and (d) do not apply to sensitive information determined in accordance with paragraph 16.4.2(a).
- e) Sub-paragraphs (a) and (b) do not apply if you are a Member of a relevant authority which is a community Fire and Rescue Authority when you act in your capacity as a Member of such an authority.
- f) You must, when disclosing a personal interest in accordance with paragraph 16.3.2 for the first time, register that personal interest in the authority's register of members' interests by providing written notification to the authority's monitoring officer, or in the case of a community Fire and Rescue Authority to the authority's proper officer.

16.4.2. Sensitive information

- a) Where you consider that the information relating to any of your personal interests is sensitive information, and the authority's Monitoring Officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to the interest under section 16.4.1.
- b) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under subparagraph (a) is no longer sensitive information, notify the authority's Monitoring Officer, or in relation to the Fire and Rescue Authority, the authority's proper officer asking that the information be included in the authority's register of Members' interests.
- c) In this code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

16.4.3. Registration of Gifts and Hospitality

You must, within 28 days of receiving any gift, hospitality, material benefit or advantage above a value specified in a resolution of the authority, provide written notification to the authority's Monitoring Officer, of the existence and nature of that gift, hospitality, material benefit or advantage.

APPENDIX 1 TO SECTION 16 Conduct of Members – The Principles

1. **SELFLESSNESS**
Members must act solely in the public interest. They must never use their position as Members to improperly confer advantage on themselves or to improperly confer advantage or disadvantage on others.
2. **HONESTY**
Members must declare any private interests relevant to their public duties and take steps to resolve any conflict in a way that protects the public interest.
3. **INTEGRITY AND PROPRIETY**
Members must not put themselves in a position where their integrity is called into question by any financial or other obligation to individuals or organisations that might seek to influence them in the performance of their duties. Members must on all occasions avoid the appearance of such behaviour.
4. **DUTY TO UPHOLD THE LAW**
Members must act to uphold the law and act on all occasions in accordance with the trust that the public has placed in them.
5. **STEWARDSHIP**
In discharging their duties and responsibilities Members must ensure that their authority's resources are used both lawfully and prudently.
6. **OBJECTIVITY IN DECISION-MAKING**
In carrying out their responsibilities including making appointments, awarding contracts, or recommending individuals for rewards and benefits, Members must make decisions on merit. Whilst Members must have regard to the professional advice of officers and may properly take account of the views of others, including their political groups, it is their responsibility to decide what view to take and, if appropriate, how to vote on any issue.
7. **EQUALITY AND RESPECT**
Members must carry out their duties and responsibilities with due regard to the need to promote equality of opportunity for all people, regardless of their gender, race, disability, sex, sexual orientation, marital status, age or religion, and show respect and consideration for others.
8. **OPENNESS**
Members must be as open as possible about all their actions and those of their authority. They must seek to ensure that disclosure of information is restricted only in accordance with the law.
9. **ACCOUNTABILITY**
Members are accountable to the electorate and the public generally for their actions and for the way they carry out their responsibilities as a Member. They must be prepared to submit themselves to such scrutiny as is appropriate to their responsibilities.
10. **LEADERSHIP**
Members must promote and support these principles by leadership and example so as to promote public confidence in their role and in the authority. They must respect the impartiality and integrity of the authority's statutory officers and its other employees.

APPENDIX 2 TO SECTION 16 Protocol - Standard of Conduct Expected by Members

This protocol sets out the standards of conduct expected from Members within South Wales *Fire and Rescue Authority* in dealing with each other. It should be read in conjunction with the Members Code of Conduct and the Member-Officer Protocol. It adds to these documents and does not detract from them.

Members are expected to:

1. PUBLIC BEHAVIOUR

- 1.1 show respect to each other;
- 1.2 not to make personal abusive comments about each other;
- 1.3 not to publish anything insulting about each other;
- 1.4 not to make malicious allegations against each other;
- 1.5 not to publish or spread any false information about each other;
- 1.6 show respect to diversity and equality;

2. BEHAVIOUR IN MEETINGS

- 2.1 behave with dignity;
- 2.2 show respect to the Chairperson and accept their decisions;
- 2.3 not to use indecent language nor make racial remarks or remarks which prejudice any section of society;

3. CONFIDENTIALITY

- 3.1 keep the confidentiality of exempt papers and any other documents which are not public;
- 3.2 not to release confidential information to the press or the public;
- 3.3 not to use confidential information for purposes other than intended;

4. LOCAL MEMBERS

- 4.1 work with Members of adjoining electoral divisions for the benefit of the locality;
- 4.2 if dealing with any matter relating to another electoral division:
 - 4.2.1 explain to anyone seeking assistance that they are not the local Member;
 - 4.2.2 inform the local Member, unless it would lead to a breach of confidentiality.

Standards Committee Procedure

PROCEDURE FOR DEALING WITH ALLEGATIONS MADE AGAINST COUNCILLORS AND REFERRED TO THE STANDARDS COMMITTEE

Introduction

1. This document sets out the procedure that the Authority's Standards Committee will follow where it is required to make decisions about the conduct of Councillors following investigations by the Public Services Ombudsman for Wales or the Authority's Monitoring Officer under Part III of the Local Government Act 2000 and related regulations. If there is any conflict between this document and any statutory requirements then those statutory requirements will prevail.

Interpretation

2. In this procedure:
 - (a) 'the Act' means the Local Government Act 2000
 - (b) 'the Authority' means South Wales Fire and Rescue Authority.
 - (c) 'the Code of Conduct' means the code of conduct for members adopted by the Authority.
 - (d) 'the Complainant' means any person who made any allegation which gave rise to the investigation
 - (e) the 'Investigating Officer' means the person who conducted an investigation into any alleged breach of the Code of Conduct and produced the investigation report, being either the Ombudsman (or a person acting on his or her behalf) or the Monitoring Officer
 - (f) an 'investigation report' means a report on the outcome of an investigation into any alleged breach of the Code of Conduct produced either by the Ombudsman under s71(2) of the Act or by the Monitoring Officer under the Regulations.
 - (g) 'the Member' means any person who is the subject of an investigation into any alleged breach of the Code of Conduct
 - (h) 'the Monitoring Officer' means the officer for the time being appointed by the Authority under section 5 of the Local Government and Housing Act 1989
 - (i) 'the Ombudsman' means the Public Services Ombudsman for Wales
 - (j) 'the Regulations' means the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001 as amended
 - (k) the Standards Officer' means the officer for the time being appointed by the Authority to support the work of the Standards Committee

Summary of the procedure

3. Under section 69 of the Act, the Ombudsman may investigate any alleged breach of the Code of Conduct by members or co-opted members (or former members or co-opted members) of the Authority.
4. Under section 70(4) of the Act, where the Ombudsman ceases such an investigation before it is completed, he or she may refer the matters which are the subject of the investigation to the Monitoring Officer. The Monitoring Officer will then investigate matters in accordance with the Regulations before reporting and, if appropriate, making recommendations to the Standards Committee.
5. Alternatively, under section 71(2) of the Act, where the Ombudsman decides after investigating that it is appropriate, he or she will produce a report on the outcome of the investigation and send it to the Monitoring Officer and the Authority's Standards Committee. The Monitoring Officer will then consider the report of the Ombudsman in accordance with the Regulations, before, if appropriate, making recommendations to the Standards Committee.
6. The Standards Committee will then make an initial determination either:
 - (a) that there is no evidence of any failure to comply with the Code of Conduct, or
 - (b) that the Member should be given the opportunity to make representations, either orally or in writing
7. Where the Member is given an opportunity to make representations, the Standards Committee will convene a hearing to consider any response made by the Member and it must determine under regulation 9(1) of the Regulations either that:
 - (a) there is no evidence of any failure to comply with the Code of Conduct and that therefore no action needs to be taken,
 - (b) the Member has failed to comply with the Code of Conduct but that no action needs to be taken in respect of that failure
 - (c) the Member has failed to comply with the Code of Conduct and should be censured, or
 - (d) the Member has failed to comply with the Code of Conduct and should be suspended or partially suspended from being a member or co-opted member of his/her authority for a period not exceeding six months. and take any such action accordingly.

Investigations by the Monitoring Officer (referrals under section 70(4) of the Act)

8. Where the Ombudsman ceases his or her investigation before it is completed and refers the matters which are the subject of the investigation to the Monitoring Officer under section 70(4) of the Act, the Monitoring Officer must:
 - (a) conduct an investigation; and
 - (b) report, and if appropriate make recommendations to the Authority's Standards Committee

9. The Monitoring Officer will investigate in accordance with the Regulations and may follow such procedures as he or she considers appropriate in the circumstances of the case.
10. After concluding an investigation, the Monitoring Officer must:
 - (a) produce a report on the findings of his or her investigation and, if appropriate, may make recommendations to the Standards Committee,
 - (b) send a copy of the report to the Member, and
 - (c) take reasonable steps to send a copy of the report to the Complainant.
11. The Standards Committee will consider the Monitoring Officer's report and any recommendations in accordance with the procedure set out below.

Investigations by the Ombudsman (referrals under section 71(2) of the Act)

12. Where the Ombudsman completes his or her investigation and sends a report to the Monitoring Officer and the Authority's Standards Committee under section 71(2) of the Act, the Monitoring Officer must consider the Ombudsman's report and, if appropriate, make recommendations to the Authority's Standards Committee.
13. The Standards Committee will consider the Ombudsman's report together with any recommendations made by the Monitoring Officer in accordance with the procedure set out below.

The first meeting of the Standards Committee - Initial Determination

14. After the Monitoring Officer has:
 - (a) produced an investigation report in accordance with paragraph 10; or
 - (b) considered the Ombudsman's investigation report in accordance with paragraph 12 s/he will arrange for a meeting of the Standards Committee to be convened as soon as possible and for a copy of the investigation report, together with the Monitoring Officer's recommendations (if any), to be sent to each of the members of the Standards Committee.
15. Notice of the time and place of the meeting will be given in accordance with Part VA of the Local Government Act 1972 as amended by the Standards Committees (Wales) Regulations 2001.
16. If the investigation report is produced by the Ombudsman, the Monitoring Officer will advise the Standards Committee. If the investigation report is produced by the Monitoring Officer, the Standards Officer or some other suitably qualified person will advise the Standards Committee.
17. The business of the Standards Committee meeting will be limited to considering the investigation report and the Monitoring Officer's recommendations (if any) and to making an initial determination either:-
 - (a) that there is no evidence of any failure to comply with the Code of Conduct, or
 - (b) that the Member should be given the opportunity to make representations, either orally or in writing in respect of the findings of the investigation and

any allegation that he or she has failed, or may have failed, to comply with the Code of Conduct.

After the first meeting of the Standards Committee

18. Where the Standards Committee decides that there is no evidence of any failure to comply with the Code of Conduct, the Standards Officer will accordingly notify the Member, the Complainant and the Ombudsman.
19. Where the Standards Committee decides that the Member should be given the opportunity to make representations, the Standards Officer will notify the Member of the Committee's decision and the procedure which the Committee proposes to adopt to receive and consider any representations that he or she may wish to make.

Preparing for the hearing to consider the Member's representations

20. The Standards Officer, in consultation with the Chair of the Standards Committee, will write to the Member to propose a date for a hearing to consider any representations that the Member may wish to make and to ask the Member to respond in writing within 14 days to confirm whether s/he:
 - (a) is able to attend the hearing
 - (b) wants to make representations, whether orally or in writing and if so, to include any written representations in his or her response
 - (c) disagrees with any of the findings of fact in the investigation report, and if so, which matters he or she disagrees with and the reasons for any disagreements;
 - (d) wants to appear before the Committee in person or be represented at the hearing by a solicitor, barrister or any other person, in accordance with his/her right under the Regulations
 - (e) wants to give evidence to the Standards Committee, either orally or in writing;
 - (f) wants to call relevant witnesses to give evidence to the Standards Committee;
 - (g) wants any part of the meeting to be held in private;
 - (h) wants any part of the investigation report or other relevant documents to be withheld from the public
21. The Standards Officer will notify the Investigating Officer of the proposed hearing date and ask whether he or she will be attending the hearing.
22. The Standards Officer will send a copy of the Member's response under paragraph 20 to the Investigating Officer and will ask him/her to confirm in writing within 7 days whether s/he:
 - (a) has any comments on the Member's response
 - (b) wants to be represented at the hearing;
 - (c) wants to call relevant witnesses to give evidence to the Standards Committee;
 - (d) wants any part of the meeting to be held in private; and

- (e) wants any part of the investigation report or other relevant documents to be withheld from the public.
23. The Standards Officer will write to the members of the Committee, the Member and the Investigating Officer at least two weeks before the hearing to:
- (a) confirm the date, time and place for the hearing;
 - (b) summarise the allegation;
 - (c) outline the main facts of the case that are agreed;
 - (d) outline the main facts which are not agreed;
 - (e) note whether the Member or the Investigating Officer will attend or be represented at the hearing;
 - (f) list those witnesses, if any, who will be asked to give evidence;
 - (g) enclose the investigation report, any relevant documents, the Member's response and any further response from the Investigating Officer; and
 - (h) outline the proposed procedure for the meeting.

Powers of the Standards Committee

24. The Standards Committee may, in accordance with the requirements of natural justice, conduct the meeting in the manner it considers most suitable to the clarification of the issues before it and generally to the just handling of the proceedings. It must so far as appears to it appropriate seek to avoid formality and inflexibility in its proceedings. The Standards Committee will decide factual evidence on the balance of probabilities.
25. The Member or the Investigating Officer may be represented or accompanied whether or not legally qualified but if in any particular case the Standards Committee is satisfied that there is a good reason, it may refuse to permit a particular person to assist or represent a party at the hearing.
26. The Standards Committee may take legal advice from an Authority officer appointed for this purpose at any time during the meeting or while they are considering the outcome. The substance of any legal advice given to the Committee will be shared with the Member and the Investigating Officer if they are present.
27. Where appropriate, and in accordance with the Regulations, the Standards Committee has power to censure the Member, or suspend or partially suspend the Member for a period not exceeding 6 months.

Procedure at the hearing

28. The hearing will be held in public unless the Standards Committee is persuaded that there is a good reason to exclude the public.
29. The procedure at the meeting shall be as set out below, subject to the Chair making such changes as he or she thinks fit in order to ensure a fair and efficient hearing.

Introduction

30. The Chair of the Standards Committee will introduce those persons present and will explain the manner and order of proceedings

First stage: Preliminary procedural issues

31. The Standards Committee will then resolve any issues or disagreements about how the hearing should continue, which have not been resolved during the pre-hearing process.

Second stage: Making findings of fact

32. The Standards Committee will then consider whether or not there are any significant disagreements about the facts contained in the investigation report.

33. If there is a disagreement as to the facts:

- (a) the Investigating Officer, if present, will be invited to make any necessary representations to support the relevant findings of fact in the investigation report.
- (b) the Investigating Officer may call any necessary supporting witnesses to give evidence, with the Standards Committee's permission and the Committee shall give the Member an opportunity to challenge any evidence put forward by any witness called by the Investigating Officer.
- (c) the Member will then be invited to make representations to support his or her version of the facts.
- (d) the Member may call any necessary witnesses to give evidence, with the Standards Committee's permission and the Committee shall give the Investigating Officer an opportunity to challenge any evidence put forward by any witness called by the Member.

34. At any time, the Standards Committee may question any of the people involved or any of the witnesses.

35. If the Member disagrees with any relevant fact in the investigation report, without having given prior notice of the disagreement, he or she must give good reasons for not mentioning it before the hearing. If the Investigating Officer is not present, the Standards Committee will consider whether or not it would be in the public interest to continue in his or her absence. After considering the Member's explanation for not raising the issue at an earlier stage, the Committee may then:

- (a) continue with the hearing, relying on the information in the investigation report
- (b) allow the Member to make representations about the issue, and invite the Investigating Officer to respond and call any witnesses, as necessary; or
- (c) postpone the hearing to arrange for appropriate witnesses to be present, or for the Investigating Officer to be present if he or she is not already.

36. At the conclusion of the representations as to matters of fact, the Standards Committee will retire to deliberate in private on the representations, after which the Chair of the Standards Committee will announce their findings of fact.

Third stage: Deciding whether the Member has failed to comply with the Code

37. The Standards Committee will then consider whether, based on the facts it has found, the Member has failed to comply with the Code.
38. The Standards Committee will invite the Investigating Officer to make representations as to whether or not, based on the facts the Committee has found, the Member has failed to comply with the Code of Conduct.
39. The Standards Committee will invite the Member to respond to the representations of the Investigating Officer and to make representations as to whether or not, based on the facts the Committee has found, he or she has failed to comply with the Code of Conduct.
40. The Standards Committee may, at any time, question anyone involved on any point they raise in their representations.
41. The Member will be invited to make any final relevant points.
42. The Standards Committee will retire to deliberate in private on the representations and decide whether or not the Member has failed to comply with the Code of Conduct, after which the Chair of the Standards Committee will announce their findings.

Fourth stage: Action to be taken

43. If the Standards Committee decides that the Member has not failed to comply with the Code of Conduct, it will formally record that there is no evidence of any failure by the Member to comply with the Code of Conduct and that therefore no action needs to be taken.
44. If the Standards Committee decides that the Member has failed to comply with the Code of Conduct it will invite the Member and the Investigating Officer to make representations as to:
 - (a) whether or not the Committee should apply a sanction; and
 - (b) what form any sanction should take.
45. The Standards Committee will retire to deliberate in private on the representations and decide either that:
 - (a) no action needs to be taken in respect of the failure to comply with the Code of Conduct,
 - (b) the Member should be censured or
 - (c) the Member should be suspended or partially suspended from being a member or co-opted member of his or her authority for a period not exceeding six months, after which the Chair of the Standards Committee will announce their decision.
46. After making a decision the Standards Committee will instruct the Standards Officer to confirm the decision and the reasons for the decision in writing and to send a copy of the written decision (including details of the Member's right of

appeal) to the Member, the Complainant and the Ombudsman as soon as reasonably practicable.

Failure to make representations / attend the hearing

47. If the Member fails to make representations, the Standards Committee may:

- (a) unless it is satisfied that there is sufficient reason for such failure, consider the investigation report and make a determination in the Member's absence; or
- (b) give the Member a further opportunity to make representations

48. If a party fails to be present or represented at a hearing, the Standards Committee may, if it is satisfied that the party was duly notified of the hearing and that there is no good reason for such absence -

- (a) hear and decide the matter in the party's absence; or
- (b) adjourn the hearing.

Illness or incapacity

49. If the Standards Committee is satisfied that any party is unable, through physical or mental sickness or impairment, to attend the hearing and that the party's inability is likely to continue for a long time, the Standards Committee may make such arrangements as may appear best suited, in all the circumstances of the case, for disposing fairly of the matter.

Suspension

50. A period of suspension or partial suspension will commence on the day after:

- (a) the expiry of the time allowed to lodge a notice of appeal to an appeals tribunal under the Regulations (i.e. within 21 days of receiving notification of the Standards Committee's determination);
- (b) receipt of notification of the conclusion of any appeal in accordance with the Regulations;
- (c) a further determination by the Standards Committee made after receiving a recommendation from an appeals tribunal under the Regulations, whichever occurs last.

Referral by an Appeals Tribunal

51. Where the Standards Committee determines that the Member has failed to comply with the Code of Conduct, the Member may appeal against the determination to an appeals tribunal drawn from the Adjudication Panel for Wales.

52. An appeals tribunal may endorse the decision of the Standards Committee, refer a matter back to it recommending it impose a different penalty, or overturn the decision.

53. If:

- (a) the Standards Committee determines that the Member failed to comply with the Code of Conduct;
- (b) the Member appeals to an appeals tribunal drawn from the Adjudication Panel for Wales; and
- (c) the said tribunal refers the matter back to the Standards Committee with a recommendation that a different penalty be imposed, the Standards Committee shall meet as soon as reasonably practicable to consider the recommendation of the appeals tribunal and will determine whether or not it should uphold its original determination or accept the recommendation.

54. After making its determination the Standards Committee will instruct the Standards Officer to confirm the decision and the reasons for the decision in writing and to send a copy of the written decision to the Member, the Complainant, the Ombudsman and the president of the Adjudication Panel for Wales as soon as reasonably practicable.

Publication of the Standards Committee's report

55. The Standards Committee will cause to be produced within 14 days after:

- (a) the expiry of the time allowed to lodge a notice of appeal under the Regulations, or
- (b) receipt of notification of the conclusion of any appeal in accordance with the Regulations, or
- (c) a further determination by the Standards Committee made after receiving a recommendation from an appeals tribunal under the Regulations, whichever occurs last, a report on the outcome of the investigation and send a copy to the Ombudsman, the Monitoring Officer, the Member and take reasonable steps to send a copy to the Complainant.

56. Upon receipt of the report of the Standards Committee, the Monitoring Officer shall:

- (a) for a period of 21 days publish the report on the Authority's website and make copies available for inspection by the public without charge at all reasonable hours at one or more of the Authority's offices, where any person shall be entitled to take copies of, or extracts from, the report when made so available,
- (b) supply a copy of the report to any person on request if he or she pays such charge as the Authority may reasonably require, and
- (c) later than 7 days after the report is received from the Standards Committee, give public notice, by advertisement in newspapers circulating in the area and such other ways as appear to him or her to be appropriate, that copies of the report will be available as provided by sub-paragraphs (a) and (b) above, and shall specify the date (being a date not more than seven days after public notice is first given) from which the period of 21 days will begin.

Costs

57. The Standards Committee has no power to make an award of any costs or expenses arising from any of its proceedings.

17. Code of Conduct for Employees

17.1. Introduction

- 17.1.1. The public is entitled to expect the highest standards of conduct from all employees who work for the Fire and Rescue Authority. This Code of Conduct outlines the existing rules and conditions of service which apply to you as a Fire and Rescue Authority employee and is designed to provide clear guidance to assist you in your day to day work.
- 17.1.2. The Code sets out the standards which are expected of you and provides a framework which will help to promote best practice. Reference should also be made to [Nolan's Seven Principles of Public Life](#) and also [APPENDIX 1 TO SECTION 16 Conduct of Members – The Principles](#). All employees of the Fire and Rescue Authority are required to observe and uphold the standards of the Code and all policies and procedures of the Fire and Rescue Authority. Failure to do so is a serious matter which could result in disciplinary action, including dismissal.
- 17.1.3. You should therefore read the document carefully, and if you are uncertain about any aspect of its contents, please contact your immediate manager or supervisor.
- 17.1.4. An abbreviated list of particularly relevant policies, procedures and appropriate forms can be seen in Appendix 1 to this section).

17.2. Standards and Attitude

- 17.2.1. All employees of the Fire and Rescue Authority are expected to give the highest possible standard of service to the public, and where it is part of their duties, to provide appropriate advice to Fire and Rescue Authority Members and fellow employees with impartiality.
- 17.2.2. Your attitude in dealing with people reflects on the Fire and Rescue Authority so it is important that you are helpful, polite and courteous.
- 17.2.3. All employees are expected to report, in the first instance, to their manager or supervisor any illegality, impropriety, breach of procedure or policy of the Fire and Rescue Authority.
- 17.2.4. There are a number of mechanisms available to employees to do this including the Fire and Rescue Authority's complaints procedure and also the Confidential Reporting Code.
- 17.2.5. In all cases, it is not enough to avoid actual impropriety, as public perceptions are very important. Employees should at all times avoid any appearance of improper conduct which may give rise to suspicion.

17.3. Confidentiality and Disclosure of Information

- 17.3.1. The law requires that certain types of information must be available to Fire and Rescue Authority Members, auditors, government services, service users and the public. Different rules apply in different situations. If you are in any doubt as to whether you can release any

particular information, always check with your manager or supervisor first.

- 17.3.2. The confidentiality of information received in the course of your duties should be respected and must never be used for personal or political gain. Also, of course, you should not knowingly pass information on to others who might use it in such a way.
- 17.3.3. You should not communicate confidential information or documents to others who do not have a legitimate right to know. Information must only be disclosed in accordance with the requirements of the Data Protection Legislation, which covers computerised and manual information held on individuals. All staff need to bear in mind that an E-mail is as legally binding as a letter and informal messages sent internally can be used in evidence in court proceedings.
- 17.3.4. Information given in the course of your duties should be accurate and fair and never designed to mislead.
- 17.3.5. Any particular information received by an employee from a Fire and Rescue Authority Member which is personal to that Fire and Rescue Authority Member should not be divulged by the employee without the prior approval of that Fire and Rescue Authority Member, except where such disclosure is required by law.

17.4. Political Neutrality

- 17.4.1. Employees serve the authority as a whole. It follows that you must serve all Fire and Rescue Authority Members equally and ensure that the individual rights of all Fire and Rescue Authority Members are respected.
- 17.4.2. From time to time, some employees may also be requested to advise a full meeting of a political group or its executive. You must do so in ways which do not compromise your political neutrality and inform the Chief Fire Officer in advance.
- 17.4.3. Whether you hold a politically restricted post or not, you must not allow your own personal or political opinions to interfere with your work. The list of Politically restricted posts within the Service can be seen in Appendix 2 to this section).

17.5. Relationships

- 17.5.1. Fire and Rescue Authority Members
Mutual respect between employees and Fire and Rescue Authority Members is essential for good local government. Some employees need to work closely with Fire and Rescue Authority Members. Close personal familiarity between employees and individual Fire and Rescue Authority Members can damage the relationship and prove embarrassing to other employees and Fire and Rescue Authority Members , and should therefore be avoided.

- 17.5.2. The Local Community and Service Users

Employees should always remember their responsibilities to the whole of the community they serve and ensure courteous, effective and impartial service delivery to all groups and individuals within that community in accordance with the policies of the authority.

17.5.3. Contractors and Suppliers

All relationships of a business or personal nature with external contractors or suppliers, or potential contractors or suppliers, must be declared to your appropriate manager or supervisor at the earliest opportunity.

Orders and contracts must be awarded in accordance with the Fire and Rescue Authority's Contract Procedure Rules and no special favour should be shown to anyone, particularly businesses run by, for example, friends, partners or relatives. No part of the community should be discriminated against.

17.6. Appointment and Other Employment Matters

17.6.1. It is unlawful for appointments to be made on the basis of anything other than the ability of the candidate to undertake the duties of the post. If you are involved in making appointments you should do everything possible to ensure that these are made on the basis of merit.

17.6.2. In order to avoid any possible accusation of bias, you must not become involved in any appointment if you are related to an applicant, or have a close personal relationship with them or her.

17.6.3. Similarly, you should not be involved in decisions relating to discipline, promotion or pay adjustments in respect of any other employee who is a relative or with whom you have a close personal relationship; nor should you attempt to influence such decisions.

17.6.4. Senior Officers (i.e. Head of Service and above) must disclose to the Monitoring Officer any relationship known to exist between them and any person they know who is a candidate for an appointment with the Fire and Rescue Authority.

17.6.5. If you apply for promotion or are seeking another job in the Fire and Rescue Authority, you must not approach any Fire and Rescue Authority Member for a reference. Issues relating to your conditions of service, working arrangements or grading should be raised with your manager or supervisor and not with Fire and Rescue Authority Members.

17.7. Outside Commitments

17.7.1. Your off-duty hours are your own concern, but you should make sure that you do not allow yourself to get into a position where your private interests come into conflict with your contractual obligations or are detrimental to the interests or reputation of the Fire and Rescue Authority.

17.7.2. South Wales Fire & Rescue Services outside Employment policy (OP02.006) states (“the Service”) has a duty under the Health and Safety at Work Act and Working Time Regulations to ensure that employees can carry out their duties safely and that they are not suffering from fatigue, which could place themselves, the public or other employees in danger. Therefore, it is necessary for the Service to be aware of, and grant permission for, any outside employment undertaken by its employees.

17.7.3. Outside employment is considered to be an activity other than employment by the Service for which employees receive financial or personal gain, whether by payment or in kind. For the avoidance of doubt this includes sporting activity.

17.7.4. The acceptance of outside employment is governed by Section 5, Part B, Paragraph 8 of the Scheme of Conditions of Service for Local Authorities Fire and Rescue Services (Grey Book) that states:

“An employee (other than one on the retained duty system) shall not hold any other office or employment for gain or reward or carry on any trade or business without the express permission of the fire and rescue authority, which may be granted subject to any restrictions or conditions the authority thinks fit”.

17.7.5. You must not undertake private or personal work of any description in working hours or in the office unless you have been given specific permission by your manager or supervisor.

17.7.6. Private use of Fire and Rescue Authority facilities and equipment, such as stationery and photocopiers, is not allowed. Personal use of the telephone is permitted within reason. Also, you should not **arrange** to receive correspondence, telephone calls and emails in the office **related to outside work or private interests**.

17.8. Personal Interests

17.8.1. You must declare to your manager or supervisor any financial or non financial interests which could bring about conflict with the Fire and Rescue Authority’s interests.

17.8.2. If you are in any doubt about a potential conflict of interest, you should bring the matter to the attention of your manager or supervisor so that a decision can be made as to how best to proceed.

17.8.3. You must not make, or become involved with any official or professional decisions about matters in which you have a personal interest.

17.8.4. Section 117 of the Local Government Act 1972 requires you to make a formal declaration about contracts or personal contracts with the Fire and Rescue Authority in which you have a pecuniary interest. Such declarations should be made on and sent to the Monitoring Officer. It is a

criminal offence to fail to comply with this provision which is set out in full at (Appendix 3 of this section).

17.9. Equality

17.9.1. All Members of the local community, customers and other Fire and Rescue Authority employees have a right to be treated fairly and equally. You should become familiar with and observe all Fire and Rescue Authority policies relating to equality issues, eg the Fire and Rescue Authority's Equal Opportunities Policy, in addition to the requirements of the law.

17.10. Tendering Procedures

17.10.1. Employees involved in the tendering process or who have any other official relationship with contractors, must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.

17.10.2. If you are responsible for engaging or supervising contractors and have previously had, or currently have, a relationship in a private or domestic capacity with contractors, you must declare that relationship to your manager or supervisor.

17.10.3. If you become privy to confidential information on tenders or costs relating either to internal or external contractors, you must not disclose that information to any unauthorised person.

17.10.4. All employees must ensure that no special favour is shown to current, or recent former, employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in any capacity.

17.11. Corruption

17.11.1. Employees must be aware that it is a serious criminal offence under the Bribery Act 2010 for them to receive or give any gift, loan or reward or advantage in their official capacity "for doing, or not doing, anything", or "showing favour, or disfavour to any person". If an allegation is made against you, it will be for you to demonstrate that any such rewards have not been corruptly obtained. The relevant statutory rules appear at (Appendix 5 of this section). Further guidance can be obtained in the [Antifraud and Anti Bribery Policy OP05.002](#) .

17.11.2. For your own protection, if anyone makes an approach to you which seems to you, or might seem to a third party, to be aimed at obtaining some form of preferential treatment, or in any suspicious circumstances in connection with a contract, you must report the matter to your Monitoring Officer.

17.12. Possible Inducements

17.12.1. Introduction

A potential source of conflict between public and private interests is the offer of gifts, hospitality or benefits in kind to employees in connection with their official duties. It is important to avoid any suggestion of improper influence. There is a checklist to help you at the end of this Section.

17.12.2. Gifts Generally

Casual gifts offered to employees by contractors, organisations, firms or individuals may not be intended as an inducement or connected in any way with the performance of your official duties so as to involve the Bribery Act 2010. Nevertheless, with the exceptions listed below, you should decline any personal gift offered to you or your partner, or to a Member of your family, by any person or organisation having dealings with the Fire and Rescue Authority.

17.12.3. Any such offer should be reported to your manager or supervisor (or to the Monitoring Officer if you are a Principal Officer).

17.12.4. When a gift needs to be refused, this should be done with tact and courtesy, because the offer of gifts is common custom and practice in the commercial world, particularly at Christmas time. If the gift is simply delivered to your place of work, there may be a problem returning it, in which case it should be reported immediately to your manager or supervisor or the Monitoring Officer as appropriate.

17.12.5. Exceptions

17.12.6. Gifts of a token value given at Christmas, such as calendars, diaries, pens or other simple items of office equipment for use in Fire and Rescue Service offices, but only if it bears the company's name or insignia.

17.12.7. Gifts of a promotional nature on the conclusion of a courtesy visit to a factory or company offices, of a sort normally given by the company to visitors.

17.12.8. Hospitality

17.12.9. Offers of hospitality are a normal part of the courtesies of business life but in the public service it is important for employees to avoid creating an appearance of improper influence, thus undermining public confidence.

17.12.10. Hospitality is sometimes offered to representatives of the Fire and Rescue Authority in an official or formal capacity. Normally the only Officers who would attend would be Principal Officers and appropriate heads of service.

17.12.11. If hospitality is offered to you as an individual employee, special caution is needed, particularly when the host is seeking to do business with the Fire and Rescue Authority or to obtain a decision from it. You must exercise the utmost care in dealing with contractors, developers,

etc, who may stand to benefit from the goodwill of the Fire and Rescue Authority.

17.12.12. You should also be careful about attending exhibitions, seminars or visiting manufacturers, etc. There is an increasing trend towards linking such visits to, for example, a major sporting event, show or concert with a view to legitimising offers of hospitality.

17.12.13. In general terms, it is more likely to be acceptable for you to join in hospitality offered to a group, than to accept something unique to yourself. When a particular person or Committee has a matter currently in issue with the Fire and Rescue Authority, for example, an arbitration arising from a contract, then clearly common sense dictates that offers of hospitality should be refused even if in normal times they would be acceptable.

17.12.14. All offers of hospitality should be reported to Director Corporate Services as indicated in the [Hospitality and Gifts Policy OP05.006](#)

17.12.15. **Checklist**

The question in all these cases is one of judgement, and the following checklist of queries should help you to decide whether a gift or an offer of hospitality should be accepted or tactfully declined.

17.12.16. Is the donor, or event, significant in the community or area? If so, is the refusal likely to cause offence?

17.12.17. Are you expected to attend because of your position in the community or area?

17.12.18. Will the event be attended by others of a similar standing in the community or in other communities?

17.12.19. What do you think is the motivation behind the invitation?

17.12.20. Would acceptance of the invitation be, in any way, inappropriate or place you under pressure in relation to any current or future issue involving the Fire and Rescue Authority?

17.12.21. Could you justify the decision to the Fire and Rescue Authority, press and public?

17.12.22. Is the extent of the hospitality, or the nature of the gift reasonable and appropriate?

17.12.23. Are you likely to be expected to respond to the hospitality, and if so, how?

17.12.24. Are you comfortable about the decision?

17.12.25. Sponsorship - Giving and Receiving

17.12.26. Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

17.12.27. Where the Fire and Rescue Authority wishes to sponsor an event or service, neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being

full disclosure to their Chief Fire Officer of any such interest. Similarly, where the Fire and Rescue Authority through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

17.13. Financial Procedure Rules

17.13.1. All employees involved in financial activities and transactions on behalf of the Fire and Rescue Authority, including budgetary control, payments of accounts, payments of salaries and wages, petty cash and orders for works, goods or services must follow the Fire and Rescue Authority's Financial Procedure Rules.

17.13.2. They must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the authority.

17.13.3. **ANY BREACHES OF THESE INSTRUCTIONS MAY LEAD TO DISCIPLINARY ACTION AND COULD LEAD TO DISMISSAL.**

Appendix 1 to Section 17 - Abbreviated list of particularly relevant polies, procedures and appropriate forms

Policies and Procedures

Corporate Policy-01, Health and Safety - (ACFO Technical Services)

OP-01.002 - Drug and Substance Misuse

OP-01.009 - Domestic Abuse and Sexual Violence Workplace Policy

People

Corporate Policy-02, Our People - (ACO People Services)

OP-02.006 - Outside Employment

OP-02.022 - Dignity at Work

OP-02.051 - Standards and Expectations

Corporate Policy-03, Our Assets - (DCO Corporate Services)

Corporate Policy-04, Communications, Consultation and Engagement - (DCO Corporate Services)

OP-05.005 - Procurement Procedures

OP-05.006 - Hospitality and Gifts

Corporate Policy-06, Information Management - (DCO Corporate Services)

Corporate Policy-07, Information Communication Technology - (ACFO Technical Services)

Corporate Policy-08, Operational Response - (ACFO Service Delivery)

Corporate Policy-09, Risk Reduction - (ACFO Service Delivery)

Corporate Policy-10, Business Continuity Policy - (ACFO Technical Services)

Joint Fire Control HR Procedures

Forms

Finance

F-31 Public Interest Disclosure (Whistleblowing) (When opening please select the save as option to create a local copy of the document)

Personnel

P-25 Application for Outside Employment (for use when the Service is an employee's primary employer)

Appendix 2 to Section 17 - Politically restricted posts within South Wales Fire and Rescue Service

SOUTH WALES FIRE AND RESCUE SERVICE POLITICALLY RESTRICTED POSTS

In 1989, the [Local Government and Housing Act 1989 \(LGHA 1989\)](#) introduced the principle of 'politically restricted posts' (PoRPs) and of restricting the political activities of local authority employees. The Local Democracy, Economic Development and Construction Act 2009 made amendments to the Local Government and Housing Act 1989 (LGHA 1989) in respect of the approach to identifying posts which are politically restricted by removing the duty to maintain a list of posts earning above a nominated salary.

The main provisions regarding PoRPs are set out in Part 1 of the LGHA 1989. The effect of including a local authority employee on the list of 'politically restricted posts' is to prevent that individual from having any active political role either in or outside the workplace. Politically restricted employees will automatically be disqualified from standing for or holding elected office.

In practice, this equates to debarring a substantial number of local government employees from standing for office as:

- Local councillors
- MPs
- MEPs
- Members of the Welsh Assembly

They are also restricted from:

- Canvassing on behalf of a political party or a person who is or seeks to be a candidate (Reg 3, Sched Part 1, para 5 LGO(PR)R 1990)
- Speaking to the public at large or publishing any written or artistic work that could give the impression that they are advocating support for a political party (Reg 3, Sched Pt II, LGO(PR)R 1990)

The cumulative effect of these restrictions is to limit the holders of 'PoRPs' to bare membership of political parties, with no active participation within the party permitted.

Fire & Rescue Authorities are considered local authorities for the political restrictions provisions of the LGHA 1989 (s21(1)(f) and (i)), and therefore firefighters and support staff are covered by the provisions of the Act.

Which posts are politically restricted?

Each local authority is under a duty to draw-up and regularly update a list of those posts which are politically restricted.

With effect from 12 January 2010 politically restricted posts fall into two broad categories: specified posts and sensitive posts.

Appendix 3 to Section 17 - Local Government Act 1972, Section 117

Local Government Act 1972, Section 117

1. If it comes to the knowledge of an Officer employed, whether under this Act or any other enactment, by a local authority that a contract in which they have an pecuniary interest, whether direct or indirect (not being a contract to which they are themselves a party), has been, or is proposed to be, entered into by the authority or any committee thereof, they shall as soon as practicable give notice in writing to the authority of the fact that they are interested therein. For the purposes of this Section, an Officer shall be treated as having indirectly a pecuniary interest in a contract or proposed contract if they would have been so treated by virtue of Section [95] above had they been a Member of the authority.
2. An Officer of a local authority shall not, under colour of their office or employment, accept any fee or reward whatsoever other than their proper remuneration.
3. Any person who contravenes the provisions of paragraphs 1 or 2 above shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.
4. References in this Section to a local authority shall include references to a joint committee appointed under Part VI of this Act or any other enactment.

Appendix 4 to Section 17 - Bribery Act 2010

Bribery Act 2010

The Bribery Act 2010 creates offences making it unlawful to give or receive financial or other advantages in return for the improper performance of a relevant function or activity. The Act applies to functions and activities of a public nature which an individual is expected to perform in good faith, impartially or in a position of trust.

18. Protocol on Member / Officer Relations

18.1. Introduction

The purpose of this Protocol is to guide Members and Employees of the Fire and Rescue Authority in their relations with one another.

18.1.1. Mutual respect between Members and Employees is essential to good local government. However, close personal familiarity between individual Members and Employees can damage this relationship and prove embarrassing to other Members and Employees.

18.1.2. The relationship has to function without compromising the ultimate responsibilities of Employees to the Fire and Rescue Authority as a whole, and with due regard to such technical, financial, professional and legal advice that Employees can legitimately provide to Members. The Protocol seeks to set a framework that assists the working relationships between Members and Employees.

18.2. Roles of Members

Members undertake many different roles. Broadly these are:

18.2.1. Members express political values and support the policies of the party or group to which they belong (if any).

18.2.2. Members represent their electoral division and are advocates for the citizens who live in the area.

18.2.3. Members are involved in active partnerships with other organisations as community leaders.

18.2.4. Members contribute to the decisions taken in Full Fire and Rescue Authority and in its various bodies on which they serve, as well as joint committees, outside bodies and partnership organisations.

18.2.5. Members help develop and review policy and strategy.

18.2.6. Members monitor and review policy implementation and service quality.

18.2.7. Members are involved in quasi-judicial work through their Membership of regulatory committees.

18.3. Roles of Employees

Briefly, Employees have the following main roles:

18.3.1. Managing and providing the services for which the Fire and Rescue Authority has given them responsibility and being accountable for the efficiency and effectiveness of those services.

18.3.2. Providing advice to the Fire and Rescue Authority and its various bodies and to individual Members in respect of the services provided.

18.3.3. Initiating policy proposals.

18.3.4. Implementing agreed policy.

18.3.5. Ensuring that the Fire and Rescue Authority always acts in a lawful manner.

18.4. Respect and Courtesy

18.4.1. For the effective conduct of Fire and Rescue Authority business there must be mutual respect, trust and courtesy in all meetings and contacts, both formal and informal, between Members and Employees.

This plays a very important part in the Fire and Rescue Authority's reputation and how it is seen in public. It is very important that both Members and Employees remember their respective obligations to enhance the Fire and Rescue Authority's reputation and to do what they can to avoid criticism of other Members, or other Employees, in public places.

18.4.2. Undue Pressure

- a) It is important in any dealings between Members and Employees that neither should seek to take unfair advantage of their position.
- b) In their dealings with Employees (especially junior Employees) Members need to be aware that it is easy for them to be overawed and feel at a disadvantage. Such feelings can be intensified where Members hold senior official and/or political office.
- c) A Member should not apply undue pressure on an Employee either to do anything that they are not empowered to do or to undertake work outside normal duties or outside normal hours. Particular care needs to be taken in connection with the use of Fire and Rescue Authority property and services.
- d) Similarly, an Employee must neither seek to use undue influence on an individual Member to make a decision in their favour, nor raise personal matters to do with their job, nor make claims or allegations about other Employees. (The Fire and Rescue Authority has formal procedures for consultation, grievance and discipline, and Employees have the right to report possible wrongdoing under the Fire and Rescue Authority's Confidential Reporting Code.)

18.4.3. Familiarity

- a) Close personal familiarity between individual Members and Employees can damage the principle of mutual respect. It could also, intentionally or accidentally, lead to the passing of confidential information or information which should not properly be passed between them, such as personal details.
- b) Such familiarity could also cause embarrassment to other Members and/or other Employees and even give rise to suspicions of favouritism.
- c) For these reasons close personal familiarity must be avoided.

18.4.4. Breach of Protocol

- a) If a Member considers that they have not been treated with proper respect or courtesy they may raise the issue with the Employee's line manager. If direct discussion with the manager does not resolve the complaint it should be referred to the Head of Service or Director responsible for the employee concerned. Breach of the Protocol may give rise to disciplinary proceedings against an Employee if the circumstances warrant it.
- b) If an employee considers that a Member has contravened the protocol they should consult their line manager who will if necessary involve the Head of Service or Director. In certain circumstances

breach of the Protocol may also constitute a breach of the Members' Code of Conduct. If the breach is sufficiently serious this may warrant a formal reference to the Monitoring Officer as a complaint to be considered for potential investigation by the Standards Committee. Many complaints will be capable of informal resolution. The Monitoring Officer will assist in this process if necessary.

18.5. Provision of Advice and Information to Members

- 18.5.1. Members are free to approach Employees of the Fire and Rescue Authority to provide them with such information and advice as they may reasonably need in order to assist them in discharging their role as a Member of the Fire and Rescue Authority. This can range from a request for general information about some aspect of the Fire and Rescue Authority's activities to a request for specific information on behalf of a constituent.
- 18.5.2. Employees should always endeavour to respond to requests for information promptly and should in any event inform the Member if there is likely to be any appreciable delay in dealing with an enquiry. As a minimum the timescale for responding to correspondence should be observed ie either a full response or, if this is not possible, an acknowledgement that fully explains what is happening within five working days of the receipt of the enquiry.
- 18.5.3. The legal rights of Members to inspect Fire and Rescue Authority documents are covered partly by statute and partly by common law.
- 18.5.4. The Access to Information Procedure Rules of this Constitution explain the position with regard to access to papers relating to the business of a Member Committee.
- 18.5.5. The exercise of the common law right depends upon a Member's ability to demonstrate a "need to know". In this respect a Member has no right to "a roving commission" to examine any documents of the Fire and Rescue Authority. Mere curiosity is not sufficient.
- 18.5.6. The information sought by a Member should only be provided by the respective Service as long as it is within the limits of the Service's resources. For their part, Members should seek to act reasonably in the number and content of the requests they make.
- 18.5.7. It is important for Services and their staff to keep Members informed both about the major issues concerning the Fire and Rescue Authority and, more specifically, about issues and events affecting the area that them represents. Local Members should be informed about proposals that affect their electoral division and should also be invited to attend Fire and Rescue Authority initiated events within their electoral division.
- 18.5.8. If a Member asks for specific information relating to the work of a particular area of Service, and it appears possible or likely that at a subsequent meeting an issue could be raised or question asked on the

basis of the information provided, then the appropriate Authority Member or Committee Chairperson concerned should be advised about the information provided.

18.5.9. Officers have to advise Members from time to time that a certain course of action cannot be carried out. Members sometimes assume that this is a case of Officers deliberately obstructing the wishes of politicians. In fact this is hardly ever the case. Officers are employed to give unbiased professional advice even if it is not what Members want to hear. They do this as much for the protection of Members as for any other reason. However, the mark of an effective Officer is that if they do have to give negative advice, this will be accompanied by suggestions as to how Members might achieve some or all of their objectives in other ways. Such Officers are invaluable to any Fire and Rescue Authority.

18.5.10. Members may be entitled under the Freedom of Information Act 2000 to receive information which falls outside their common law rights based on the "need to know". Employees are encouraged to supply documents to Members without the need for a formal FOI request if it is apparent from the Member's enquiry that any individual would be entitled to receive such documentation. The Fire and Rescue Authority's Data Protection Officer will be able to advise in consultation if necessary with the Monitoring Officer on whether any request would fall within the Freedom of Information Act.

18.6. Confidentiality

18.6.1. In accordance with the Code of Conduct for Members, a Member must not disclose information given to them in confidence by anyone, or information acquired which they believe, or ought reasonably to be aware, is of a confidential nature, except where:

- a) they have the consent of a person authorised to give it;
- b) they are required by law to do so;
- c) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
- d) the disclosure is:
 - i. reasonable and in the public interest; and
 - ii. made in good faith and in compliance with the reasonable requirements of the Authority.

18.6.2. Confidential Committee papers (pink papers) are to be treated as confidential information unless the relevant Committee resolves not to exclude press and public. Members are reminded that the author of the report or the Monitoring Officer makes the initial decision as to whether or not the papers are to be treated as confidential. The decision as to whether they remain confidential is for the Committee. Other information may be confidential because to disclose it would be against the Fire and Rescue Authority's or the public interest. Information may also be confidential because of the circumstances in which it was obtained.

- 18.6.3. Information and correspondence about an individual's private or business affairs will normally be confidential.
- 18.6.4. Officers should make it clear to Members if they are giving them confidential information. If a Member is not sure whether information is confidential, they should ask the relevant Officer, but treat the information as confidential in the meantime.
- 18.6.5. Any Fire and Rescue Authority information provided to a Member must only be used by the Member in connection with the proper performance of the Member's duties as a Member of the Fire and Rescue Authority.
- 18.6.6. If a Member receives confidential information and considers it should be disclosed to another person because it is reasonable and in the public interest to do so then they must first consult with the Monitoring Officer and shall not disclose the information without having regard to any advice given by that Officer.

18.7. Provision of Support Services to Members

- 18.7.1. The only basis on which the Fire and Rescue Authority can lawfully provide support services (eg stationery, word processing, printing, photocopying, transport, etc) to Members is to assist them in discharging their role as Members of the Fire and Rescue Authority. Such support services must therefore only be used on Fire and Rescue Authority business. They should never be used in connection with party political or campaigning activity or for private purposes.
- 18.7.2. Correspondence
Official letters on behalf of the Fire and Rescue Authority should be sent in the name of the appropriate Employee, rather than over the name of a Member. There are circumstances where a letter sent in the name of a Member is perfectly appropriate, for example, in response to a letter of enquiry or complaint sent direct to that Member. Letters which, for example, create obligations or give instructions on behalf of the Fire and Rescue Authority should never be sent out in the name of a Member.
- 18.7.3. Media
Communication with the media can be an important part of a Member's workload. In general, Members provide comment and views while Employees provide factual information. If a Member is unsure about the circumstances of a particular issue they should contact the appropriate Director or Head of Service concerned or ask the Media Team to do so.

18.8. The Fire and Rescue Authority's Role as Employer

In their dealings with Officers, Members should recognise and have regard to the Fire and Rescue Authority's role as employer. Members should be aware that Officers could rely on inappropriate behaviour of a Member in an employment case against the Fire and Rescue Authority.

18.9. Political Activity

- 18.9.1. There are a number of constraints that apply to an employee who occupies a post that is designated as "politically restricted" under the terms of the Local Government and Housing Act 1989.

- 18.9.2. In summary, such employees are prevented from:
- a) being a Member of Parliament, European Parliament or local authority;
 - b) acting as an election agent or sub-agent for a candidate for election as a Member of any the bodies referred to in (a);
 - c) being an Officer of a political party or any branch of a political party or a Member of any committee of such a party or branch, if their duties would be likely to require them to:
 - i. participate in the general management of the party or branch; or
 - ii. act on behalf of the party or branch in dealings with persons other than Members of the party;
 - d) canvassing on behalf of a political party or a candidate for election to any the bodies referred to in (a);
 - e) speaking to the public with the apparent intent of affecting public support for a political party; and
 - f) publishing any written or artistic work of which they are the author (or one of the authors) or acting in an editorial capacity in relation to such works, or to cause, authorise or permit any other person to publish such work or collection - if the work appears to be intended to affect public support for a political party.
- 18.9.3. It is common for party groups to give preliminary consideration to matters of Fire and Rescue Authority business in advance of such matters being considered by the relevant decision making Committee. Employees may properly be called upon to support and contribute to such deliberations by party groups provided they maintain a stance which is politically impartial. Support may include a range of activities including briefings for Members relating to their roles, eg Chairperson or spokesperson. Employees should be required to give information and advice to political groups on Fire and Rescue Authority business only and not on matters which are purely of a party political nature. Such advice should be available to all party groups and not solely to the majority group. It is important that the political neutrality of Employees is preserved and that group confidentiality is maintained by Employees.
- 18.9.4. Usually the only Employees involved in attending group meetings will be the Chief Fire Officer, Directors and Heads of Service and they will generally leave the meeting after making their presentation and answering questions.
- 18.9.5. Employees are employed by the Fire and Rescue Authority as a whole. They serve the Fire and Rescue Authority and are responsible to the Chief Fire Officer and their respective Directors/Heads of Service, and not to individual Members of the Fire and Rescue Authority whatever office they might hold.
- 18.9.6. Both Members and Employees are subject to their own Codes of Conduct which can be found in the Constitution. This Protocol provides guidance on working relationships between Members and Employees. It is essential that both are familiar with the detailed obligations in their

respective Codes of Conduct which will prevail in the event of any conflict between the Codes and this Protocol.

18.10. Sanctions

18.10.1. Complaints about any breach of this Protocol by a Member may be referred to the Monitoring Officer. It should be noted that certain breaches may also amount to breaches of the Code of Conduct for Members.

18.10.2. Complaints about any breach of this protocol by an Officer may be referred to the Monitoring Officer / Deputy Monitoring Officer.

18.11. Conclusion

18.11.1. It is hoped that, by following good practice and securing sensible and practical working relationships between Members and Employees, we can provide one of the cornerstones of a successful Fire and Rescue Authority and thereby enhance the delivery of high value quality services to the people of the area. Mutual understanding, openness and respect are the greatest safeguard of the integrity of the Fire and Rescue Authority, its Members and Employees.

19. Confidential Reporting – Public Interest Disclosure Procedure (“WHISTLEBLOWING”)

19.1. Introduction

- 19.1.1. South Wales Fire and Rescue Service “the Service” is committed to the highest standards of openness, probity and accountability. In line with that commitment, the Service recognises that an important aspect of accountability and transparency is a mechanism to enable employees to voice concerns about breaches or failures in a reasonable and effective manner “Whistleblowing” is the popular term used when an employee has a concern about danger or illegality that has a public interest aspect to it: usually because it threatens others (e.g. customers, colleagues or the public). Please refer to the Service Policy OP05.003)
- 19.1.2. This procedure has been written to take account of the Public Interest Disclosure Act 1998, which protects members and staff making disclosures about certain matters of concern, where those disclosures are made in accordance with the Act’s provisions. The Act is incorporated into the Employment Rights Act 1996, which also already protects members and staff who take action over, or raise concerns about, health and safety at work. This Procedure has been written to take account of the Enterprise and Regulatory Reform Act 2013 which provides protection for members and staff who raise genuine concerns which they reasonably believe are in the ‘public interest.
- 19.1.3. A grievance is, by contrast, a dispute about the employee’s own employment position and has no additional public interest dimension. The Service’s Grievance Resolution Procedure, OP-02.008 should be used to resolve an employee’s concern that does not have a public interest aspect to it.
- 19.1.4. This procedure is intended to assist and protect employees from victimisation and reprisal should they reasonably believe they have discovered malpractice or impropriety and that the disclosure is in the public interest.

19.2. Corporate Policy

- 19.2.1. This Organisational Procedure supports Corporate Policy 05, Finance and Procurement.

19.3. Scope and Applicability

- 19.3.1. This procedure applies to all employees.
- 19.3.2. All employees are required to adhere to this procedure. Employees should note that any breaches of this procedure may lead to disciplinary action. Serious breaches of this procedure may constitute

gross misconduct and lead to dismissal. Please refer to our disciplinary procedure OP-02.007 for further information.

19.3.3. The Service supports an environment of mutual respect and equality of opportunity. In accordance with the Equality Act (2010), this document has been Equality Risk Assessed to ensure all Protected Characteristics are considered. Should an employee perceive that an adverse impact does exist, it is their responsibility to bring it to the attention of the Diversity Officer. This document also complies with other relevant legislation.

19.4. Responsibilities

19.4.1. Employee Responsibilities

Employees are responsible for:

- Raising their concerns in writing as soon as they have a reasonable suspicion.
- Providing a full account and evidence for their concerns.
- Raising concerns in the public interest and maintain confidentiality regarding their concerns.

19.4.2. Human Resources Responsibilities

Human Resources are responsible for:

- Providing advice and support to employees and investigating managers involved in the whistleblowing procedure.
- Assisting in the appointment of a suitable investigating manager.
- Investigating any allegations of harassment or victimisation experienced by the complainant.
- Updating the procedure when there are changes to legislation.

19.4.3. Investigating Manager Responsibilities

The investigating manager is responsible for:

- Sending a written acknowledgement of the concern to the complainant.
- Ensuring the employee is aware and understands the whistleblowing procedure.
- Protecting the identity of the employee, where possible.
- Ensuring the investigations are undertaken as expeditiously as possible without affecting the quality and depth of the investigation.
- Keeping the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.
- Reporting to the complainant in writing of the outcome of any disciplinary process arising.

19.5. Issues of Concern

19.5.1. It is impossible to be prescriptive about the possible issues of concern but they may include:

- Failure to deliver proper standard of service.
- Financial malpractice.
- Corruption or fraudulent activity.
- Negligence.
- Discrimination.
- Breaches of Health and Safety legislation.
- Failure to comply with the Service's policies and procedures, or legal requirements.

19.5.2. There may be other types of concern which should be more appropriately addressed through the Service's other procedures, such as the grievance procedure. If so, individuals will be advised appropriately.

19.5.3. The Service wants to encourage openness within the organisation and if employees raise concerns in the public interest they will be supported, even if it turns out that no action was necessary.

19.5.4. It is not expected that a truth or an allegation is proved beyond all doubt but rather that there are genuine grounds for concern.

19.6. Reporting Concerns

19.6.1. If an employee is concerned about something that they think is bad practice they should talk, in the first instance, to their line manager or a senior manager about this and submit an F31 form (Appendix 1).

19.6.2. If they do not feel able to do so because, for example, they believe that line managers are involved in some way or are unlikely to take action about the concern, they should contact a more senior manager. Ultimately, they may contact the Monitoring Officer and ask to speak confidentially.

19.6.3. If there is a concern that involves a senior member of the Service it may be necessary to approach the Chairperson of the Finance, Audit and Performance Management Committee. The Chairperson's telephone number can be obtained from Business Support.

19.6.4. Employees are not expected to prove beyond doubt the truth of an allegation however, they will need to demonstrate to the designated officer that they reasonably believe that the disclosure they are making is on the public interest and is therefore a protected disclosure. Examples include:

- The disclosure is made in the public interest
- The person making the disclosure reasonably believes that it tends to show malpractice or impropriety.
- In making the disclosure, the person does not commit a criminal offence.

- The person does not expect any personal gain from making such a disclosure.
- 19.6.5. The Service will treat concerns raised in this way seriously and will investigate them thoroughly in whatever way seems most appropriate.
- 19.6.6. Managers must ensure employees read the procedure so that they know their rights and the support they will receive if they raise a genuine concern.
- 19.6.7. In the first instance the individual will receive a written response, from the Manager, to the concern they have raised, indicating how the matter will be dealt with and giving them an estimate of how long it may take. A template response letter is attached (Appendix 2).
- 19.6.8. If, as part of the resolution of the issue raised, there is requirement for a meeting between the individual and the person with or about whom the concern is raised, the individuals will have the right, should they wish, to be accompanied by a Trade Union representative, or work colleague who is not directly involved.
- 19.6.9. Some situations may be resolved promptly, others may require formal investigation.
- 19.6.10. The individual will be informed of the outcome and any steps that have been taken, subject to legal constraints and appropriate confidentiality.
- 19.6.11. Managers will be required to submit a summary report of the concern that was raised, how it was dealt with, and the outcome, to the Chief Fire Officer.
- 19.6.12. Once the Manager has investigated and/or resolved the issue that was causing a person concern, they will notify the person of the outcome subject to legal restraints and confidentiality.

19.7. Confidentiality

- 19.7.1. All concerns raised will be treated in confidence and every effort will be made not to reveal the identity of a member of staff. At the appropriate time, however, they may be required to come forward as a witness.

19.8. Raising Concerns Anonymously

- 19.8.1. This procedure encourages employees to put their name to their allegation whenever possible. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Service. In deciding whether to consider anonymous concerns the following are some of the factors that will be taken into account:

- The seriousness of the issues raised;
- The credibility of the concern; and
- The likelihood of confirming the allegation from attributable sources.

19.9. Untrue Allegations

19.9.1. If an allegation is made in the public interest, but it is not confirmed by the investigation, no action will be taken. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action may be taken in accordance with the Service's disciplinary procedures.

19.10. Public Disclosures

19.10.1. All employees have a duty of confidentiality to the Service. Concerns raised internally must not, therefore, be disclosed externally to the organisation.

19.10.2. If a member of staff feels unable to raise their concern because they believe they will be victimised, or evidence will be destroyed, the matter may in certain limited circumstances be disclosed outside the Service as a 'qualifying disclosure' under the Public Interest Disclosure Act. Any Employee considering such an action must seek advice from their Trade Union, professional body, or independent legal adviser or contact: Protect, The Green House, 244-254 Cambridge Heath Road, London, E2 9DA. Telephone: 020 3117 2520. Website: www.protect-advice.org.uk

19.11. Reducing Complainant's Potential Concerns

19.11.1. Employee may feel vulnerable if they raise concerns. They will be treated, as with the person against whom they have raised the concerns, with seriousness and respect.

19.11.2. Potential tensions within the workplace will be sensitively considered and a range of support to staff involved in any investigation process will be available.

19.11.3. If individuals are prevented from making a confidential report or are victimised in any way, such treatment will be viewed as a serious disciplinary offence.

19.11.4. If, however, allegations made by individuals are malicious this will also be treated as a serious disciplinary offence.

19.11.5. The Public Interest Disclosure Act 1988 protects employee's who report wrong doing within the workplace.

19.12. Sources of information and Related Documents

- OP-05.002, Anti-Fraud and Anti-Bribery Policy
- OP-05.006, Hospitality and Gifts
- OP-02.007, Discipline Policy and Procedures
- OP-02.008, Grievance Resolution Procedure
- Enterprise and Regulatory Reform Act 2013

Appendix 1, Form F-31 Public Interest Disclosure (Whistleblowing)

F-31

PUBLIC INTEREST DISCLOSURE (WHISTLEBLOWING)

Name:	
Service No:	
Role / Grade:	
Station / Dept:	
Date:	
Does your public interest disclosure relate to your line manager?	
Yes <input type="checkbox"/> No <input type="checkbox"/>	
Summary of disclosure:	
Please set out the details of the issue that you wish to raise, providing examples where possible, particularly dates, times, locations and the identities of those involved. You may attach additional sheets if required.	
Individuals involved:	
Please provide the names and contact details of any people involved in your concerns, including witnesses.	

--

Outcome requested:

Please set out how you would like to see the issue dealt with, and why and how you believe that this will resolve the issue.

Declaration:

I confirm that the above statements are true to the best of my knowledge, information and belief. I understand that, if I knowingly make false allegations, this may result in the Service taking disciplinary action against me.

Form completed by (Print name):	
---------------------------------	--

Signature:	
------------	--

For completion by the Service:

Date form received by the Service:	
------------------------------------	--

Name of recipient and job role:	
Signature:	

This form should be completed and delivered to Geraint Thomas, Head of Finance & Procurement in an envelope marked "confidential" or sent as an email attachment with "confidential" in the subject line.

Appendix 2, Management Letter Acknowledging Receipt of Form F-31

Dear []

I confirm that on [date] the Service received your [form/letter/email] dated [date] raising concerns about [state issues].

In accordance with the Service's Whistleblowing policy, the first step is for [name of individual/the line manager] to investigate the issue. [Normally, your own line manager would investigate your concerns. However, as you have implicated him/her in the wrongdoing, [name of investigating individual] has been appointed instead to carry out the investigation.] [Name of individual/the line manager] will contact you during the investigation and you may be asked to comment on any additional evidence that he/she obtains.] Please find enclosed F31 form to set out your concerns. Please return this completed form to [name of investigating individual.]

Once the investigation has been completed, the individual who carried out the investigation will report to the board, which will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency. If disciplinary action is required against any individuals implicated in the wrongdoing, the line manager (or the person who carried out the investigation) will report the matter to the HR department and start the disciplinary procedure.

Please rest assured that the fact that you are the source of the disclosure will be kept confidential as far as possible. However, it is possible that individuals you work with may find out. If you are subjected to any detriment, or are bullied or harassed, for making a disclosure, you should inform [name of individual/the line manager] immediately. An investigation will follow and disciplinary action may be taken against the perpetrators.

If you have any queries or concerns in the meantime, please do not hesitate to contact [me/name of individual].

Yours sincerely

20. MEMBER ROLE DESCRIPTIONS

20.1. Elected Member Role Description

This role description outlines the duties and responsibilities of the Members of South Wales Fire and Rescue Authority, who's membership is made up of representatives of the Unitary Authorities of Blaenau Gwent, Bridgend, Caerphilly, Cardiff, Merthyr Tydfil, Monmouthshire, Newport, Rhondda Cynon Taff, Torfaen, Vale of Glamorgan, it does not necessarily list in detail all the tasks required to carry out these duties and responsibilities, and Members of the Fire and Rescue Authority may be elected to sit on Committees, Sub-Committees or Working Groups of the Fire and Rescue Authority annually or intermittently by virtue of their membership of the Fire and Rescue Authority.

20.1.1. Accountabilities

- To Fire and Rescue Authority, Committees, Sub Committees & Working Groups.

20.1.2. Role Purpose and Activity

20.1.2.1. Representing and supporting communities

- To represent the interests of the population of the whole area of the Fire & Rescue Authority.
- To represent the views and interest of the constituent unitary authority and its communities on the Fire and Rescue Authority.
- To liaise with other elected members, principal authorities, officers and partner organisations to ensure that the needs of the Fire and Rescue Authority are identified, understood and supported.
- To be a channel of communication to the community on Fire and Rescue Authority strategies, policies, services and procedures.
- To raise awareness of fire safety initiatives to reduce the risk of fire throughout the Fire & Rescue Authority.
- To be an advocate for the Fire & Rescue Authority.

20.1.2.2. Making decisions and overseeing Fire & Rescue Authority performance

- To actively participate in Fire and Rescue Authority meetings, reaching and making informed and balanced decisions, and overseeing performance.
- To participate in informed and balanced decision making on Fire and Rescue Authority committees and working groups to which they might be appointed.
- To adhere to the principles of democracy and collective responsibility in decision-making.
- To promote and ensure efficiency and effectiveness in the provision of Fire and Rescue Authority services.

20.1.3. Representing the Fire & Rescue Authority (Subject to appointment)

- To represent the Fire & Rescue Authority on outside bodies as an appointee of the Fire & Rescue Authority.
- To represent the Fire & Rescue Authority on local partnership bodies, promoting common interest and co-operation for mutual gain.
- To represent and be an advocate for the Fire & Rescue Authority on national bodies and at national events.

20.1.4. Internal governance, ethical standards and relationships

- To promote and support good governance of the Fire & Rescue Authority and its affairs.
- To provide leadership and promote citizenship as a representative of the Fire and Rescue Authority.
- To promote and support open and transparent Fire and Rescue Authority services.
- To support, and adhere to respectful, appropriate and effective relationships with employees of the Fire & Rescue Authority.
- To adhere to the Member's Code of Conduct and the highest standards of behaviour in representing the Fire and Rescue Authority.

20.1.5. Personal and role development

- To participate in opportunities for development provided for members by the Fire and Rescue Authority.

20.1.6. Values and Principles

- To be committed to the values of the Fire & Rescue Authority and the following values in public office:
 - Openness and transparency
 - Honesty and integrity
 - Tolerance and respect
 - Equality and fairness
 - Appreciation of cultural difference
 - Sustainability.

20.2. Chairperson Role Description

This role description outlines the main duties and responsibilities of the Chairperson of the Fire and Rescue Authority. Members of the Fire and Rescue Authority appoint to this position from their membership annually.

20.2.1. Accountability

- To the Fire and Rescue Authority

20.2.2. Role and Purpose of Activity

20.2.2.1. As the elected leader and as a symbol of the Fire and Rescues Authority's democratic powers

- To uphold the democratic values of the Fire and Rescue Authority
- To be the elected representatives' figurehead for the Fire and Rescue Authority; to be the principal political spokesperson for the Fire and Rescue Authority.
- To provide leadership in building a political consensus around the Fire and Rescue Authority's policies.
- To provide strong, clear leadership in the co-ordination of policies, strategies and service delivery.
- To represent the Fire and Rescue Authority at civic and ceremonial functions.
- To preside over meetings of the Fire and Rescue Authority, so that its business can be carried out effectively and efficiently.
- To be familiar with the Standing Orders of the Fire and Rescue Authority and to ensure that the Fire and Rescue Authority conducts its meetings in line with the Fire and Rescue Authority's Standing Orders.

20.2.2.2. Representing and acting as ambassador for the Fire and Rescue Authority

- To represent the Fire and Rescue Authority to a high standard. Provide a strong, competent and eloquent figure to represent the Fire and Rescue Authority both within the Fire and Rescue Authority and at external bodies.
- To specifically represent the Fire and Rescue Authority on the Wales Assembly Government Fire and Rescue Liaison Group; WLGA Fire Services Panel; WLGA Council; the WLGA Regional Partnership Board and the Joint Emergency Services Programme Board.
- To provide leadership and support local partnerships and organisations.
- To represent the Fire and Rescue Authority in regional and national bodies as appropriate.

20.2.2.3. Managing and leading the work of the Fire and Rescue Authority

- To ensure the effective running of the Fire and Rescue Authority by managing the forward work programme and ensuring its continuing development.
- To ensure the work of the Fire and Rescue Authority meets national policy objectives.
- To advise and mentor other Fire and Rescue Authority members in their work; to prepare and manage an annual work programme for the Fire and Rescue Authority to meet its legal and statutory obligations (e.g. budget setting, Risk Reduction Planning etc.)
- To chair meetings of the Fire and Rescue Authority in line with its Standing Orders.

20.2.2.4. Participating in the collective decision making of the Fire and Rescue Authority

- To work closely with other Fire and Rescue Authority members to ensure the development of effective Fire and Rescue Authority policies and the budgetary framework for the Fire and Rescue Authority, and the delivery of high quality services to the local community.
- To accept collective responsibility and support decisions made by the Fire and Rescue Authority once they have been made.

20.2.2.5. Representing and supporting communities

- To represent the interests of the population of the whole area of the Fire & Rescue Authority.
- To represent the views and interest of the constituent unitary authority and its communities on the Fire and Rescue Authority.
- To liaise with other elected members, principal authorities, officers and partner organisations to ensure that the needs of the Fire and Rescue Authority are identified, understood and supported.
- To be a channel of communication to the community on Fire and Rescue Authority strategies, policies, services and procedures.
- To raise awareness of fire safety initiatives to reduce the risk of fire throughout the Fire & Rescue Authority.
- To be an advocate for the Fire & Rescue Authority.

20.2.2.6. Making decisions and overseeing Fire & Rescue Authority performance

- To actively participate in Fire and Rescue Authority meetings, reaching and making informed and balanced decisions, and overseeing performance.
- To participate in informed and balanced decision making on Fire and Rescue Authority committees and working groups to which they might be appointed.

- To adhere to the principles of democracy and collective responsibility in decision-making.
- To promote and ensure efficiency and effectiveness in the provision of Fire and Rescue Authority services.

20.2.2.7. Working with officers to lead the organisation

- To liaise with the Chief Fire Officer, and other appropriate officers, on a regular basis.
- To work with employees of the Fire and Rescue Authority in relation to the strategic vision and direction of the Fire and Rescue Authority, the management roles of officers and the development of policy issues.

20.2.2.8. Leading partnerships and community leadership

- To give leadership to local strategic partnerships and local partners in the pursuit of common aims and priorities.
- To negotiate and broker in cases of differing priorities and disagreement.
- To act as leader of the administrative area of the Fire and Rescue Authority by showing vision and foresight.

20.2.2.9. Internal governance, ethical standards and relationships

- To promote and support good governance of the Fire and Rescue Authority and its affairs.
- To provide community and civic leadership and promote active citizenship.
- To promote and support open and transparent government.
- To support, and adhere to respectful, appropriate and effective relationships with employees of the Fire and Rescue Authority.
- To adhere to the Members' Code of Conduct, Member/Officer Protocol and the highest standards of behaviour in public office.

20.2.3. Values and Principles

(see Elected Member Role Description 20.1.6)

20.3. Deputy Chairperson Role Description

This role description outlines the duties and responsibilities of the Deputy Chairperson of South Wales Fire and Rescue Authority. It does not necessarily list in detail all the tasks required to carry out these duties and responsibilities. Members of the Fire and Rescue Authority appoint to this position from their membership annually.

20.3.1. Accountabilities

- To Fire and Rescue Authority, Committees, Sub Committees & Working Groups.

20.3.2. Role Purpose and Activity

- To fulfil the duties of the Chairperson in their absence.
- To assist the Chairperson in specific duties as and when required.
- To provide confident and effective management and leadership of the Member Development Programme
- To act as ambassador for the Member Development Programme facilitating an understanding of the Programme by Members and engaging with Members to understand their development needs and to develop future training and development opportunities to enable improved fulfilment of the Member role
- To report progress against the Member Development Programme to the HR and Equalities Committee and to make recommendations for its future development and improvement
- To provide a mentoring role for Members in relation to Member development to assist in discharging their roles
- To promptly meet with new Fire and Rescue Authority Members to outline the Member development Programme and ascertain their developmental requirements to assist them in discharging their role

20.3.2.1. Representing and supporting communities

- To represent the interests of the population of the whole area of the Fire & Rescue Authority.
- To represent the views and interests of the constituent unitary authority and its communities on the Fire and Rescue Authority.
- To liaise with other elected members, principal authorities, officers and partner organisations to ensure that the needs of the Fire and Rescue Authority are identified, understood and supported.
- To be a channel of communication to the community on Fire and Rescue Authority strategies, policies, services and procedures.
- To raise awareness of fire safety initiatives to reduce the risk of fire throughout the Fire & Rescue Authority.
- To be an advocate for the Fire & Rescue Authority.

20.3.2.2. Making decisions and overseeing Fire & Rescue Authority performance

- To actively participate in Fire and Rescue Authority meetings, reaching and making informed and balanced decisions, and overseeing performance.
- To participate in informed and balanced decision making on Fire and Rescue Authority committees and working groups to which they might be appointed.
- To adhere to the principles of democracy and collective responsibility in decision-making.
- To promote and ensure efficiency and effectiveness in the provision of Fire and Rescue Authority services.

20.3.2.3. Representing the Fire & Rescue Authority (Subject to appointment)

- To represent the Fire & Rescue Authority on outside bodies as an appointee of the Fire & Rescue Authority.
- To represent the Fire & Rescue Authority on local partnership bodies, promoting common interest and co-operation for mutual gain.
- To represent and be an advocate for the Fire & Rescue Authority on national bodies and at national events.

20.3.2.4. Internal governance, ethical standards and relationships

- To promote and support good governance of the Fire & Rescue Authority and its affairs.
- To provide leadership and promote citizenship as a representative of the Fire and Rescue Authority.
- To promote and support open and transparent Fire and Rescue Authority services.
- To support, and adhere to respectful, appropriate and effective relationships with employees of the Fire & Rescue Authority.
- To adhere to the Member's Code of Conduct and the highest standards of behaviour in representing the Fire and Rescue Authority.

20.3.2.5. Personal and role development

- To participate in opportunities for development provided for members by the Fire and Rescue Authority.

20.3.3. Values and Principles

(see Elected Member Role Description 20.1.6)

20.4. CHAIRPERSON OF A COMMITTEE AND WORKING GROUP ROLE DESCRIPTION

This Role Description outlines the main duties and responsibilities of Chairpersons of Committees and Working Groups, the specific Terms of Reference of each Committee and Working Group are contained in Sections (4 – 8). Members of the Fire and Rescue Authority appoint to this position from their membership annually.

20.4.1. Accountabilities

- To the Fire and Rescue Authority
- To the Members of the Committee

20.4.2. Role and Purpose of Activity

20.4.2.1. Provide leadership and direction

- To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making.
- To demonstrate integrity and impartiality in decision making which accord with legal, constitutional and policy requirements
- To delegate actions to sub committees or working group as appropriate.

20.4.2.2. Promoting the role of the Committee

- To act as an ambassador for the Committee, facilitating understanding of the role.
- To act within the constitutional requirements to oversee the functions of the committee fairly and correctly.
- To ensure thoroughness and objectivity in the Committee, receiving and responding to professional advice in the conduct of meetings.

20.4.2.3. Internal governance, ethical standards and relationships

- To develop the standing and integrity of the Committee and its decision making
- To understand the respective roles of members, officers and external parties operating within the Committee's area of responsibility.
- To promote and support good governance by Committees and Working Groups of the Fire and Rescue Authority.

20.4.2.4. Effective meeting management

- To set agendas containing clear objectives and outcomes for the meeting
- To ensure that the necessary preparation is done in advance of the meeting
- To ensure that all participants have an opportunity to make an appropriate contribution

- To report on progress against the work programme to the Fire and Rescue Authority.

20.4.3. **Values and Principles**
(see Elected Member Role Description 20.1.6)

20.5. DEPUTY CHAIRPERSON OF A COMMITTEE OR WORKING GROUPS ROLE DESCRIPTION

This Role Description outlines the main duties and responsibilities of Deputy Chairpersons of Committees and Working Groups, the specific Terms of Reference of each Committee and Working Group are contained in Sections (4 – 8). Members of the Fire and Rescue Authority appoint to this position from their membership annually.

20.5.1. Accountabilities

- To the Fire and Rescue Authority
- To the Members of the Committee

20.5.2. Role and Purpose of Activity

- **Provide leadership and direction**
 - To fulfil the duties of the Chairperson in his or her absence
 - To assist the Chairperson in specific duties as required.
 - To provide confident and effective management of meetings to facilitate inclusivity, participation and clear decision making
 - To demonstrate integrity and impartiality in decision making which accord with legal, constitutional and policy requirements
 - To delegate actions to sub committees or working group as appropriate
- **Promoting the role of the Committee**
 - To act as an ambassador for the Committee, facilitating understanding of the role
 - To act within the constitutional requirements to oversee the committee function fairly and correctly
 - To ensure thoroughness and objectivity in the Committee, receiving and responding to professional advice in the conduct of meetings
- **Internal governance, ethical standards and relationships**
 - To develop the standing and integrity of the Committee and its decision making
 - To understand the respective roles of members, officers and external parties operating within the Committee's area of responsibility
 - To promote and support good governance by the committee, working group, of the Fire and Rescue Authority
- **Effective meeting management**

- To set agendas containing clear objectives and outcomes for the meeting
- To ensure that the necessary preparation is done in advance of any meeting
- To ensure that all participants have an opportunity to make an appropriate contribution
- To report on progress against the work programme to the Fire and Rescue Authority.

20.5.3. **Values and Principles (see Elected Member Role Description)**

(see Elected Member Role Description 20.1.6)

20.6. (standards committee member role description)

20.7. standards committee chairperson

20.8. standards committee dep chairperson

20.9. Member Champion Role Description

20.9.1. What are **Member** Champions?

(a) Member Champions exist to provide a voice for traditionally underrepresented groups, or issues which need to be kept at the forefront of Fire and Rescue Authority business, although they may not be the responsibility of any individual or committee.

(b) Member Champions, (sometimes called Lead Members) are elected Members who, in addition to their other Authority responsibilities, make sure that the issue or group that they are championing are taken into account when Fire and Rescue Authority policy is being developed and decisions are made. Members act as Champions in areas such as Equality Diversity and Inclusion, Community Safety, Service Delivery, Property, Fleet and Sustainability.

20.9.2. **Accountabilities**

- To the Fire and Rescue Authority

20.9.3. **Role Purpose and Activities**

(a) Within the Fire and Rescue Authority

(i) To promote the interest being championed within the Authority's corporate and service priorities.

(ii) To promote the needs of the client group represented in the interest to the decision-makers within the Authority

(iii) To work with the decision-makers in the Authority to establish strategies/policies/work plans connected with the interest.

(iv) To maintain an awareness of all matters connected with the interest.

(v) To contribute to good practice and the continuous improvement of services and functions related to the interest.

- (vi) To engage with Members in matters related to the interest such as attending Scrutiny/Committees/Full Fire and Rescue Authority meetings etc.
- (vii) Raising awareness of and taking a lead role in the development of all Members and Officers in relation to the interest.
- (b) In the Community
 - (i) To raise the profile of the interest in the community.
 - (ii) To engage with citizens and community groups in matters related to the interest.
 - (iii) To lead and support local initiatives related to the interest.

20.9.4. **Values** and Principles (see Elected Member Role Description)
(see Elected Member Role Description 20.1.6)

20.10. Member Person Specification

To fulfil their role as laid out in the role description, an effective Fire and Rescue Authority member requires the following:

20.10.1. Representing and supporting communities within the Fire and Rescue Authority

- Good advocacy skills
- Interpersonal skills
- Integrity and the ability to set aside own views and act impartially
- The ability to present relevant and well-reasoned arguments
- Good communication skills

20.10.2. Making decisions and overseeing Fire and Rescue Authority performance

- Knowledge and understanding of meetings law, rules and conventions in relation to Fire and Rescue Authority business.
- An understanding of strategic, policy and service contexts for decisions related to Fire and Rescue Authority
- The ability to challenge ideas and contribute positively to policy development with the Fire and Rescue Authority

20.10.3. Representing the Fire and Rescue Authority (subject to appointment)

- Good public speaking skills
- Good presentation skills
- The ability to persuade others and act with integrity

20.10.4. Internal governance, ethical standards and relationships

- An understanding of the roles of Fire and Rescue Authority officers, members and different agencies

- Respect for, and desire to work with, different groups and individuals within the Fire and Rescue Authority and Service
- Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol related to the Fire and Rescue Authority
- A knowledge and commitment to the values of the Fire and Rescue Authority and Service

20.10.5. Personal and role development within the Fire and Rescue Authority

- An ability to assess personal and role development needs within the Fire and Rescue Authority
- Desire and skills to participate in development within the Fire and Rescue Authority

20.11. Chairperson Person Specification

To fulfil their role as laid out in the role description, an effective Chairperson requires:

20.11.1. Provide political leadership to the Fire and Rescue Authority

- Ability to lead the Fire and Rescue Authority
- Knowledge of community strengths, areas of improvement and key issues
- An understanding of the relationship between national and local politics
- Have a strategic awareness of issues facing the Fire and Rescue Authority
- An understanding of the Fire and Rescue Authority's strategy, policies and operations
- Ability to appraise, guide and mentor members

20.11.2. Represent and act as an ambassador for the Fire and Rescue Authority and act as a symbol of the Fire and Rescue Authority's democratic powers

- High level communication skills to communicate to the media, local community and wider audience
- Good public speaking skills

20.11.3. Manage and lead the work of the Fire and Rescue Authority and chair its meetings

- An understanding of the Fire and Rescue Authority's procedure rules
- An in-depth understanding of the role of Chair

- Skills to chair meetings in order to ensure business is carried out effectively and efficiently and to encourage participation from all members
- A knowledge and understanding of national policy objectives; and
- An overview of the work being carried out by members

20.11.4. Uphold and promote the Fire and Rescue Authority's procedures

- An understanding of the Fire and Rescue Authority's Combination Scheme and Standing Orders
- An understanding of when to seek the advice of the Monitoring Officer on issues in relation to the Fire and Rescue Authority's Combination Scheme and Standing Orders

20.11.5. Participate in collective decision making

- The ability to constructively challenge decisions and suggest alternatives

20.11.6. To work with officers to lead the organisation

- An understanding of the roles and responsibilities of the Chief Fire Officer/Chief Executive and other officers

20.11.7. Leading partnerships and community leadership

- Adaptive leadership skills
- Negotiation and brokerage skills
- Creative and lateral thinking skills and the ability to see ahead and be predictive

20.11.8. Internal governance, ethical standards and relationships

- An understanding of the roles of officers, members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Code of Conduct and Member/Officer Protocol
- A knowledge and commitment to the values of the Authority

20.11.9. Work programming

- The ability and discipline to plan and manage work programmes

20.12. Deputy Chairperson Person Specification

To fulfil their role as laid out in the role description, an effective Deputy Chairperson requires:

20.12.1. Provide political leadership to the Fire and Rescue Authority

- Ability to lead the Fire and Rescue Authority
- Knowledge of community strengths, areas of improvement and key issues
- An understanding of the relationships between national and local politics
- Have a strategic awareness of issues facing the Fire and Rescue Authority
- An understanding of the Fire and Rescue Authority's strategy, policies and operations
- Ability to appraise, guide and mentor Members.

20.12.2. Represent and act as an ambassador for the Fire and Rescue Authority and act as a symbol of the Fire and Rescue Authority's democratic powers

- High level communications skills to communicate to the media, local community and wider audience
- Good public speaking skills.

20.12.3. Manage and lead the work of the Fire and Rescue Authority and chair its meetings

- An understanding of the Fire and Rescue Authority's procedure rules
- An in-depth understanding of the role of Chair
- Skills to chair meetings in order to ensure business is carried out effectively and efficiently and to encourage participation from all Members
- A knowledge and understanding of national policy objectives
- An overview of the work being carried out by Members.

20.12.4. Advancing Member Development by the Authority and its Members

- An in-depth understanding of the Authority's Member Development Scheme and the WLGA Charter requirements
- To provide leadership and direction to the Support Group for Member Development
- Ability to manage the work of the Support Group
- Good communication skills
- Ability to support and develop necessary skills in fellow Members to assist them in discharging their Fire and Rescue Authority duties
- Ability to act impartially and objectively.

20.12.5. Uphold and promote the Fire and Rescue Authority's procedures

- An understanding of the Fire and Rescue Authority's Combination Scheme and Standing Orders
- An understanding of when to seek the advice of the Monitoring Officer on issues in relation to the Fire and Rescue Authority's Combination Scheme and Standing Orders.

20.12.6. Participate in collective decision making

- The ability to constructively challenge decisions and suggest alternatives.

20.12.7. To work with officers to lead the organisation

- An understanding of the roles and responsibilities of the Chief Fire Officer/Chief Executive and other officers.

20.12.8. Leading partnerships and community leadership

- Adaptive leadership skills
- Negotiation and brokerage skills
- Creative and lateral thinking skills and the ability to see ahead and be predictive

20.12.9. Internal governance, ethical standards and relationships

- An understanding of the roles of officers, Members and different agencies
- Respect for, and desire to work with, different groups and individuals
- Have knowledge and understanding of the Code of Conduct and Member/Officer protocol
- A knowledge and commitment to the values of the Fire and Rescue Authority.

20.12.10. Work programming

- The ability and discipline to plan and manage work programmes.

20.13. CHAIRPERSON OF COMMITTEE OR WORKING GROUP PERSON SPECIFICATION

To fulfil their role as laid out in the role description, an effective Fire and Rescue Authority Committee or Working Group Chairperson requires:

20.13.1. Provide Leadership and Direction

- Understanding of the Committee's/Working Groups role and Terms of Reference and ability to ensure that stake holders are aware of that role
- Knowledge of policy objectives
- Ability to manage the work of the Committee/Working Group
- Good communication skills

- Ability to support and develop necessary skills in fellow members of the Committee/Working Group
- Ability to act impartially and objectively

20.13.2. Effective meeting management

- Understanding and application of meeting protocols, code of conduct, standing orders and other constitutional requirements
- Ability to chair meetings effectively, managing the agenda and progressing business
- Ability to facilitate effective discussions
- Ability to listen and question effectively

20.13.3. Internal governance, ethical standards and relationships

- A knowledge and understanding of the Code of Conduct and Protocols
- A knowledge and commitment to the values of the Fire and Rescue Authority

20.14. DEPUTY CHAIRPERSON OF COMMITTEE OR WORKING GROUP PERSON SPECIFICATION

To fulfil their role as laid out in the role description, an effective Fire and Rescue Authority Committee or Working Group Deputy Chairperson requires:

20.14.1. Provide Leadership and Direction

- Understanding of the Committee's/Working Groups role and Terms of Reference and ability to ensure that stake holders are aware of that role
- Knowledge of policy objectives
- Ability to manage the work of the Committee/Working Group
- Good communication skills
- Ability to support and develop necessary skills in fellow members of the Committee/Working Group
- Ability to act impartially and objectively

20.14.2. Effective meeting management

- Understanding and application of meeting protocols, code of conduct, standing orders and other constitutional requirements
- Ability to chair meetings effectively, managing the agenda and progressing business
- Ability to facilitate effective discussions
- Ability to listen and question effectively

20.14.3. Internal governance, ethical standards and relationships

- A knowledge and understanding of the Code of Conduct and Protocols

- A knowledge and commitment to the values of the Fire and Rescue Authority

20.15. DEPUTY CHAIRPERSON OF COMMITTEE OR WORKING GROUP PERSON SPECIFICATION

To fulfil their role as laid out in the role description, an effective Fire and Rescue Authority Committee or Working Group Deputy Chairperson requires:

20.15.1. Provide Leadership and Direction

- Understanding of the Committee's/Working Groups role and Terms of Reference and ability to ensure that stake holders are aware of that role
- Knowledge of policy objectives
- Ability to manage the work of the Committee/Working Group
- Good communication skills
- Ability to support and develop necessary skills in fellow members of the Committee/Working Group
- Ability to act impartially and objectively

20.15.2. Effective meeting management

- Understanding and application of meeting protocols, code of conduct, standing orders and other constitutional requirements
- Ability to chair meetings effectively, managing the agenda and progressing business
- Ability to facilitate effective discussions
- Ability to listen and question effectively

20.15.3. Internal governance, ethical standards and relationships

- A knowledge and understanding of the Code of Conduct and Protocols
- A knowledge and commitment to the values of the Fire and Rescue Authority

20.15.4. Member Champion Person Specification

To fulfil their role as laid out in the role description, an effective Member Champion requires:

20.15.4.1. Within the Fire and Rescue Authority

(a) Understanding of the area of interest being championed in terms of Council strategies and policy, good practice, improvement and national agendas and the needs of the client group.

(b) Ability to engage with a range of Members and Officers around the area of interest and listening to requirements.

(c) Ability to advocate on behalf of the area of interest within the Council.

20.15.4.2. In the Community

- (a) Understanding of the needs of the community in relation to the interest.
- (b) Ability to engage with citizens and community groups in matters related to the interest.
- (c) Ability to lead and support local initiatives related to the interest.
- (d) Ability to represent the position of the Council to the community in relation to the interest.