



## **Safest People, Safest Places**

### **Local Government Act 1972**

**The Annual Meeting** of the **Combined Fire Authority for County Durham and Darlington** will be held in the **Morton Room - County Durham and Darlington Fire and Rescue Service Headquarters** on **Monday 11 June 2018** at **10.00 am** to consider the following business:-

#### **PART A**

1. Chief Fire Officer Commendation
2. Declarations of interest, if any  
*If Members are aware of a private or personal conflict of interest in relation to any items on the Agenda, this should be disclosed at this stage or when the conflict of interest arises during consideration of an item in accordance with the Code of Conduct for Members.*
3. Appointment of Chairs and Committees - Report of Clerk (Pages 5 - 8)
4. Representation on Other Bodies 2018/19 - Report of Clerk (Pages 9 - 10)
5. Appointment of Minority Party Spokesperson
6. Minutes of the meeting held on 21 March 2018 (Pages 11 - 16)
7. Notes of the Audit and Risk Committee - Report of Chair (Pages 17 - 18)
8. Review and Suggested Amendments to the Constitution - Report of Chief Fire Officer, Clerk and Treasurer (Pages 19 - 148)
9. Current Correspondence - Report of Deputy Chief Fire Officer (Pages 149 - 150)
10. Member Champions - Report of Assistant Chief Fire Officer Service Delivery (Pages 151 - 156)
11. Member's attendance at Conference - Report of Councillor J Robinson (Pages 157 - 166)
12. Combined Fire Authority Strategic Planning Day - Report of Assistant Chief

Fire Officer Service Support (Pages 167 - 170)

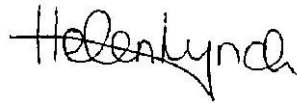
13. Service Leadership Team Structure - Report of Deputy Chief Fire Officer (Pages 171 - 174)
14. Contribution to Darlington Partnership - Report of Assistant Chief Fire Officer Service Delivery (Pages 175 - 178)
15. Membership of the Chief Fire Officers Association - Report of Chief Fire Officer (Pages 179 - 182)
16. Fire and Rescue National Framework for England - Report of Assistant Chief Fire Officer Service Support (Pages 183 - 268)
17. Emergency Services Mobile Communications Programme Update - Report of Deputy Chief Fire Officer (Pages 269 - 272)
18. Donation of Equipment to Operation Florian - Report of Area Manager Training Assets and Assurance (Pages 273 - 274)
19. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration
20. Any resolution relating to the exclusion of the public during the discussion of items containing exempt information

## **PART B**

### **Items during which it is considered the meeting is not likely to be open to the public (consideration of exempt or confidential information).**

21. Introduction of a Marauding Terrorist Firearms Attack Capability into County Durham and Darlington Fire and Rescue Service - Report of Assistant Chief Fire Officer Service Delivery (Pages 275 - 278)
22. Fire Fatality Presentation
23. Request from Assistant Chief Fire Officer to be a Member of a School Governing Body - Report of Chief Fire Officer (Pages 279 - 280)
24. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

**PURSUANT** to the provisions of the above named Act, **I HEREBY SUMMON YOU** to attend the said meeting



**H LYNCH**

Clerk to the Combined Fire Authority  
for County Durham and Darlington  
County Hall

Durham  
DH1 5UL

**TO: The Members of the Combined Fire Authority for County Durham and Darlington**

**Durham County Councillors:**

Councillors B Avery, A Batey, D Bell, J Bell, P Brookes, C Carr, A Gardner, D Hicks, P Howell, A Laing, L Marshall, H Nicholson, C Potts, G Richardson, J Robinson, J Shuttleworth, M Simmons, W Stelling, D Stoker, F Tinsley and J Turnbull.

**Darlington Borough Councillors:**

Councillors B Dixon, C Johnson, B Jones and S Richmond.

This page is intentionally left blank

**Safest people, Safest places**

County Durham and Darlington  
**Fire and Rescue Authority**



### COMBINED FIRE AUTHORITY

11 JUNE 2018

### APPOINTMENT OF CHAIRS AND COMMITTEES

---

### REPORT OF CLERK TO THE AUTHORITY

---

#### Introduction

1. The purpose of this report is to agree the Chairs and membership of the Committees for 2018/19.

#### Background

2. The political membership of the Committees is determined by the overall political balance of the Authority which is agreed in consultation with Durham County Council and Darlington Borough Council. The political balance in 2018/19 remains the same as 2017/18.
3. Following consultation with the Leaders of the Political Groups, the Chairs and memberships of the Committees detailed in Appendices 1 and 2 have been proposed.

#### Recommendation

4. Members are requested to:
  - (a) **approve** the political membership of the Committees as set out in Appendix 1.
  - (b) **approve** the appointment of the Chairs of the Committees as set out in Appendix 2.
  - (c) **agree** that the Clerk in consultation with the Chair and Vice Chair of the Authority and the appropriate Group Leader be authorised to make any changes to the Committees that may arise during 2018/19.

**Appendix 1**

<b>Committee</b>	<b>Labour Group Representation</b>	<b>Conservative Group Representation</b>	<b>Liberal Democrat Group Representation</b>	<b>Durham Independent Group Representation</b>	<b>DCC Independent Group Representation</b>	<b>Spennymoor Independent Group Representation</b>	<b>Darlington Group Representation</b>
<b>Appointments Panel</b> (4 Members)	Cllr J Robinson (Chair) Cllr Audrey Laing				Cllr J Shuttleworth		Cllr B Jones (D'ton)
<b>Appeals</b> (6 Members)	Cllr A Laing (Chair) Cllrs J Bell, J Turnbull		Cllr D Stoker	Cllr W Stelling			Cllr B Jones (D'ton)
<b>Audit and Risk</b> (6 Members)	Cllr J Turnbull (Chair) Cllrs D Bell, L Marshall		Cllr M Simmons		Cllr B Avery		Cllr C Johnson (D'ton)
<b>Finance and General Purposes</b> (6 Members)	Cllr A Batey (Chair) Cllr S Richmond (D'ton) Cllr C Potts	Cllr G Richardson		Cllr W Stelling	Cllr J Shuttleworth		
<b>Policy and Performance</b> (6 members)	Cllr C Carr (Chair) Cllrs J Bell, H Nicholson		Cllr D Stoker	Cllr D Hicks			Cllr B Jones (D'ton)
<b>Joint Consultative Committee</b> (7 Members)	Cllr A Laing (Chair) Cllr B Dixon (D'ton) Cllrs L Marshall, C Potts		Cllr M Simmons	Cllr D Hicks			Cllr C Johnson (D'ton)
<b>Pension Board</b> (2 Members)	Cllr F Tinsley (Chair) Cllr P Brooks						
<b>Salary Review Group</b> (3 Members)	Cllr J Robinson (Chair) Cllr A Laing						Cllr B Jones (D'ton)

NOTE: - A committee member who is Darlington Conservative would fulfil the requirement for both Conservative Group and Darlington Group representative.  
A committee member who is Darlington Labour would fulfil the requirement for both Labour Group and Darlington Group representative.

<b>Committee</b>	<b>Chair</b>
Appointments	Councillor J Robinson
Appeals	Councillor A Laing
Audit and Risk	Councillor J Turnbull
Finance and General Purposes	Councillor A Batey
Policy and Performance	Councillor C Carr
Joint Consultative Committee	Councillor A Laing
Pension Board	Councillor F Tinsley
Salary Review Group	Councillor J Robinson







**Safest People, Safest Places**

## COMBINED FIRE AUTHORITY

11 JUNE 2018

## REPRESENTATION ON OTHER BODIES

---

### REPORT OF CLERK TO THE AUTHORITY

---

#### Purpose of the Report

1. The purpose of this report is to consider the Combined Fire Authority's representation on other bodies for 2018/19.

#### Background

2. Following consultation with the Leaders of the Political Groups, the appointments to the Combined Fire Authority's other bodies as detailed in Appendix 1 have been proposed.

#### Recommendations

3. Members are requested to:
  - (a) **approve** the appointments to the Combined Fire Authority's other bodies as set out in Appendix 1.
  - (b) **agree** that the Clerk to the Authority in consultation with the Chair and Vice Chair and the appropriate Group Leader be authorised to make any changes to the appointments that may arise during 2018/19.

## Appendix 1

1. **Appointment of 3 Representatives to the Local Government Association.**

Councillors J Robinson, A Laing and S Richmond

2. **Appointment of a Representative to the LGA Fire Commission**

Councillor J Robinson

3. **Appointment of 3 Directors to the Community Interest Company**

Councillors C Carr, S Richmond and D Stoker

4. **Appointment of 3 Directors to Vital Fire Solutions Ltd**

Councillors C Carr, S Richmond and D Stoker



## Agenda Item 6

At a **meeting** of the **Combined Fire Authority for County Durham and Darlington** held at Fire and Rescue Service Headquarters, Belmont Business Park on, on **Wednesday 21 March 2018** at 10.00 am.

### **Present:**

#### **Durham County Councillors:**

Councillors B Avery, A Batey, D Bell, P Brookes, C Carr, A Gardner, P Howell, L Marshall, R Manchester (substitute for F Tinsley) H Nicholson, C Potts, G Richardson, J Robinson, J Shuttleworth, M Simmons (substitute for M McGaun) and J Turnbull.

#### **Darlington Borough Councillors:**

Councillors B Dixon, B Jones and G Lee.

#### **Independent Standards Members:**

-

Apologies for absence were received from Councillors J Bell, J Dykes, K Hawley, D Hicks, A Laing, M McGaun, G Richardson, S Richmond, F Tinsley.

The Chair noted that the opportunity to send out papers electronically to members from Durham County Council would be explored for future meetings of the Authority.

The Chair thanked the organisation committee of the Blues and Twos ball for their hard work in raising £5000 for The Fire Fighters Charity and Durham Agency Crime.

The Chair noted that the Service were runners up at the Public-Sector Innovation Awards in relation to the drone and that the Service were the silver award winner for UK Fire and Rescue Service of the Year.

The Chair noted that Cllr Laing had been voted Labour Councillor of the Year for the region.

### **A1 Declarations of Interest**

There were no declarations of interest.

### **A2 Minutes of the meeting held on 13 February 2018**

The minutes of the meeting held on 13 February 2018 were confirmed as a correct record (for copy see file of minutes).

### **A3 Current Correspondence**

The Authority received an update from the Deputy Chief Fire Officer in relation to current correspondence received from government and other bodies relevant to the Authority and the status of each (for copy see file of minutes).

### **A4 Notes of the Finance and General Purposes Committee**

The Authority considered a report of the Chair of the Finance and General Purposes Committee, which provided an update on the discussions made at the meeting held on 31 January 2018 (for copy see file of minutes).

#### **Resolved:**

That the report be noted.

### **A5 Notes of the Audit and Risk Committee**

The Authority considered a report of the Chair of the Audit and Risk Committee, which provided an update on the discussions at the meeting held on 22 February 2018 (for copy see file of minutes).

#### **Resolved:**

That the report be noted.

### **A6 Notes of the Policy and Performance Review Committee**

The Authority considered a report of the Chair of the Policy and Performance Review Committee, which provided an update on the discussions at the meeting held on 9 March 2018 (for copy see file of minutes).

#### **Resolved:**

That the report be noted.

### **A7 Local Government Association (LGA) Subscription**

The Authority considered a report of the Chief Fire Officer which provided details of the LGA subscription for 2018/19 and noted the loyalty and prompt payment discount (for copy see file of minutes).

#### **Resolved:**

That the LGA subscription for 2018/19 be agreed.

## **A8 Three Year Strategic Plan 2018/19 – 2020/21 Incorporating Integrated Risk Management Plan**

The Authority considered a report from the Corporate Resources Manager which updated members with the details of the consultation feedback in response to the 2018/19 – 2020/21 three-year strategic plan which incorporated the Integrated Risk Management Plan (IRMP) (for copy see file of minutes).

The Chief Fire Officer summarised the results of the proposals that had been consulted on.

Cllr Batey encouraged members to invite Fire Service personnel to AAP and residents meetings in their constituencies to discuss the Strategic Plan and IRMP. This would help improve engagement and encourage more responses to future consultations.

Members thanked the Communication and Governance Team for their work on the Strategic plan and IRMP.

### **Resolved:**

That the 2018/19 – 2020/21 three-year strategic plan consultation outcomes were considered by members.

## **A9 Localism Act – Pay Policy Statement 2018/19**

The Authority considered a report of the Treasurer and Clerk which sort the approval of the pay policy statement for 2018/19 (for copy see file of minutes).

### **Resolved:**

- i. That the 2018/19 pay policy statement be approved;
- ii. That the statement be published on the Authority's website.

## **A10 Performance Report – Quarter Three 2017/18**

The Authority considered a report of the Area Manager Training, Assets and Assurance which presented a summary of organisational performance at the end of quarter three of 2017/18 (for copy see file of minutes).

Cllr Turnbull encouraged members to attend and observe a Safe and Wellbeing visit.

### **Resolved:**

The contents of the report be noted.

## **A11 Inclusive Fire Service Group Improvement Strategies**

The Authority considered the report of the Assistant Chief Fire Officer Service Support which updated members on the Inclusive Fire Service Group (IFSG) Improvement Strategies. The gap analysis and action plan were considered.

**Resolved:**

- i. The publication of Circular NGC/1/18 IFSG Improvement strategies be noted; ii. The content of the report and action plan be noted.

**A12 Deliberate Fires Presentation**

Station Manager, Phil Innis, presented details of the work being undertaken in the Easington district in relation to deliberate fires.

Members noted the importance of the work being undertaken and arson trends were discussed.

**A 13 AOB**

The Chief Fire Officer noted the decommissioning of HMS Bulwark and gained Members approval to write a letter of support for the ship.

There was no other business.

**A14 Exclusion of the public**

That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3 and 4 of Part 1 of Schedule 12A to the said Act.

**CLOSE OF MEETING**

This page is intentionally left blank



This page is intentionally left blank

**COMBINED FIRE AUTHORITY**

County Durham and Darlington  
**Fire and Rescue Authority**



**11 JUNE 2018**

**NOTES OF THE AUDIT AND RISK COMMITTEE HELD ON 22  
MAY 2018**

---

**REPORT OF THE CHAIR OF THE AUDIT AND RISK COMMITTEE**

---

**Members Present:** Cllr J Turnbull in the Chair  
Cllrs B Avery, and L Marshall

**Apologies:** Cllr D Bell (Cllr R Manchester attending) and M Kirkham of Mazars

**Purpose of the report**

1. The purpose of this report is to provide members with an update of the discussions and recommendations of the Audit and Risk Committee held on 22 March 2018.

**Corporate Governance Action Plan Update**

2. The Committee were updated with the progress being made in relation to the actions arising from the corporate governance action plan. Members considered and discussed the findings and associated risks within the plan.

The Committee **noted** the report.

**Corporate Risk Register update**

3. Members were presented with the details of the corporate risk register as at 31 March 2018. There were eight risks on the risk register. Changes to the register were summarised and discussed.

The Committee **considered** and **noted** the report.

**Internal Audit Progress Report**

4. The Committee were updated on work undertaken by Internal Audit between 01 April 2017 and 31 March 2018. Progress against planned work, amendments to the annual audit plan and the audit recommendations were considered. It was noted that there were no outstanding management responses to draft reports, no reports issued with a limited assurance opinion and no unplanned work carried out this quarter. The summary of agreed target performance indicators was also considered.

The Committee **noted** the report.

## **Fraud and Corruption Annual Report**

5. Members were informed and received assurances regarding work undertaken in order to identify, control and prevent fraud and corruption.

It was noted that following the National Fraud Initiative matching exercise in October 2016, no instances of fraudulent activity were identified. Eleven errors highlighting potential weakness in relevant CDDFRS or DCC systems of control and/or procedures were identified and have been addressed. The next data matching exercise is due to take place in October 2018. No instances of fraud were identified as occurring in 2017/18.

The Committee **noted** the report.

## **Internal Audit Plan**

6. Members were presented with the details of the internal audit plan for the period 01 April 2018 to 31 March 2019, which had been agreed with the service leadership team on 17 April 2018.

The internal audit plan will deliver 71 productive audit days in 2018/19, in line with the Service Level Agreement with the Authority. The scope of the planned audit reviews were explained to the Committee.

The Committee **agreed** the Internal Audit Plan for 2018/19.

## **External Audit Progress Report**

7. The Committee received an update from the Authority's external auditors. The key areas highlighted were an update on the revised value for money conclusion guidance set out by the National Audit Office, testing of the expenditure and journals with no issues reported, the fieldwork stage of the audit which will commence in July 2018 and the monitoring report which highlights full compliance with the Regulator's standards for Mazars LLP.

The Committee **noted** the report.

## **External Audit Fees**

8. The Committee were presented with the fees for external audit 2018/19 which, as a result of bulk procurement in opted out bodies, will be reduced by £6,642 plus VAT from £28,877 to £22,235 plus VAT. The audit approach for the year will remain the same.

The Committee **noted** the letter.

**COMBINED FIRE AUTHORITY**

County Durham and Darlington  
**Fire and Rescue Authority**



**11 JUNE 2018**

**REVIEW AND SUGGESTED AMENDMENTS TO THE CONSTITUTION**

---

**CHIEF FIRE OFFICER, CLERK AND TREASURER**

---

**PURPOSE OF REPORT**

1. The purpose of this report is to seek approval for proposed amendments to the Authority's Constitution.

**BACKGROUND**

2. In preparation for the Authority's Annual General Meeting (AGM) a thorough review of the Constitution has taken place. The review has resulted in a number of proposed amendments being put forward. These amendments reflect some of the structural changes that have taken place in the Service since the last full review was undertaken in 2016 and also take account of some additional responsibilities placed on the Authority from the Fire and Rescue National Framework for England (item 16 on agenda) which was published on 08 May 2018. A copy of the draft Constitution is attached as Appendix A.

**SUGGESTED AMENDMENTS**

3. There are numerous minor proposed amendments such as replacing 'Deputy Chief Fire Officer' with 'Assistant Chief Fire Officer' where appropriate in the document and some formatting improvements.
4. The more substantive amendments include:
  - The sub-committee names have been updated and some changes made to the responsibilities of each;
  - The Policy, Performance and Review Committee will be re-named the Performance Committee and will take over the responsibility for the sickness absence monitoring role from the Finance and General Purposes Committee which is being renamed as the Finance Committee;
  - Greater clarity has been provided on the role of the Authority to hold the Chief Fire Officer to account for the exercise of their functions and the functions of persons under their direction and control;
  - Clarity has been provided on the need for the Authority to give due regard to the professional advice of the Chief Fire Officer while developing the Integrated Risk Management Plan (IRMP) and when making decisions affecting the fire and rescue service;

- Authority to donate redundant decommissioned assets for charitable purposes up to a value of £10,000 has been delegated to the Chief Fire Officer;
- The revised Member Code of Conduct approved by the Authority in February 2018 has been incorporated into the document;
- Contract Procedure Rules and Financial Regulations have been updated to reflect current practice following changes to roles and responsibilities in Corporate Resources.

## RECOMMENDATIONS

5. The Authority is requested to:
  - (a) **note** the contents of the report and the suggested amendments to the Constitution;
  - (b) **approve** the amended Constitution as outlined at Appendix A.

# COMBINED FIRE AUTHORITY CONSTITUTION



June 2018

Safest People, Safest Places

County Durham and Darlington  
**Fire and Rescue Authority**



# THE COMBINED FIRE AUTHORITY CONSTITUTION

## SUMMARY AND EXPLANATION

County Durham and Darlington Fire and Rescue Authority has agreed a Constitution which sets out how the Authority operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by law, while others are a matter for the Authority to choose.

The Constitution is divided into separate sections, setting out the basic rules governing the running of the Fire and Rescue Service. The index below sets out the different sections of the Constitution:

### INDEX

	<b>PAGE</b>
Role of the Members	2
Authority and Committee Structure	3
Committee delegations and referrals	5
Committee Governance	10
Joint Consultative Committee	11
Local Pension Board	14
Scheme of Delegation to Officers	18
Meetings of the Authority	25
Interest and appointment of officers	33
The Common Seal & Duties of the Clerk	35
Application of Standing Orders	39
Contract Procedure Rules	41
Code of Conduct for Members	52
Financial Regulations	57
Access to Information Procedures and Rules	84
Members Handbook & Allowances	91
Code of Corporate Governance	92
Whistle Blowing Policy	99
Anti-Fraud, Anti-Bribery and Anti-Corruption Policy	104
Code of Conduct for Employees	111

## SECTION 1

### Role of the Members

Members of a fire authority have many roles which have their origins in statute, directions and guidance and may be amended from time to time. It is therefore not possible to produce a definitive list with a guaranteed lifetime. A list of current principal functions is set out below. It does not include responsibilities that members hold as elected members of their constituent authorities.

#### Roles

1. To take all necessary steps to comply with the statutory duties of the Fire Authority, ensuring adequate arrangements for operational assurance;
2. To set the strategic direction of the Authority through in-depth consideration and approval of the Strategic Plan and Integrated Risk Management Plan (IRMP);
3. To agree priorities for action within the Strategic Plan and IRMP consistent with Authority's objectives, national priorities and available resources;
4. To give due regard to the professional advice of the Chief Fire Officer while developing the IRMP and when making decisions affecting the fire and rescue service;
5. To hold the Chief Fire Officer to account for the exercise of their functions and the functions of persons under their direction and control.
6. To ensure the views of the community, partners and constituent councils are taken into account in formulating the above and that they are kept fully informed of Fire Authority plans. In particular, to act as champions for the Authority in their locality and with other bodies and to contribute to wider shared priorities in the area;
7. To support and promote appropriate partnership arrangements;
8. To consider and keep under review the Authority's register of corporate risks;
9. To consult on and set the Revenue and Capital Budgets and monitor their progress throughout the year;
10. To monitor Service performance and achievement of value for money of the County Durham and Darlington Fire and Rescue Service



through a regular examination of key performance outcomes, service costs and consideration of external inspection and audit reports;

11. To ensure that the County Durham and Darlington Fire and Rescue Authority establishes and maintains an effective role in any regional and national initiatives that confer benefit on the County Durham and Darlington community;
12. To perform the roles allocated to Members in Service procedures;
13. To keep under review the corporate identity of the Fire Authority and its relations with the media;
14. To ensure effective liaison arrangements with Trade Unions are established and maintained;
15. To review annually the Authority's governance arrangements, to ensure their continued effectiveness;
16. The Chair in consultation with the Vice Chair will agree Member attendance at external events on behalf of the Authority;
17. To contribute to and receive recommendations from the Authority's committees and panels.

## **Authority and Committee Structure**

### **The Full Combined Fire Authority**

This Committee structure is made by the Durham and Darlington Fire and Rescue Authority. The authority is a combined authority created by the Durham Fire Services (Combination Scheme) Order 1996. Being a statutory body, its functions, powers and duties are set down in statutes and regulations.

The broad role and functions of the authority include:

1. Determination of policy and strategy relating to the objectives of the authority and its priorities.
2. Approving the authority's revenue and capital budget strategy.
3. Approving the strategic plan and IRMP.
4. Approving the revenue and capital budgets and agreeing the precept level.
5. Considering the authority's register of corporate risks.

6. Receiving reports and recommendations from authority committees and officers of the Fire and Rescue Service.
7. Obtaining the views of the community on the development of the corporate strategy of the authority.
8. Being custodian of the authority's corporate identity and its role with the media.
9. Regularly reviewing the structure and remit of committees, forums and working groups.
10. Keeping under review the authority's current financial position compared with approved budgets.
11. Receiving reports from regulatory bodies.
12. Ensuring that the authority fulfils its statutory duties including those under the Fire and Rescue Services Act 2004, the Civil Contingencies Act 2004 and the National Framework.
13. Fostering continuous service improvement.
14. Appointing the Clerk and Monitoring Officer.
15. Appointing the Chief Fire Officer, Brigade Managers and Treasurer.
16. Monitoring and reviewing the performance of the Chief Fire Officer, Brigade Managers and Treasurer.
17. Approve the salaries offered for any new appointments where the salary is in excess of £100,000.

## **SECTION 2**

### **The Committees to which Functions are Delegated or Referred.**

#### **1. The Appeals Committee**

The Committee shall meet when required. The chair will be nominated by the Fire Authority. The Committee shall have the following functions:

##### **Delegated:**

1. Considering and deciding upon appeals on grievances referred to the Authority under the Grievance policy and procedure.
2. Considering and deciding upon appeals referred to the Authority under the Disciplinary policy and procedure.

#### **2. The Finance Committee**

The chair will be nominated by the Fire Authority. If the chair is unable to attend, the committee shall appoint a chair from amongst its members. The Committee shall have the following functions:

##### **Delegated:**

1. Supervision of the process of investigation and determination of complaints of breach of the authority's code of conduct for members
2. The granting of dispensations to members pursuant to S33 of the Localism Act 2011 insofar as this responsibility is not delegated to the Monitoring Officer
3. Ensuring that members of the Fire and Rescue Authority are adequately trained in their obligations under the code of conduct.

##### **Referred:**

1. Review and report on the quarterly and annual financial statements of the authority.
2. Consider and make recommendations to the authority for the proposed Revenue and Capital Budgets and medium term financial plans.
3. Consider any changes in the budget allocations arising from changes in strategic policies and service plans.
4. Consider any proposals for growth or budget reductions.

5. Consider the revenue and capital budgets, medium term financial plan, council tax levels and associated information prior to approval by the Fire Authority.
6. Consider Treasury Management policy and strategy and on-going performance.
7. Consider value for money reviews and indicators.

### **3. The Performance Committee**

The chair will be nominated by the Fire Authority. If the chair is unable to attend, the Committee shall appoint a chair from amongst its members. The Committee shall have the following functions:

#### **Referred:**

1. Reviewing and monitoring progress and performance in achieving strategic objectives (as set in the Authority's Strategic Plan and IRMP).
2. Monitoring and reviewing key performance indicators and targets.
3. Receiving reports and making recommendations to the Authority on Value for Money reviews.
4. Monitoring and reviewing Improvement Plans.
5. Scrutinising performance and challenging the Authority when carrying out the responsibilities referred to in 1 to 4 above.
6. Champion the development of conditions of service of staff through the implementation and maintenance of HR strategies
7. Consider equality and diversity issues as they affect the Authority.
8. Assist in maintaining good employment relations in the interests of providing the highest level of service to residents of County Durham and Darlington and make recommendations to the Authority as to how employment relations could be improved.

#### **4. The Audit and Risk Committee**

##### **Delegated:**

1. Reviewing and approving the Authority's Statement of Accounts, Annual Governance Statement and Statement of Assurance

##### **Referred:**

The chair will be nominated by the Fire Authority. If the chair is unable to attend, the committee shall appoint a chair from amongst its members. It shall have the following functions:

1. Discussing the nature and scope of the forthcoming audit with the external auditor.
2. Receiving and commenting on the external auditor's audit completion report and Annual Audit letter.
3. Receiving regular progress reports from Internal Audit and considering the issues and action plans arriving from any audit.
4. Approving the internal audit plan of work.
5. Approving the Internal Audit Charter.
6. Considering the report on the annual review of Internal Audit effectiveness.
7. Ensuring all auditors have the full cooperation of staff.
8. Reviewing the Annual Governance Statement prior to its approval.
9. Reviewing and reporting on corporate governance arrangements.
10. Oversight of the risk management process and the Corporate Risk Register.
11. Considering update reports on existing and emerging corporate risks.
12. Considering reports from internal and external audits and inspections.
13. Promoting the value of the audit process.

## **5. The Appointments Panel**

### **Delegated:**

1. Selecting suitable individuals for Brigade Manager or the Treasurer posts.

### **Referred:**

The Committee shall meet when it is necessary to appoint a Brigade Manager position or the Treasurer position. The panel will consist of:

- The Chair of the Fire Authority;
- The Vice Chair of the Authority;
- At least one other member from each constituent local authority;
- A member representing the minority parties, unless this is achieved through any of the above members.

The Chair will be responsible for appointing the additional members having considered any volunteers or nominations made. If the Chair is unable to attend, the Vice Chair will chair the committee. It shall have the following functions:

1. Agree the final selection process for any relevant appointments for Brigade Manager or the Treasurer posts;
2. Agree which officers they would like to act as advisers to the committee;
3. Receive recommendations from officers and select individuals as part of the shortlisting process for final interviews;
4. Sit as the final interview panel for any relevant posts;
5. Select appropriate people for each relevant post.

## **6. The Salary Review Group**

### **Delegated:**

1. Agreeing the level, if any, of any local pay award for Brigade Managers and the Treasurer position.
2. Monitoring and reviewing the performance of the Brigade Managers.

### **Referred:**

The Committee shall meet on an annual basis in order to undertake the Brigade Manager Salary Review Process. The panel will consist of:

- The Chair of the Fire Authority;
- The Vice Chair of the Authority;

- A Darlington Member;
- The Brigade Managers;
- The Treasurer;
- Clerk to Fire Authority or Deputy Monitoring Officer

The Clerk (or Deputy Monitoring Officer) will chair the panel. It shall have the following functions:

1. Monitoring and reviewing the performance of the Chief Fire Officer, Brigade Managers and the Treasurer;
2. Determine whether or not a full structural review of the relevant salaries is required or whether or not an annual review will suffice.
3. For annual reviews:
  - Determine if any substantive changes have taken place with the Brigade Managers' or Treasurer's roles, or if there is any other reason why a pay award should be considered or not;
  - Make suitable recommendations to the Full Fire Authority following this determination.
4. For full structural reviews:
  - Oversee the appointment of a suitably qualified person or organisation to undertake job evaluation of the applicable roles;
  - Consider the other relevant factors specified in the National Joint Council (NJC) for Brigade Managers of Fire and Rescue Services Scheme of Conditions of Service, fifth edition 2006 (the Gold Book);
  - Make suitable recommendations to the Full Fire Authority on any proposed pay levels following this consideration.

## **SECTION 3 COMMITTEE GOVERNANCE**

### **1. Limitation of delegated powers**

- (1) Committees appointed by the Authority shall, within the limits of their delegated powers, be empowered to adopt new policies, extend or modify existing policies and determine proposals within which their day to day duties may be performed.
- (2) The powers and duties of any committee appointed by the Authority shall be subject to the following provisos:
  - (a) no committee shall be empowered to raise money by levy or loan
  - (b) A committee shall report to the next convenient meeting of the Authority the action taken by them generally in pursuance of the powers and duties of the committee except matters of routine or minor importance.
  - (c) The delegated powers and duties of a committee shall not be exercised contrary to any general directions which may be given by the Authority.

### **2. Membership of Committees**

Except where otherwise provided by statute or a scheme made under statutory authority or as determined by the Authority itself, the Chair and Vice-Chair of the Authority shall be Ex-Officio members of every committee appointed by the Authority.

### **3. Meetings of committees**

- (1) In the absence from a meeting of the Chair the members present shall choose one of their number to preside.
- (2) The timing and frequency of meetings of any committee shall be determined by the committee itself provided that a special meeting of a committee may be called at any time by the Chair of the committee or of the Authority.

### **4. Quorum**

Decisions shall not be taken at a meeting of any committee unless at least three members of the committee are present including a representative of each constituent authority. Provided that in no case shall the quorum of a committee be less than three members.



## **SECTION 4**

### **The Joint Consultative Committee**

#### **1. Introduction**

- 1.1 The County Durham and Darlington Fire and Rescue Authority recognise the benefits of an established general framework for the provision of information to employee's and promoting mutual trust through consultation. The Service's internal consultation and negotiation procedure invites staff participation by seeking views, feelings and ideas through the involvement of employee representatives.
- 1.2 Where there is no agreement following these procedures, either party may engage with Members of the Authority in order to seek to resolve any major outstanding employment issues.
- 1.3 The title of the Consultative Body shall be the County Durham and Darlington Fire and Rescue Joint Consultative Committee, herein referred to as the Joint Consultative Committee (JCC). The Committee shall have specific reference to the following.

*Assisting in maintaining good employment relations in the interest of providing the highest level of service to residents of County Durham and Darlington,*

*Making recommendations to the authority as to how employment relations could be improved, and*

*Considering written reports submitted by either the Service or by or on behalf of personnel relating to employment relations issues within the Service which have not been resolved by the normal consultation and negotiating procedures and which have not been the subject of formal grievance.*

*The procedure described in this document is for where there is no agreement following normal consultation and negotiation during formulation of policies and procedures. Either party may engage with Members of the authority in order to seek to resolve any major outstanding employment issues.*

*This procedure should not be used in the event of a dispute over the application of policies. The service's agreed procedures should be used.*

#### **2. Representation**

- 2.1 The Joint Consultative Committee shall comprise of elected members, Service managers and representatives from the trade unions and staff associations. From the elected members the representation will be:

the Chair; Vice Chair; and five Councillors to be elected annually by the Combined Fire and Rescue Authority. The Committee will be chaired by the Chair of the Fire Authority. The Service Managers representation on the committee will be up to five officers, at the discretion of the Chief Fire Officer, depending on the specific issue. The Employee's representatives for the meetings of the Committee shall be nominated by the Fire Brigades Union, GMB and UNISON on a 3-1-1- basis in accordance with the procedures adopted by the individual Trade Union for this purpose.

- 2.2 Any group (elected members, service managers or representative bodies) may arrange for substitutes to attend.
- 2.3 If a member of the Joint Consultative Committee ceases to be a Member of the Fire Authority, he or she will also cease to be a member of the Joint Consultative Committee and as soon as practicable, a new member shall be appointed to fill the resulting vacancy.

### **3. Secretariat**

- 3.1 The Secretary of the Joint Consultative Committee shall be the Clerk to the Authority who will arrange for an officer to administer the meetings and take minutes.

### **4. Meetings**

- 4.1 The vast majority of employment issues are dealt with by existing formal and informal procedures within the Service's normal consultation and negotiating procedures. It is not therefore proposed to schedule meetings of the Committee on a regular basis and either side will have the opportunity to give notice to call a meeting as and when required. The Clerk to the Authority will arrange meetings at the earliest opportunity having regard to the procedural arrangements set out in Section 5 below.

### **5. Objectives and Procedural Arrangements**

- 5.1 The overall objective of the Joint Consultative Committee shall be to assist the Service in maintaining good employment relations in the interest of providing the highest level of service to the residents of County Durham and Darlington.
- 5.2 The Joint Consultative Committee shall consider any employment relations issue relating to the Service, although no item shall be referred to the Joint Consultative Committee unless it has first be considered through the Service's normal consultation and negotiating procedure with the relevant unions (except for issues agreed by the Chair of the Joint Consultative Committee to be urgent).

- 5.3 All issues submitted by either side for consideration by the Joint Consultative Committee must be supported by a written report to be supplied to the Clerk to the Authority by the party raising the issue.
- 5.4 The Clerk to the Fire Authority will make a copy of the report available to the other side and seek a written reply. The Clerk to the Fire Authority shall subsequently circulate all papers to the Joint Consultative Committee and each of the party's concerned, at least three days before the date of the meeting.
- 5.5 The Joint Consultative Committee shall have no decision making powers: its aims will be to resolve issues through consensus but it has the power to make recommendations to the Combined Fire and Rescue Authority.

## **SECTION 5 LOCAL PENSION BOARD**

### **1. Statement of purpose**

- 1.1 The purpose of the Board is to assist County Durham and Darlington Fire and Rescue Authority (CDDFRA) in its role as the Scheme Manager for the Fire Fighters Pension Scheme. Such assistance is to:
- (a) Secure compliance with the Regulations, any other legislation relating to the governance and administration of the Scheme, and requirements imposed by the Pensions Regulator in relation to the Scheme; and
  - (b) Ensure the effective and efficient governance and administration of the Scheme.

### **2. Duties of the Board**

- 2.1 The Board should at all times act in a reasonable manner in the conduct of its purpose. In support of this duty Board members will:
- (a) always act in the interests of the scheme and not seek to promote the interests of any stakeholder group above another; and
  - (b) be subject to and abide by the relevant codes of conduct for members and employees.

### **3. Membership**

- 3.1 The Board will comprise of an equal number of employer and member representatives with a minimum of no less than four in total.
- 3.2 At a meeting on 12 February 2015 the Combined Fire Authority (CFA) in its role as the Scheme Manager agreed the establishment of the Pension Board and agreed the following member and employer representation. Membership of the Board will be reviewed annually at the annual general meeting of the CFA.

### **4. Scheme Member representatives**

- 4.1 Three scheme member representatives shall be appointed to the Board. These representatives shall be members of the scheme administered by County Durham and Darlington Fire and Rescue Authority. Two member representatives will be nominated by the Fire Brigades Union (FBU) and one by the Fire Officers Association (FOA).
- 4.2 Member representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

## **5. Employer representatives**

- 5.1 Three employer representatives shall be appointed to the Board. Employer representatives shall be Fire Authority Members and a senior manager employee of CDDFRA. Fire Authority Members or employee of CDDFRA with delegated responsibility for discharging the scheme manager function of CDDFRA may not serve as an employer representative.
- 5.2 Employer representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.
- 5.3 Employer representatives shall be appointed by CDDFRA in a manner which it considers best promotes the purpose of the Board.

## **6. Other members**

- 6.1 At the meeting on 12 February 2015 CDDFRA, exercising its role as the Scheme Manager, took the decision not to appoint other members to the Board at this time.
- 6.2 This decision will be reviewed annually at the annual general meeting of the CFA.
- 6.3 Any appointments of other members shall have regard to the best interests of the purpose of the Board

## **7. Appointment of chair**

- 7.1 The appointment of the Chair will be a decision of CDDFRA. This will be reviewed annually or earlier if issues arise with the availability of the Chair to attend meetings.

## **8. Notification of appointments**

- 8.1 On appointment to the Board CDDFRA shall publish the name of the appointees, the process followed in the appointment together with the way in which the appointments support the effective delivery of the purpose of the Board.

## **9. Conflicts of interest**

- 9.1 All members of the Board must declare to CDDFRA on appointment and at any such time as their circumstances change any potential conflict of interest arising as a result of their position on the Board.
- 9.2 On appointments to the Board and following any subsequent declaration of potential conflict CDDFRA shall ensure that any potential conflict is effectively managed in line with both the internal

procedures of the Authority and the requirements of the Pensions Regulators codes of practice on conflict of interest for Board members.

## **10. Knowledge and understanding (including Training)**

- 10.1 Knowledge and understanding must be considered in light of the role of the Board to assist CDDFRA in line with the requirements outlined in section 1 above. The Board should establish and maintain a policy and framework to address the knowledge and understanding requirements that apply to Board members.
- 10.2 Board members shall attend and participate in training arranged in order to meet and maintain the requirements set out in the Board's knowledge and understanding policy and framework.
- 10.3 Board members shall participate in such personal training needs analysis or other processes that are put in place in order to ensure that they maintain the required level of knowledge and understanding to carry out their role on the Board.

## **11. Term of office**

- 11.1 Term of Office should be in accordance with the committee cycle of CDDFRA which is currently annual.
- 11.2 Board membership may be terminated prior to the end of the term of office due to:
  - (a) A member representative appointed on the basis of their membership of the scheme no longer being a member of the scheme;
  - (b) A member representative no longer being a member of the body on which their appointment relied;
  - (c) An employer representative no longer holding the office or employment or being a member of the body on which their appointment relied;
  - (d) The representative no longer being able to demonstrate their capacity to attend and prepare for meetings or to participate in required training.

## **8. Meetings**

- 12.1 The Board shall as a minimum meet twice per year, although the frequency will be reviewed regularly. The meetings will normally take place between the hours of 09:00 and 17:00. The frequency of meetings will be reviewed on a regular basis.
- 12.2 The chair of the Board with the consent of the Board membership may call additional meetings. Urgent business of the Board between meetings may, in exceptional circumstances, be conducted via

communications between members of the Board including telephone conferencing and e-mails.

## **9. Quorum**

13.1 The minimum number of members required to be present for a meeting to be quorate is one employer and one member representative plus the chair.

## **10. Voting**

14.1 The Chair shall determine when consensus has been reached.

14.2 Where consensus is not achieved this should be recorded by the Chair.

14.3 In support of its core functions the Board may make a request for information to the Finance and General Purpose Committee with regard to any aspect of the scheme manager function. Any such a request should be reasonably complied with in both scope and timing.

14.4 In support of its core functions the Board may make recommendations to the Finance and General Purpose Committee which should be considered and a response made to the Board on the outcome within a reasonable period of time.

## **15. Interpretation**

15.1 In these terms 'the Scheme' means the Firefighters' Pension Scheme.

15.2 In these terms 'regulations' include the Firefighters' Pension Scheme 1992, as amended, the Firefighters' Pension Scheme 2006, as amended, the Firefighters' Pension Scheme Regulations 2014 (2015 Firefighters Pension Scheme) as amended, the Pension Regulators Codes of Practice as they apply to the scheme manager and pension board and any other relevant legislation applying to the Scheme.

## **SECTION 6**

### **SCHEME OF DELEGATION TO OFFICERS**

#### **1. Introduction**

- 1.1 This Scheme is made under Section 101 of the Local Government Act 1972, which applies to the authority by virtue of the Durham Fire Services (Combination Scheme) Order 1996.
- 1.2 For the purposes of this Scheme of Delegation the proper officers are the Chief Fire Officer, Treasurer and the Clerk.
- 1.3 The Authority, whilst retaining overall responsibility for the formulation of policy including the approval of the revenue and capital budgets, have delegated to the officers the powers set out in this Scheme.
- 1.4 The Scheme sets out the limits of authority of the Chief Fire Officer, Treasurer and Clerk. Additional delegations to the Clerk, the Chief Fire Officer and the Treasurer are described in the Standing Orders, Contract Procedure Rules and Financial Regulations.
- 1.5 The Combined Fire and Rescue Authority is required by the Local Government and Housing Act 1989 to appoint a Monitoring Officer. The Combination Order requires the appointment of a Treasurer to manage the Combined Fire Service Fund and the Local Government Act 1972, together with the Local Government Finance Act 1988, require the authority to have a Chief Financial Officer and a Section 151 Officer. The two posts are combined in this Authority.
- 1.6 The powers of the Monitoring Officer derive entirely from Statute, and there is therefore, no need for them to be specifically included in the Scheme.
- 1.7 The Monitoring Officer also fulfils the duties of Clerk to the Authority.

#### **2. General Conditions of Delegation and Definitions**

- 2.1 The existence of a delegation shall not require the Chief Fire Officer to take a decision on that issue. The Chief Fire Officer needs to be aware of particular controversial issues of concern to the Authority. In such circumstances they may refer the matter for guidance or decision by the Authority if they consider it appropriate to do so.
- 2.2 When a decision or action has been taken under the terms of this scheme and is significant to the work of the authority or could be construed to be a matter of political sensitivity or controversy, Officers shall inform members as soon as reasonably practical, either in writing or some other suitable form of communication.



- 2.3 The Monitoring Officer to the Authority shall keep the operation of the Scheme under review and the authority may amend its provisions from time to time. Financial limits should be reviewed annually by the Treasurer having regard to price fluctuations.
- 2.4 In exercising a delegated power, the Chief Fire Officer must act within the law, the Standing Orders and financial procedure rules and other procedures and policies and within budget.
- 2.5 In exercising delegated powers the Chief Fire Officer will:
- (a) consult the Chair and Vice Chair as appropriate;
  - (b) keep a formal record of the exercise of the delegated power;
  - (c) make the record available upon request to:
    - (i) the public, provided this does not mean the release of confidential or exempt information; and
    - (ii) any member of the Authority, provided this does not involve the release of confidential or exempt information to which the member is not entitled;
    - (iii) the Monitoring Officer.
- 2.6 The Chief Fire Officer may authorise officers within the Service to exercise powers delegated to them. The Chief Fire Officer must maintain proper records of such authorisation. The Chief Fire Officer shall remain accountable for any actions or decisions taken under that authority.
- 2.7 In the event of the Chief Fire Officer's post being vacant or in the absence of the Chief Fire Officer, those delegated powers may be exercised by an Assistant Chief Fire Officer so far as permitted by law.
- 2.8 Where it is impracticable to obtain authorisation from the authority, and subject to the action being reported (for information) to the next convenient meeting of the Combined Fire and Rescue Authority, to take urgent action within legal powers, where this is necessary in the interests of the authority, in respect of matters otherwise reserved to the authority.

### **3. Chief Fire Officer**

- 3.1 The Chief Fire Officer must, in exercising their functions, have regard to the Authority's integrated risk management plan (IRMP). The Chief Fire Officer shall, within the approved budgets and policies therefore, exercise all matters of day-to-day administration and operational management of the service and functions. This delegation shall include taking and implementing decisions including, in particular, any decision which is concerned with maintaining the operational effectiveness of those services or with a matter incidental of the discharge of the authority's functions or which falls within the scope of the authority's policy framework.

3.2 The Chief Fire Officer is authorised to discharge the functions of the Authority in relation to the Service subject to the following requirements:

- (i) any decisions or actions shall comply with relevant resolutions, orders and directions of the authority and of its appointed Committee(s);
- (ii) where any matter involves professional or technical considerations within the sphere or competence of another officer, the Chief Fire Officer shall consult with that officer before authorising action. This shall not be limited to officers within the employ of the authority, if circumstances require.

3.3 The Chief Fire Officer is authorised to exercise all the powers of the Authority as an enforcement authority under relevant legislation. Without prejudice to the generality of this provision he/she may in particular carry out the following:

- (i) institute, defend, withdraw or compromise legal proceedings, whether civil and/or criminal, pertaining to the Fire Authority's statutory functions in respect of the Regulatory Reform (Fire Safety) Order 2005, and any regulations made thereunder *after consultation with the Clerk to the Authority*
- (ii) take appropriate action on behalf of the Authority under The Regulatory Reform (Fire Safety Order) 2005;
- (iii) designate persons as Inspectors under Article 26 of the Fire Safety Order;
- (iv) authorise named members of staff in writing to exercise statutory powers conferred on the Authority.
- (v) agree to the purchase of land to a value not exceeding £50,000
- (vi) agree to the sale of land up to a value not exceeding £50,000
- (vii) agree to the donation of redundant decommissioned assets for charitable purposes up to a value not exceeding £10,000
- (viii) authorise named members of staff in writing to exercise the powers of inspectors under the Article 27 of the Fire Safety Order, including entering any premises which an inspector has reason to believe it is necessary for him to enter for the purpose of carrying out the said Order and any regulations made under it into effect, and to inspect the whole or part of the premises and anything in them, where such entry and inspection may be effected without the use of force.

3.4 Delegation to the Chief Fire Officer does not include:

- (i) any matter reserved to the Authority;
- (ii) any matter which by law may not be delegated to an officer;

- (iii) any matter reserved to a Committee, Sub Committee or Panel;
- (iv) any power to make a formal response on behalf of the authority to any White Paper, Green Paper, Government Consultation Paper or draft European Union Directive without reference first to the Chair of the Authority. However, when the time scale so requires, the Chief Fire Officer is authorised to respond without discussion with the Chair. The contents of such response shall be referred to the Chair as soon as reasonably practicable thereafter.

3.5 To complement the discharge of functions under these arrangements, the Chief Fire Officer shall:

- (i) maintain close liaison with the Chair in respect of controversial and sensitive issues;
- (ii) keep members informed of significant developments relating to a specific matter where a member has made known to the Chief Fire Officer, a legitimate interest or where the matter relates to or affects the members electoral division or ward.

3.6 The Chief Fire Officer may authorise in writing, an officer to exercise an authority in this scheme in their absence, or at other times.

3.7 The Chief Fire Officer, in consultation with the Monitoring Officer, shall determine any case in which there is uncertainty whether an officer is authorised to act under these arrangements.

3.8 Reference to these arrangements to the discharge of the functions of the authority include references to the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of those functions and the Chief Fire Officer is authorised to act accordingly.

#### **4. Treasurer**

4.1 The powers delegated to the Treasurer are described below and in the Financial Regulations.

4.2 The Treasurer has the authority to:

- (a) act as the suitably qualified officer responsible for the proper administration of financial affairs as required by Section 151 of the Local Government Act 1972.
- (b) provide technical and professional advice to the Authority and its members and the Chief Fire Officer.

- (c) represent, as required, the Authority's interest at meetings with Government departments and agencies and other relevant national regional and local organisations.
- (d) be responsible for the Authority's corporate financial planning and financial management frameworks (both revenue and capital) ensuring that the frameworks are robust. This includes the co-ordination of the Authority's strategic financial plans in collaboration with other parts of the authority and with elected members. This also includes the coordination of corporate financial performance reports in conjunction with other parts of the Authority as necessary.
- (e) within Service budgets, accept tenders, place contracts and procure other resources within or outside the Authority subject to compliance with the Authority's Financial and Contract Procedure Rules
- (f) terminate contractual and other commissioning arrangements
- (g) deliver the finance functions and manage those related activities delivered under any Service Level Agreements or contracts.
- (h) interpret financial legislation as it relates to the Service and Authority.
- (i) provide appropriate training to members and officers with regard to financial planning or management issues.

## **5. Clerk to the Authority**

5.1 Powers delegated to the Clerk to the Authority are described below and in the Standing Orders.

5.2 The Clerk has the authority to:

- (a) approve applications for the supply of authority and committee agenda papers and minutes;
- (b) circulate reports and agendas under the Local Government Act 1972;
- (c) exclude reports from public inspection prior to a meeting in accordance with the Local Government Act 1972;
- (d) supply to the press copies of any documents supplied to members in connection with an agenda item;
- (e) ensure that all agenda are despatched within the legal deadlines required by the Local Government Act 1972 and

meeting corporate standards. Make copies available to the press and for public inspection at Service Headquarters, Belmont Business Park, Durham DH1 1TW.

- (f) prepare and issue decision and Action summaries;
- (g) exclude from disclosure to members documents containing exempt information in accordance with the Local Government Act 1972;
- (i) implement new procedures and legislation that affects the conduct of meetings;
- (j) supply summaries of Minutes under the Local Government Act 1972;
- (k) receive declarations of resignation of office;
- (l) sign summonses to Authority, Committee, Sub Committee and Panel meetings;
- (m) make or vary appointments to Committees, Sub Committees and Panels upon the nomination of the relevant group leaders subject to changes being reported to the body in question;
- (n) receive notices of interests of members and officers and keep a record of disclosures under the Localism Act 2011;
- (o) arrange for the inspection of background papers by the public under the Local Government Act 1972;
- (p) receive notices regarding addresses to which a summons to a meeting is to be sent under the Local Government Act 1972;
- (q)
  - (i) to prepare or arrange for the preparation of all contracts for the sale or purchase of Authority Land and property and all leases, tenancy agreements or other agreements affecting Council land or property including easements or any interest in land;
  - (ii) to draft or arrange the drafting of legal documents other than those mentioned above relating to or affecting the functions of the Authority;
  - (iii) to sign the documents referred to in sub-paragraph (a) above and all other formal documents intended to give effect to decisions of the Authority;

- (r) to sign any notice, demand or other document on behalf of the Authority in connection with any actual or contemplated legal or enforcement proceedings;
- (s)
  - (i) generally, to institute, defend and conduct any legal proceedings relating to the Authority's functions or affecting the property, rights, or interests of the Authority except those relating to the Regulatory Reform (Fire Safety) Order 2005;
  - (ii) to authorise named officers to appear on behalf of the Authority in legal proceedings in the Magistrates' Court pursuant to Section 223 Local Government Act 1972;
- (t) to settle any action in any court or tribunal in which the Authority is a party or where legal proceedings are indicated providing that any settlement exceeding £50,000 will be subject to prior consultation with the Chair or Vice Chair of the Authority except in cases of urgency where the settlement is made on the advice of Counsel;

5.3 To affix the common seal to all properly authenticated deeds and documents.

## **SECTION 7 MEETINGS OF THE AUTHORITY**

### **1. Meetings of the Authority**

- 1.1 The proceedings of the Authority shall be conducted subject to the provisions of the Local Government Act, 1972, or any statutory modification thereof.
- 1.2 The Authority shall hold an Annual Meeting on a day and at a time to be fixed by the Authority in accordance with paragraph 1 of Schedule 12 to the Local Government Act 1972. The first item of business shall be the appointment of the Chair for the ensuing year.
- 1.3 Meetings of the Authority for the transaction of general business shall be held at the Fire Service Headquarters unless otherwise determined by the Authority and at such date and time as determined at the Annual Meeting of the Authority unless otherwise determined by the Authority provided that any such date or venue may be varied by the Chair if in his or her opinion it is necessary to do so in the interests of the efficient discharge of the Authority's business.
- 1.4 The Chair of the Authority may call additional meetings of the Authority at any time.
- 1.5 In these Standing Orders "ordinary meeting" means a meeting described in paragraph (2) or (3) above other than a meeting convened by the Chair or by members of the Authority. The term "year" means the period from 1st April, in one calendar year to the 31<sup>st</sup> March, in the next following year.
- 1.6 Where reasonably possible and not otherwise provided these Standing Orders shall be applied to committees as they apply to the Authority.

### **2. Powers of Chair**

Any power or duty of the Chair in relation to the conduct of a meeting may be exercised by the person presiding at the meeting. For the purpose of this Standing Order, "meeting" means any meeting of the Authority or of a committee or a sub-committee of the Authority.

### **3. Quorum**

- 3.1 If during any meeting of the Authority the Chair after counting the number of members present declares that there is not present a quorum consisting of at least one third of the whole number of members of the Authority including at least one representative from each constituent Local Authority the meeting shall stand adjourned.

- 3.2 The consideration of any business not transacted shall then be adjourned to a time fixed by the Chair, or, if he or she does not fix a time, to the next ordinary meeting of the Authority.

#### **4. Minutes of the Authority**

- 4.1 At a meeting of the Authority at which minutes of a previous meeting are submitted for approval as a correct record, the Chair shall move that those minutes be so approved.
- 4.2 No motion or discussion shall take place upon the minutes, except upon their accuracy, and any matter concerning their accuracy shall be raised by amendment.
- 4.3 If no such matter is raised, or if it is raised then as soon as it has been disposed of, the Chair shall sign the minutes.

#### **5. Notices of Motion**

- 5.1 Notice of motion other than a motion which under Standing Order 6 may be moved without notice shall be given in writing, signed by the member or members of the Authority giving the notice and delivered not later than 5 o'clock in the afternoon of the seventh day preceding the next meeting of the Authority, at the office of the Clerk by whom it shall be dated, numbered in the order in which it is received and entered in a book which shall be open to the inspection of every member of the Authority.
- 5.2 If it shall appear to the Clerk that a motion of which he or she has received notice is not in order, or is framed in improper or unbecoming language, he shall take the direction of the Chair as to whether and in what form it shall be placed on the agenda paper, and the decision of the Chair, after consultation, where practicable, with the giver of the notice, shall be final.
- 5.3 The Clerk shall set out in the summons for every meeting of the Authority all motions of which notice has been duly given in the order in which they have been received unless a member giving such a notice intimated in writing, when giving it, that he proposed to move it at some later meeting or has since withdrawn it in writing.
- 5.4 If a motion thus set out in the summons be not moved either by a member who gave notice thereof or by some other member on his or her behalf, it shall unless postponed by consent of the Authority be treated as withdrawn and shall not be moved without fresh notice.
- 5.5 If the subject matter of any motion of which notice has been duly given comes within the province of any committee or committees it shall, upon being moved and seconded, stand referred without discussion



to such committee or committees, or to such other committee or committees as the Authority may determine, for consideration and report unless the Authority forthwith reject the motion. The Chair, at his discretion, may allow such motion to be considered by the meeting at which it is moved and seconded.

- 5.6 Every motion shall be relevant to some matter in relation to which the Authority have powers or duties.

**6. Motions and amendments which may be moved without notice** The following

motions and amendments may be moved without notice:-

- 6.1 Appointment of a Chair of the meeting at which the motion is made.
- 6.2 Motions relating to the accuracy of the minutes.
- 6.3 To change the order of business in the agenda.
- 6.4 Reference back to a committee.
- 6.5 Appointment of a committee or members thereof, occasioned by an item mentioned in the summons to the meeting.
- 6.6 To receive reports or adopt recommendations of committees or officers and any consequent resolutions.
- 6.7 That leave be given to withdraw a motion.
- 6.8 Amendments to motions.
- 6.9 Extending the time limit for speeches.
- 6.10 To proceed to next business.
- 6.11 That the question be now put.
- 6.12 To adjourn a debate.
- 6.13 To adjourn a meeting.
- 6.14 Suspending standing orders, in accordance with Standing Order No. 33.
- 6.15 Motion under Section 100A(4) of the Local Government Act, 1972 to exclude the public.
- 6.16 That a member named be not further heard.
- 6.17 Inviting a member to remain under Standing Order No. 15.

6.18 Giving consent of the Authority where the consent of the Authority is required by these Standing Orders.

## **7. Rules of debate for Authority Meetings**

- 7.1 The debate at meetings of the Authority shall be conducted by consensus unless any member present indicates to the Chair that he requires the following provisions of this Standing Order to be invoked.
- 7.2 A motion or amendment to a motion shall not be discussed unless it has been proposed and seconded and it shall if required by the Chair, be put into writing and handed to the Chair before it is further discussed or put to the meeting.
- 7.3 A member may not propose or second a motion or amendment on which he is disqualified from voting.
- 7.4 A member when seconding a motion or amendment may, if he then declares his intention, reserve his speech until later in the debate.
- 7.5 A member when speaking shall address the Chair. If two or more members indicate their intention to speak the Chair shall determine the order in which those members shall speak.
- 7.6 A member shall direct his speech to the question under discussion or to a personal explanation or to a point of order.
- 7.7 No speech shall exceed 5 minutes except by consent of the Authority.
- 7.8 A member shall speak once only on any motion, except that he may:
- (a) speak once on an amendment moved by another member;
  - (b) if the motion has been amended since he last spoke move a further amendment;
  - (c) if his first speech was on an amendment moved by another member, speak on the main issue, whether or not the amendment on which he spoke was carried;
  - (d) speak in exercise of a right of reply given by paragraph (14) or (16) of this Standing Order;
  - (e) speak on a point of order or by way of personal explanation.
- 7.9 An amendment shall be relevant to the motion and shall be either -

- (a) to refer a subject of debate to a committee for consideration or reconsideration;
- (b) to leave out words;
- (c) to leave out words and insert or add others;
- (d) to insert or add words;

but such omission, insertion or addition of words shall not have the effect of negating the motion before the Authority.

- 7.10 Only one amendment may be moved and discussed at a time. No further amendment shall be moved until the amendment under discussion has been disposed of.

(Provided that the Chair may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest that this course would facilitate the effective conduct of the Authority's business).

- 7.11 If an amendment is lost, other amendments may be moved on the original motion. If an amendment is carried, it shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.
- 7.12 A member may, with the consent of the Authority signified without discussion, and with the further consent of his seconder, alter a motion which he has moved if the alteration is one which could be made as an amendment thereto.
- 7.13 A motion or amendment may be withdrawn by the mover with the consent of his seconder and of the Authority, which shall be signified without discussion, and no member may speak upon it after the mover has asked permission for its withdrawal, unless permission is refused.
- 7.14 The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment, and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on his amendment.
- 7.15 When a motion is under debate no other motion shall be moved except the following:-
- (a) to amend the motion;

- (b) to adjourn the meeting;
- (c) to adjourn the debate;
- (d) to proceed to the next business;
- (e) that the question be now put;
- (f) that a member be not further heard;
- (g) a motion under section 100A(4) of the Local Government Act, 1972 to exclude the public.

7.16 A member may move without comment at the conclusion of a speech of another member, "That the Authority proceed to the next business", "That the question be now put", "That the debate be adjourned" or "That the Authority adjourns", on the seconding of which the Chair shall proceed as follows:-

- (a) on a motion to proceed to next business:

unless in his opinion the matter before the meeting has been insufficiently discussed he shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to next business;

- (b) on a motion that the question be now put:

unless in his opinion the matter before the meeting has been insufficiently discussed, he shall first put to the vote the motion that the question be now put, and if it is passed then give the mover of the original motion his right of reply under paragraph (14) of this Standing Order before putting his motion to the vote;

- (c) on a motion to adjourn the debate or the meeting:

If, in his opinion, the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion he shall put the adjournment motion to the vote without giving the mover of the original motion his right of reply on that occasion.

Unless the adjournment motion specifies an hour or occasion the motion shall be deemed to intend that the debate or the remaining business of the meeting be resumed at the next ordinary meeting of the Authority.

7.17 A member may indicate to the Chair a wish to speak on a point of order or in personal explanation, and shall be entitled to be

heard forthwith. A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the member shall specify the Standing Order or statutory provision and the way in which he considers it has been broken. A personal explanation shall be confined to some material part of a former speech by him which may appear to have been misunderstood in the present debate.

7.18 The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

7.19 Whenever during a debate the Chair rises or announces to the meeting that this paragraph of this Standing Order is invoked all members present shall immediately be silent.

## **8. Matters relating to persons employed by the Authority**

If any matter arises at a meeting of the Authority as to the appointment, promotion, dismissal, salary, pension, conditions of service of any person employed by the Authority, such question shall not be the subject of discussion until the Authority has decided whether or not the power of exclusion of the public under Section 100A of the Local Government Act, 1972 shall be exercised.

## **9. Order at Meetings**

9.1 The Chair shall call the attention of the meeting to continued irrelevance, tedious repetition, unbecoming language or any breach of order on the part of a member. The Chair may, and shall if a motion under Standing Order 7(15)(f) is carried, direct such a member, if speaking, to discontinue his speech, or in the event of disregard of the authority of the Chair, to retire for the remainder of the meeting.

9.2 The Chair may at any time, if he thinks it desirable in the interest of order, adjourn a meeting or suspend a meeting of the Authority for a time to be named by him.

## **10. Rescission of Resolution**

Any motion to rescind a resolution passed within the preceding six months and any motion or amendment to the same effect as one which has been rejected within the preceding six months shall be carried only if at least three-quarters of the members present and voting vote in favour of the motion or amendment

## **11. Voting**

11.1 The mode of voting at meetings of the Authority shall be by show of hands: Provided that where, immediately after a vote is taken at a meeting of the Authority, any member so requires, there shall be recorded in the minutes of the proceedings of that meeting, whether

that person cast his vote for the question or against the question or whether he abstained from voting.

- 11.2 In the case of an equality of votes, the person presiding at the meeting shall have a second or casting vote.

## **12. Voting on Appointments**

Where there are more than two persons nominated for any position to be filled by the Authority, voting shall be by ballot; in such case if there is not a majority of votes given in favour of one person, the name of the person(s) having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour on one person and for the purposes of this Standing Order the provisions of Standing Order 11 (2) shall apply.

## **13. Record of Attendances**

Every member of the Authority attending a meeting of the Authority shall sign his or her name in the attendance book or sheet provided for that purpose. If apologies are not registered, Members will be logged as absent from the meeting.

## **14. Attendance of Substitutes**

- 14.1 A member of the Authority may nominate any member of his or her constituent local authority to act as his/her substitute and, in the absence of the member of the authority from any meeting of the Authority the nominee shall be entitled to attend, speak and vote at the meeting (but not, in the case of a nominating member being the Chair or Vice-Chair, to exercise the rights and functions of that office).
- 14.2 The nomination or revocation of nomination of a substitute shall be in writing (specifying the body to which it relates), signed by the nominating member, and shall be sent forthwith to the Clerk to the Authority (notification thereof being given verbally by or on behalf of the nominating member in a case of urgency). Upon the receipt of notification the Clerk to the Authority shall cause the register maintained for the purposes of Section 100G Local Government Act 1972 to be amended accordingly.
- 14.3 A member attending as substitute shall, at the commencement of the meeting, identify the member on whose behalf he/she attends who shall thereupon be excluded from participation in that meeting.
- 10.4 A nomination (other than a nomination for the purpose only of a specific meeting) shall have effect until revoked by the nominating member.

## **SECTION 8**

### **INTEREST AND APPOINTMENT OF OFFICERS**

#### **1. Members Code of Conduct**

- 1.1 In performing their function, members of the Authority shall comply at all times and in all respects with the Authority's Code of Conduct for members.

#### **2. Canvassing**

- 2.1 Canvassing of members of the Authority or any committee of the Authority directly or indirectly for any appointment under the Authority is prohibited and shall disqualify the candidate concerned for that appointment. The purport of this paragraph of this Standing Order shall be included in every advertisement inviting applications for appointments and in any form of application.
- 2.2 A member of the Authority shall not solicit for any person any appointment under the Authority and shall not provide, whether requested or not, any testimonial for a candidate for appointment.

#### **3. Relationship of Candidate to Member or Officer**

- 3.1 A candidate for any appointment by or under the Authority who knows that they are related to any member or senior employee of the Authority (Area Manager or above) shall when making application disclose that relationship. A candidate who fails to disclose such a relationship shall be liable to be disqualified for the appointment and if appointed shall be liable to dismissal without notice. Every member and senior employee of the Authority, as specified above, shall disclose to the Chief Fire Officer any relationship known to them to exist between themselves and any person whom they know is a candidate for an appointment under the Authority. The Chief Fire Officer shall inform the Clerk of any disclosure so received.
- 3.2 The requirements of this Standing Order shall be included in every advertisement inviting applications for appointment and in any form of application.
- 3.3 For the purpose of this Standing Order "senior employee" means any employee occupying a post so designated by the Authority and persons shall be deemed to be related if they are husband and wife or cohabitee or if either of them or the spouse or cohabitee of either of them is the son or daughter or grandson or granddaughter or brother or sister or nephew or niece of the applicant, or of the spouse or cohabitee of the applicant.

#### **4. Interest of Officers**

The Clerk of the Authority shall record in a book to be kept for the purpose particulars of any notice given by an officer of the Authority under section 117 of the Local Government Act, 1972, of a pecuniary interest in a contract, and the book shall be open during office hours to the inspection of any member of the Authority.



## **SECTION 9 COMMON SEAL AND DUTIES OF CLERK**

### **1. Role of Clerk**

- 1.1 The Clerk shall have responsibility for the administration of the Authority.
- 1.2 The Clerk shall be designated the monitoring officer of the Authority pursuant to Section 5 (1) of the Local Government and Housing Act, 1989, and shall be responsible for ensuring the legality of the actions of the Authority and its officers and employees acting on its behalf.

### **2. Responsibilities of Clerk**

The Clerk shall be the proper officer of the Authority for the purposes of the following provisions of the Local Government Act, 1972;

- 2.1 To determine which items are likely to be discussed in private and whether to exclude the matter from circulation to the press and public.
- 2.2 To determine which background documents supplied to members of the Authority should be supplied to the press.
- 2.3 To prepare a written summary of the proceedings which were dealt with in that part of the meeting from which the public were excluded.
- 2.4 To determine which documents contain exempt information and should not be disclosed to members of the public.
- 2.5 Calling of Meeting.
- 2.6 Certification of Copies.
- 2.7 Authentication of Documents

### **3. Custody of the Seal**

The Common Seal of the Authority shall be kept in a safe place in the custody of the Clerk.

#### **4. Sealing of documents**

- 4.1 The Common Seal of the Authority shall not be affixed to any document unless the sealing has been authorised by a resolution of the Authority or of a committee to which the Authority has delegated its powers in this behalf, but a resolution of the Authority (or of a committee where that committee has the power) authorising the acceptance of any tender, the purchase, sale, letting, or taking of any property, the issue of any stock, the presentation of any petition, memorial, or address, the making of contract, issuing a levy, or the doing of any other thing, shall be a sufficient authority for sealing any document necessary to give effect to the resolution.
- 4.2 The affixing of the Common Seal shall be attested by the Clerk or a senior member of his staff nominated by him and an entry of every sealing of a document shall be made and consecutively numbered in a book kept for the purpose and shall be signed by the person who has attested the seal.
- 4.3 The Common Seal of the Authority shall be affixed to those documents which in the opinion of the Clerk require to be sealed.

#### **5. Preparation of Legal Documents**

- 5.1 The Clerk of the Authority shall prepare or arrange for the preparation of all contracts, leases, agreements of tenancy or other agreements affecting land or property of whatsoever kind, including easements or any interest in land; and he shall prepare and be responsible for the preparation and proper execution of all contracts for the supply of goods and materials, the provision of services and the execution of any work to which the Authority is a contracting party.
- 5.2 Subject as aforesaid agreements entered into by the Authority affecting matters of ordinary administration shall be dealt with by the Chief Fire Officer in cases where printed forms of agreement are applicable and suitable for the purpose and which forms as aforesaid have been previously settled or approved by the Clerk.
- 5.3 Every legal document, other than those hereinbefore mentioned, in any way relating to or affecting the functions of the Authority shall be settled in such manner as the Clerk may determine.
- 5.4 (a) The Clerk or a senior member of his or her staff nominated by him shall be authorised to sign on behalf of the Authority the several documents referred to in paragraphs (1) and (2) hereof and all other documents which are intended to give effect to decisions of the Authority or of any committee and which are not required to be under seal.

(b) The Chief Fire Officer or a senior member of his or her staff nominated by them shall be authorised to sign on behalf of the Authority the documents referred to in paragraph (2) hereof which are not required to be under seal.

## **6. Legal Proceedings**

- 6.1 Where any document will be a necessary step in legal proceedings on behalf of the Authority it shall be signed by the Clerk of the Authority unless any enactment otherwise requires or authorises, or the Authority give the necessary authority to some other person for the purpose of such proceedings.
- 6.2 In relation to the discharge of the Authority's functions the Clerk or a senior member of his or her staff nominated by them shall be authorised on behalf of the Authority:
- (a) To give Notice to Quit and other Notices or formal demands which he may deem it requisite to serve in the interests of the Authority;
  - (b) To take legal proceedings for the recovery of any moneys due to the Authority and for possession of any property to which the Authority may be entitled;
  - (c) Generally to institute, defend and conduct any legal proceedings or to make representations affecting the property, rights or interests of the Authority for which the Authority may for the time being be entitled to authorise, institute or defend other than in the case of prosecutions brought about under the Regulatory Reform (Fire Safety) Order 2005.
  - (d) In consultation with the Treasurer and Chief Fire Officer, to settle uninsured claims for damages against the Authority where the amount does not exceed £50,000 other than in industrial relations cases.

Nothing in this Standing Order shall affect the operation of any resolutions of the Authority specifically enabling the Clerk on its behalf to give notices or demands or to institute, defend or conduct proceedings before courts of summary jurisdiction or to appear and be heard on behalf of the Authority at any Public Inquiry.

## **7. Inspection of Documents**

Any document which is in the possession or under the control of the Authority and contains material relating to any business to be transacted at a meeting of the Authority or a committee shall be open to inspection by any member of the Authority, except that where it appears to the Clerk that a document

discloses exempt information the document shall not be open to such inspection. For the purpose of this Standing Order "exempt information" means that falling within paragraphs 1 to 7, of Schedule 12A to the Local Government Act, 1972.

## **SECTION 10 APPLICATION OF STANDING ORDERS**

### **1. Mover of Motion may attend Committee**

A member of the Authority who has moved a motion which has been referred to any committee shall have notice of the meeting of the committee at which it is proposed to consider the motion. He shall have the right to attend the meeting and if he attends shall have an opportunity of explaining the motion.

### **2. Variation and Revocation of Standing Orders**

Any motion to add to, vary or revoke these Standing Orders shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Authority.

### **3. Suspension of Standing Orders**

Any one or more of these Standing Orders may be suspended at any meeting of the Authority so far as regards any business at such meeting, provided that at least three quarters of the members of the Authority present and voting shall so decide.

### **4. Interpretation**

4.1 The ruling of the Chair as to the construction or application of any of these Standing Orders, or as to any proceedings of the Authority, shall not be challenged at any meeting of the Authority.

4.2 Throughout these Standing Orders if not inconsistent with the context the following terms shall have the meanings hereinafter assigned to them:-

"Authority" means the Combined Fire and Rescue Authority of the County of Durham and Darlington

"Chair" means the Chair of a meeting of the Authority or of a committee thereof for the time being

"Clerk" means the Clerk and Monitoring Officer of the Authority

"Chief Fire Officer" means the Chief Fire Officer of the Combined Fire and Rescue Service.

"Committee" means a committee appointed by the Authority

"Treasurer" means the Treasurer of the Authority

"Standing Orders" means the Standing Orders of the Authority

"Financial Regulations" means the Regulations made to control the finances of the Authority

"Members Code of Conduct" is the Code of Conduct appended to the standing orders and headed appendix one.

- 4.3 The Interpretation Act, 1978 shall, save where the context otherwise requires, apply to these Standing Orders as it applies to the interpretation of an Act of Parliament.

## **SECTION 11**

### **CONTRACT PROCEDURE RULES**

#### **1. What are Contract Procedure Rules?**

The Contract Procedure Rules (CPR) provide the framework for procurement activity, setting out how contracts for goods, works, services and utilities should be put in place and managed, and detailing the record keeping and reporting requirements relating to procurement activity.

The Contract Procedure Rules should not be seen in isolation, but rather as part of the overall regulatory framework as set out in this Constitution. Any specific advice in relation to procurement matters that is not covered by these rules should be sought from the Treasurer.

#### **2. Basic Principles**

All procurement procedures must:

- Realise value for money by achieving the optimum combination of whole life costs and quality of outcome
- Be consistent with the highest standards of integrity
- Operate in a transparent manner
- Ensure fairness in allocating public contracts
- Comply with all legal requirements
- Support all relevant priorities and policies of the Authority, including the medium term financial plan
- Comply with the Authority's procurement strategy

#### **3. Officer Responsibilities**

Officers will comply with these CPR's, the Constitution and with all UK and EU legal requirements. Officers must ensure that any agents, consultants and contractual partners acting on their behalf also comply. Officers will:

- Have regard to the Procurement Strategy
- Keep appropriate records of procurement processes and decisions
- Take all necessary procurement, legal, financial and professional advice, taking into account the requirements of these CPR's.
- Prior to letting a contract on behalf of the Authority, check whether:
  - An appropriate contract is already in place
  - An appropriate national, regional or other collaborative contract is already in place

Where the Authority already has an appropriate contract in place, then this must be used unless it can be established that the contract does not fully meet the Authority's specific requirements in this particular case, and this is agreed following consultation with the Treasurer.

Where an appropriate national, regional or collaborative contract is available, consideration should be given to using this provided the contract offers value for money.

- Ensure that when any employee, either of the Authority or of a service provider, may be affected by any transfer arrangement, then any Transfer of Undertaking (Protection of Employment) (TUPE) issues are considered and legal and HR advice is obtained prior to proceeding with the procurement exercise.

Failure to comply with any of the provisions of these CPRs, the Constitution or UK or EU legal requirements may be brought to the attention of the Monitoring Officer or Treasurer as appropriate. Depending on the nature of non-compliance this may result in disciplinary action being taken.

#### **4. Quotations, Tenders, Variations and Exemptions**

In accordance with Public Contracts Regulations (2015) all procurement in excess of £25,000 will be advertised via Contracts Finder in addition to the notes below.

For service or call off contracts the estimated contract value is determined using a minimum of four years aggregate expenditure.

4.1 The following rules must be followed when seeking quotations:

- if the estimated contract value exceeds £50,000, no contract shall be made unless an invitation to tender has been issued via the e-procurement portal, to at least three persons, firms or companies.
- If the estimated contract value exceeds £25,000 but is less than £50,000 no contract shall be made unless at least 3 written quotations have been sought via the e-procurement portal.
- if the estimated contract value exceeds £5,000 but is less than £25,000, no contract shall be made unless at least 3 written quotations have been sought.
- if the estimated value exceeds £250 but is less than £5,000, no contract shall be made unless at least one written quotation has been sought.

4.2 All contracts which come within the limits of the European Procurement rules shall be advertised in the Official Journal of the European Union and the procedures for the award of such contracts shall be in accordance with the relevant EEC Directive.

4.3 Subject to (2) above.



- (a) In the case of a contract for the supply of goods or materials of a specialised nature or the execution of work of a specialised nature the Chief Fire Officer may in consultation with the Chair of the Authority invite tenders or quotations from 2 or more persons, firms or companies usually engaged in the performance of contracts of a similar nature to that proposed.
- (b) If it appears to the Chief Fire Officer that there is only one possible contractor or supplier in respect of any contract he or she may in consultation with the Chair of the Authority invite and accept a tender or quotation from a single person, firm or company. Appropriate documentation recording and evidencing the decision must be completed and retained in these cases.

4.4 Any public notice or written invitation to tender shall describe the nature and purpose of the proposed contract, invite tenders for its execution, and either the public notice or written invitation or a subsequent written communication to tenderers shall state the last date when tenders will be received.

- (a) The tender limits referred to above should be regarded as the minimum requirement and in those instances where only one written quotation is received further evidence of alternative prices should be documented in order to demonstrate that value for money has been pursued.

## **5. Acceptance of Tender or Quotation**

Acceptance of tenders and quotations is delegated to the Treasurer who may authorise budget holders or finance officers to accept tenders or quotations on their behalf.

## **6. Variations and Exemptions**

Except where the Public Contracts Regulations (2015) apply, the Chief Fire Officer has the power to waive any requirements within these CPRs for specific projects.

Where proceeding under a Variation does not breach the Public Contract Regulations (2015), these rules may be waived or varied where the circumstances are certified by the Treasurer as meeting any of the following criteria:

- (a) With an organisation already engaged by the Authority for a similar and related procurement and where there is significant benefit to extending the contract to cover this additional requirement, without exposing the Authority to unacceptable risk
- (b) Involving cases of genuine, unforeseen urgency, where it is not possible to comply with the CPRs

- (c) In relation to time limited grant funding from an external body, where the time limitations will not allow a competitive procurement process to be completed and where the grant conditions allow this
- (d) Where relevant UK or EU legislation not otherwise referred to in these CPRs prevents the usual procurement process from being followed

A variation form must be completed by the appropriate officer and approved by the Treasurer. All variations will be held by the Finance Officer and a summary of all variations will be maintained.

Where a variation is applied for by the Finance Officer, it must be scrutinised by Internal Audit to ensure the robustness of the procedure.

These CPR's do not apply to contracts:

- which are procured on the Authority's behalf
  - Through collaboration with other fire authorities, local authorities or other public bodies, where a competitive process which complies with the CPR's of the leading organisation has been carried out.
  - By a National, Sub National or Regional contracting authority where the process followed is in line with the Public Contracts Regulations (2015) (e.g. NEPO, a Pro 5 organisation or Government Procurement Service, although this list is not exhaustive)
  - Under the terms of a Strategic Partnership approved by the Authority.
- to cover urgent operational needs, if in the opinion of the

Chief Fire Officer it is considered to be in the Authority's interests or necessary to meet the Authority's obligations under relevant legislation. Use of this exemption must be followed up with a Procurement Acceptance Report available from the Finance Officer.

## **7. Relevant Contracts**

All Relevant Contracts must comply with these CPRs. A Relevant Contract is any arrangement made by, or on behalf of, the Authority for the carrying out of works, supplies or services.

Relevant Contracts do not include:

- Contracts of employment which make an individual a direct

Employee of the Authority

- Agreements regarding the acquisition, disposal or transfer of land

- The payment of grants to third parties

## **8. Framework Agreements**

Framework agreements are agreements between the Authority with one or more contracting authorities and suppliers for the provision of goods, works or services on agreed terms for a specific period, for estimated quantities against which orders may be placed if and when required during the contract period.

The term of a Framework Agreement must not exceed four years except in exceptional circumstances duly justified in particular by the subject matter of the framework agreement.

Where frameworks are awarded to several organisations, contracts based on Framework Agreements may be awarded in one of two ways, as follows:

- Where the terms of the agreement are sufficiently precise to cover the particular call-off, by applying the terms laid down in the Framework Agreement without re-opening competition.
- Where the terms laid down in the Framework Agreement are not precise or complete enough for the particular call-off, by holding a further competition in accordance with the following procedure:
  - Inviting organisations within the Framework Agreement, that are capable of executing the subject of the contract, to submit bids within an appropriate time
  - Awarding each contract to the bidding organisation who has submitted the best bid on the basis of the relevant Award Criteria set out in the Framework Agreement.

## **9. Competition Requirements**

Officers must establish the total value of the procurement including whole life costs incorporating any potential extension periods which may be awarded. Based on this value, quotations or tenders must then be invited, and appropriately advertised, in line with the financial thresholds that are in place as per 4 above.

## **10. Negotiation with a Single Supplier (below OJEU)**

In exceptional circumstances, a contract which will not exceed the relevant OJEU threshold may be awarded without a competitive procurement, via direct negotiation with a single supplier, following a process similar to the EU Negotiated Procedure.

Such award may only be made in the following circumstances:

- (a) For the purchase of goods which are patented or have special technical characteristics that they may be considered unique, and where these goods are only available from one supplier.
- (b) For the execution of works or services involving unique, highly specialist knowledge or skills and where it can be demonstrated that only one organisation possesses the required knowledge or skills.
- (c) For the execution of works or services, where there is considerable benefit to the Authority in negotiating with a particular proposed supplier and where this does not expose the Authority to unacceptable risk.

The use of this process may be invalidated by prior negotiation or discussion (of any kind) with a proposed supplier, without the involvement of the Finance Officer, where such negotiation may distort or restrict the potential market or otherwise prejudice the Authority's position. The Treasurer reserves the right to refuse the award of a contract via this process where such unauthorised negotiation has taken place. All awards under a negotiation with single supplier must be authorised in writing by the Treasurer.

## **11. Evaluation Criteria**

In any procurement exercise the successful bid should:

- Offer the lowest price, or
- Offer the most economically advantageous balance between quality and price

In the latter case, the Authority will use criteria linked to the subject matter of the contract to determine that an offer is the most economically advantageous, for example, price, quality, technical merit, aesthetic and functional characteristics, environmental characteristics, running costs, cost effectiveness, after-sales service, technical assistance, delivery date, delivery period and period of completion.

Issues that are important to the Authority in terms of meeting its corporate objectives can be used to evaluate bids. The criteria can include, for example, sustainability considerations, support for the local economy or the use of sub-contractors. The bidding organisation's approaches to continuous improvement and setting targets for service improvement or future savings could also be included. All criteria must relate to the subject matter of the contract, be in line with the Authority's corporate objectives and must be objectively quantifiable and non-discriminatory.

These criteria should be assessed through either:

- Essential Criteria – assessed on a pass/fail basis, or
- Technical Questions – assessed on a scored basis

The procurement documentation should clearly explain the basis of the decision to bidding organisations, making clear how the evaluation criteria specified in the process will be applied, the overall weightings to be attached to each of the high level criteria, how the high level criteria are divided into any sub criteria and the weightings attached to each of those sub criteria.

## **12. Evaluation Panel**

Officers should establish an evaluation panel for the assessment of any Technical Questions at shortlisting and/or Invitation to Tender stages. Each element of the evaluation may have its own panel, provided that all of the responses to each Technical Question are evaluated by the same panel members.

The panel should have at least two members of staff. The Finance Officer should act as a moderator and may also take part in the evaluation.

## **13. Standards**

Relevant British, EU and International standards which apply to the subject matter of the contract and which are necessary to properly describe the required quality must be included with the contract.

## **14. Invitation to Tender / Request for Quotation**

Invitations to tender and quotation requests must be issued in accordance with the requirements of these CPRs. Officers must ensure they are familiar with and adhere to the minimum current threshold values. Above the single quotation threshold of £5,000, all invitations to tender, requests for quotation and quick quotes should wherever possible be issued via the Authority's eprocurement system.

## **15. Shortlisting**

Any shortlisting (ie SQ) must have regard to the economic, financial and technical standards relevant to the contract and Evaluation Criteria. Specific rules apply to public sector contracts covered by the Public Contracts Regulations (2015). Officers should refer to any further guidance from the Finance Officer.

## **16. Tenders**

Bidding organisations must be given an adequate period in which to prepare and submit a proper quotation or tender, consistent with the complexity of the contract requirements. Where the Public Contract Regulations (2015) apply, Chapter 2 of the Regulations lays down specific minimum time periods for tenders.

Tenders submitted electronically will be opened by the Finance Officer or their representative(s). Where tenders are submitted electronically they cannot be opened until the agreed tender opening date and time has been

reached. The e-procurement system maintains a full audit trail of all tenders submitted.

## **17. Quotations**

An audit trail of quotations will automatically be maintained within the eprocurement system, where written quotations have been sort an audit trail must be maintained by the officer seeking the quotations and all quotations provided to the Finance Team as part of the ordering process.

## **18. Clarification Procedures**

The Authority can ask bidding organisations for clarification of any details submitted as part of their bid. However, any such clarification must not involve changes to the basic features of the bidding organisations submission. All clarification discussions must be fully documented as part of the procurement process.

## **19. Evaluation**

The evaluation of bids must be conducted in accordance with the evaluation criteria set out in the procurement documents provided to bidding organisations, and in line with any guidance available from the Finance Officer.

## **20. Award of Contract**

The Authority is required to notify successful and unsuccessful bidders of the outcome of a procurement process, in writing, in as timely a fashion as possible.

Where procurement has been subject to the Public Contract Regulations (2015), the Alcatel Standstill (a 10 day standstill period before a contract can be awarded to allow unsuccessful bidding organisations an opportunity to challenge the proposed contract award) will need to be included in the procurement timetable before the contract can be awarded. Full information regarding the Alcatel Standstill can be obtained from the Finance Officer.

## **21. Feedback**

Feedback will be given to all organisations completing the process. Information will be relevant to the size of the contract and issued by the Finance Officer.

## **22. Format of Contract Documents**

The Finance Officer will assist in supplying the Authority's procurement documents or conditions issued by a relevant professional body will be used. Where there is any deviation from these, the documents to be used must be reviewed by the Authority's legal advisor before being issued by the Finance Officer.

## **23. Contract Signature**

Contract agreement must:

- (a) Where the contract is in the form of a deed, be made under the Authority's seal and attested as required by the Constitution, or:
- (b) Where the contract is in the form of an agreement there will be:
  - (i) the issue of a formal letter followed by
  - (ii) the issue of a contract signed by an appropriate senior officer/budget holder in conjunction with the Finance Officer

## **24. Review of Tenders and Contracts**

To ensure the integrity of the procurement process as determined by the Finance Officer,

- All proposed invitations to tender or requests for quotation that are not in compliance with the contract documentation or standard terms and conditions issued by a relevant professional body, will be reviewed by the Authority's legal advisors.
- Any proposed Invitations to Tender which are subject to the Public Contract Regulations (2015), or which are deemed to be of high risk, must be reviewed by the Authority's legal advisors
- Any proposed contract where there is any deviation from the contract terms in the invitation to tender must be reviewed by the Authority's legal advisors

## **25. Records**

The Public Contract Regulations (2015) require contracting authorities to maintain the following comprehensive records of procurement activities:

- Contract details including value
- Selection procedure
- Justification for use of the selected procedure
- Names of bidding organisations, both successful and unsuccessful
- Reasons for selection
- Reasons for abandoning a procedure

Prior to the contract being formally awarded, and prior to any bidding organisations(s) being notified, the result of any competitive procurement process must be recorded by the Finance officer.

The Finance Officer will submit notifications and then formally award the contract.

Following the signature of the contract documents, Finance officer will ensure a copy of the signed contract particulars is retained for future reference and audit purposes.

## **26. Prevention of Corruption**

Rules and regulations pertaining to the prevention of corruption are outlined in the Authority's Financial Regulations (Section 13) and must be adhered to.

## **27. Declaration of Interests**

Rules and regulations pertaining to the declaration of interests are outlined in the Code of Conduct for Employees (paragraphs 9 & 15) and must be adhered to.

## **28. Contract Management / Monitoring**

All contracts must have an appointed contract manager for the duration of the contract. The Contract Manager is determined by the senior officer named at 23 (b) (ii).

Contract management, monitoring, evaluation and review must be undertaken in line with advice from the Finance Officer.

## **29. External Body Grant Funding**

Where a procurement process is funded, in whole or part, by grant funding which has been awarded to the Authority by an external funding body, officers must ensure that any rules or grant conditions imposed by the funding body are adhered to, in addition to the requirements of these CPR's. Where there is any conflict between these CPR's and the rules or conditions imposed by the funding body, the stricter requirement should be followed. Where there is any doubt over which requirement should be followed, the guidance should be sought from the Treasurer in the first instance.

## **30. Review and Amendment of Contract Procedure Rules**

These Contract Procedure Rules will be reviewed and updated as required to reflect changes to procedures or legislation.

## **31. Land and Buildings**

The Chief Fire Officer has delegated powers to purchase and sell small parcels of land not exceeding £50,000. For purchase of land outside of delegated powers, no contract for the purchase or sale of land and/or



buildings shall be entered into until a report thereon has been considered by the Authority and the advice of the Authority's legal, financial, professional and technical advisers has been obtained.

## SECTION 12

### CODE OF CONDUCT FOR MEMBERS

Members and co-opted Members of County Durham and Darlington Combined Fire Authority ("the Authority") are expected to undertake their duties as follows:

1. Represent the community and work constructively with employees and partner organisations to ensure the area is a safer place to live, work and visit.
2. Behave in a manner that is consistent with the following principles to achieve best value for residents and maintain public confidence in the Authority:
  - a. **Selflessness:** act solely in terms of the public interest and not act in such a way as to gain financial or other material benefits for themselves, their family or friends.
  - b. **Integrity:** not placing themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
  - c. **Objectivity:** make choices on merit, in carrying out public business, including when making public appointments, awarding contracts, or recommending individuals for rewards and benefits.
  - d. **Accountability:** be accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
  - e. **Openness:** be as open as possible about all the decisions and actions they take, and give reasons for decisions and restrict information only when the wider public interest or the law clearly demands.
  - f. **Honesty:** declare any private interests relating to their public duties and take steps to resolve any conflicts arising in a way that protects the public interest.
  - g. **Leadership:** promote and support these principles by leadership and example.
3. Act in accordance with the principles in paragraph 2 and, in particular:
  - (a) Champion the needs of residents - the whole community and all constituents, including those who did not vote for them - and put the public interest first.
  - (b) Deal with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
  - (c) Not allow other pressures, including the financial interests of themselves or others connected to them, to deter them from pursuing the interests of the Authority or the good governance of the Durham and Darlington Fire and Rescue Service in a proper manner.

- (d) Exercise independent judgement and not compromise their position by placing themselves under obligations to outside individuals or organisations who might seek to influence the way they perform their duties as a Member / Co-opted Member of the Authority.
- (e) Listen to the interests of all parties, including relevant advice from statutory and other professional officers, take all relevant information into consideration, remain objective and make decisions on merit.
- (f) Be accountable for decisions and cooperate when scrutinised internally and externally, including by local residents.
- (g) Contribute to making the Authority's decision-making processes as open and transparent as possible to ensure residents understand the reasoning behind those decisions and are informed when holding the Authority to account but restricting access to information when the wider public interest or the law requires it.
- (h) Behave in accordance with all legal obligations, alongside any requirements contained within the Authority's policies, protocols and procedures, including on the use of the Authority's resources.
- (i) Value colleagues and staff and engage with them in an appropriate manner and one that underpins the mutual respect that is essential to good local government.
- (j) Always treat people with respect, including the organisations and public they engage with and work alongside.
- (k) Provide leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this Authority.
- (l) 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, without express authority and/or unless the law requires it.

#### **4. Gifts and Hospitality**

- 4.1 Members must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50 which they have been offered as a member from any person or body other than the Authority, whether the offer is accepted or declined.

- 4.2 The Monitoring Officer will place any notification received under paragraph 4.1 on a public register of gifts and hospitality.
- 4.3 The duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality has been approved by the Authority for this purpose.

## 5. **Register of Interests**

### 5.1 Members must:

(a) register and, where appropriate, disclose those disclosable pecuniary interests that they are obliged to declare under the Localism Act and associated regulations; and

(b) register details of their membership of any organisation or body whose rules or requirements of membership could be regarded as suggesting a degree of loyalty to that organisation or body. This could arise by reason of an organisation having an obligation of secrecy about its rules, its membership or conduct and/or a commitment of allegiance or support to that organisation or body. Such organisations or bodies may or may not be charitable concerns and they may also have a local, regional, national or international aspect; and

(c) register details of my membership of any trade union within the meaning of Section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992.

5.2 Registration of interests shall be completed by provision of details upon a signed prescribed form which is submitted to the Monitoring Officer at Durham County Council. Members must ensure they keep the register updated and acknowledge that its contents will be published on the Authority's website and will be open to the public to inspect.

## 6. **Disclosable Pecuniary Interests Entered on the Register**

6.1 If Members are present at a meeting of the Authority and

(a) they are aware that they have a disclosable pecuniary interest under paragraph 5.1(a) above in any matter to be considered or being considered at the meeting: and

(b) the interest is entered in the Authority's register

they may not participate in any discussion or further discussion of an item of business or in any vote or further vote taken on that item which affects or relates to the subject matter in which they have such an interest; and they will leave the room where the meeting is held while any discussion or voting takes place.

## 7. Disclosable Pecuniary Interests NOT Entered on the Register

7.1 If Members are present at a meeting of the Authority and

(a) aware that they have a disclosable pecuniary interest under paragraph 5.1(a) above in any matter to be considered or being considered at the meeting; **and**

(b) the interest is not entered in the Authority's register,

they must disclose the interest to the meeting. Furthermore, they may not participate or further participate in any discussion of the matter at the meeting or participate in any vote or further vote taken on the matter at the meeting and will leave the room where the meeting is held while any discussion or voting takes place.

7.2 If an interest referred to in 7.1 above is not entered on the Authority's register and is not the subject of a pending registration, Members must notify the Authority's Monitoring Officer of the interest within 28 days of the date of the disclosure.

7.3 Members with the power to discharge an Authority function acting alone will have a disclosable pecuniary interest in any matter to be dealt with or being dealt with by them in the course of discharging that function:

(a) they may not take any steps, or any further steps, in relation to the matter (except for the purpose of enabling the matter to be dealt with otherwise than by them); **and**

(b) If the interest is not entered on the Council's register and is not the subject of a pending registration, they must notify the Authority's Monitoring Officer of the interest within 28 days of becoming aware of the interest.

## 8. Other Relevant Interests

8.1 Members may have an Other Relevant Interest (which is not a disclosable pecuniary interest) in any matter to be considered or being considered at the meeting) where:

(a) a decision in relation to that matter might reasonably be regarded as affecting the well-being or financial standing of them or a member of their family or a person with whom they have a close association, or an organisation or body under paragraph 5.1(b) or 5.1(c) above, to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which they have been elected or otherwise of the authority's administrative area; **and**

(b) the interest is one that a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice their judgement of the public interest.

8.2 Members with an Other Relevant Interest as described in 8.1. above,—

(a) must make a verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent; **and**

(b) must not participate in any discussion or further discussion of an item of business or in any vote or further vote taken on that item which affects or relates to the subject matter in which they have an Other Relevant Interest at any meeting at which they are present and will leave the room where the meeting is held while any discussion or voting takes place.

## **SECTION 13**

### **FINANCIAL REGULATIONS**

#### **1. Background and Control Framework**

- 1.1 Financial regulations form part of the financial control framework which governs the relationship between the Fire Authority and its staff in relation to financial matters.
- 1.2 The financial control framework comprises the following documents
- Fire Authority Standing Orders
  - Fire Authority Financial Regulations
- 1.3 The Financial Regulations are a component part of the financial control framework, and as such should be referred to in conjunction with the Authority Standing Orders.
- 1.4 The Financial Regulations control the way in which the Authority manages and safeguards its assets and apply to all aspects of Fire Authority business.
- 1.5 Various committees assist the work of the Combined Fire Authority.
- The Appeals Committee
  - The Finance Committee
  - The Audit and Risk Committee
  - The Performance Committee

#### **Responsibilities**

- 1.6 It is the responsibility of each Brigade Manager to ensure compliance with the Financial Regulations.
- 1.7 Failure to observe the Financial Regulations may result in action under the Authority's disciplinary procedure.

#### **Interpretation**

- 1.8 In these regulations, a 'Brigade Manager' is defined as an officer responsible for the control of a specific service area, including overall control of the Service. This includes

Chief Fire Officer  
Assistant Chief Fire Officer  
Treasurer  
Area Managers

## **Best Value**

- 1.9 Nothing in these Financial Regulations shall hinder the progress of Best Value and the achievement of value for money. These Financial Regulations are designed to assist those with financial responsibilities to demonstrate best value through financial probity and sound financial controls.

## **Brigade Managers**

- 1.10 The Assistant Chief Fire Officers and the Treasurer are accountable to the Chief Fire Officer for the financial management of their respective department.
- 1.11 Each Brigade Manager is responsible for ensuring that appropriate consultation takes place before submitting policy options to The Service Management / Leadership Team or recommendations to Members of the Fire Authority.
- 1.12 The Treasurer to the Authority must be consulted prior to finalising any report for Members or the public which has budgetary implications or which contains financial implications on which policy decisions are to be based.
- 1.13 Each Brigade Manager must ensure that the activities for which they are responsible are operated in an economic, efficient and effective manner, in accordance with all approved regulations.
- 1.14 Reports can only be submitted as joint reports of the Chief Fire Officer and Treasurer if the Treasurer has agreed the financial aspects of the report. The Chief Fire Officer and Treasurer must agree the content of joint reports prior to their submission to the Fire Authority.
- 1.15 Each Brigade Manager is responsible to the Authority for ensuring that all aspects of the financial control framework are applied consistently and observed by departmental staff.

## **Treasurer**

- 1.16 The Treasurer has responsibilities that must be discharged under the following Acts and Regulations
- Section 73 and 105(1) of the Local Government Act 1995
  - Section 112 and 114 of the 1988 Local Government Finance Act
  - The Accounts and Audit Regulations
- 1.17 The Treasurer is responsible for maintaining supervision of all income and expenditure and shall be the principal financial advisor to the Authority.



- 1.18 The Treasurer shall ensure that all financial and accounting records, and associated control systems, are maintained in accordance with proper practices and are kept up to date.
- 1.19 The Treasurer shall approve the installation, operation and renewal of all financial systems in conjunction with the Chief Fire Officer.

## **2. Organisation of Responsibility and Accountability**

- 2.1 Sound internal control and accountability for financial matters is best achieved by clear arrangements for delegation of powers and responsibilities and the separation of duties, with an effective system of monitoring, feedback and reporting.
- 2.2 The Treasurer is responsible for ensuring that adequate and effective systems of internal control are operated to ensure the accuracy, legitimacy and proper processing of transactions, and management of activities.
- 2.3 Each Brigade Manager should ensure that the duties, responsibilities and authorisations of each individual within their directorate are clearly defined in writing, and are understood by the appropriate members of staff.
- 2.4 In allocating responsibilities, the Treasurer should have regard to the desire to secure an adequate and effective level of internal control by allocating roles in a way that gives assurance that transactions will be properly processed and that errors will be detected promptly. Examples of such controls are:
- Internal Check (the checking of one person's work by another);
  - Separation of Duties (assigning key tasks within a process to different members of staff);
  - Systems Manuals (descriptions of how systems and individuals should operate);
  - Authorisation (certification that a transaction or event is acceptable for further processing);
  - Monitoring; scrutiny of exceptions and general supervision
- 2.5 The arrangements for delegation must clearly specify the limit(s) upon the authority delegated to each individual, and the circumstances in which a decision must not be taken but must be referred back to a higher management level.
- 2.6 With regard to those individuals who are authorised to sign on behalf of any Brigade Manager (e.g. for ordering and certification purposes), the Treasurer will identify these individuals as budget holders ensuring they are trained and have relevant access to the financial systems through which controls are maintained.

- 2.7 The process and levels of delegation will be monitored through the financial system itself and can be reviewed by the Treasurer at any time.

### **Internal Financial Controls**

- 2.8 It is the responsibility of the Treasurer to ensure that an adequate and effective system of internal controls is operated.
- 2.9 Each Brigade Manager shall ensure that financial control is maintained in the absence of key staff. Care should be taken when deploying staff to ensure that sensitive or valuable data or property is not vulnerable; especially when using casual or temporary staff.
- 2.10 A basic requirement is that all financial transactions must be traceable from the original documentation to the accounting records and vice versa.

### **Risk Management**

- 2.11 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.
- 2.12 The Authority is responsible for approving the risk management policy statement and strategy and for reviewing the effectiveness of risk management.
- 2.13 The Treasurer is responsible for preparing the Authority's risk management policy statement and for promoting it throughout the Service and for advising the Authority on proper insurance cover for material risks where appropriate.
- 2.14 The Service Leadership Team is responsible for reviewing strategic risks and reporting progress on the management of strategic risk to the Authority.
- 2.15 It is the responsibility of the Brigade Managers to ensure there are regular reviews of risk within their areas of responsibility having regard to advice from the Assets and Assurance Section and other specialist officers (e.g. crime prevention, fire prevention, health & safety)

## **3. Financial Management, Accounting and Financial Administration**

- 3.1 Good financial management is necessary to secure best value, control spending, achieve objectives on time and to ensure that decisionmaking is informed by accurate accounting information. Secure and

reliable records and systems are essential to process transactions and information and substantiate the use of public money.

## **General Principles**

- 3.2 Sound financial management is crucial to efficient and effective service delivery and decision making, and is achieved by addressing the following issues:
- a) service strategy and development
  - b) budget formulation
  - c) budgetary management and control
  - d) cost and output analysis
  - e) risk assessment and mitigation
  - f) project evaluation
  - g) income generation and collection
  - h) value for money and quality through best value service delivery
  - i) stock, debtor and other asset control.
- 3.3 The Treasurer is responsible for ensuring that proper arrangements are made for financial management and administration, and for day-to-day budgetary control within the Service. The Treasurer is responsible for all financial matters relating to the Service, including the preparing of monitoring statements during the year and reporting on year-end out-turns.
- 3.4 The authority has a number of policies in place to ensure the sound management of the organisation. These include the Anti-Fraud, AntiBribery and Anti-Corruption Policy (Section 18 Constitution) and the Whistle-blowing Procedure (AD2-43).

These policies will form part of the information issued to all employees and are to be read in conjunction with these financial regulations.

## **Financial Administration**

- 3.5 The processing of data and provision of information shall be controlled using strict timetables, agreed with the Treasurer. These timetables provide a framework that must be strictly adhered to by Brigade Managers. Activities subject to such deadlines will include:
- a) budget preparation
  - b) final accounts preparation
  - c) budget monitoring reports
  - d) preparation of interim / final accounts
  - e) grant claims
  - f) statistical data (including national performance indicators)
  - g) payment systems such as payroll and creditors

## **Accounting Regulations**

- 3.6 Accounting Regulations shall be subject to, and shall not in any way conflict with the Financial Framework, including Financial Regulations.

## **Accounting Systems**

- 3.7 Service expenditure and income is part of the overall accounts of the Authority, and all accounting procedures, systems, records and accounts will be determined by, or be subject to the approval of the Treasurer .
- 3.8 The Treasurer shall ensure that the financial data held within the computerised accounting and budgetary control systems is maintained accurately and reliably and updated in accordance with agreed timescales and deadlines. The Treasurer will also ensure that each Brigade Manager and staff are provided with appropriate access to this information or with such computerised reports as may be agreed.
- 3.9 The Treasurer is responsible for ensuring that any financial systems to be operated in a service area interface reliably and satisfactorily with any central systems operated by the Authority.
- 3.10 The Treasurer is responsible for ensuring that staff are properly trained to use local or central financial systems as necessary to perform their roles effectively. This includes ensuring that there are adequate and up-to-date written descriptions in place for all financial systems and procedures.
- 3.11 The Treasurer shall determine the timetable and process for achieving closure of the Authority's accounts for each financial year.

## **Retention of Financial Records and Documents**

- 3.12 Financial records, vouchers and documents may only be disposed of in accordance with the service's record management, retention and disposal guide, held by Finance. On disposing of items, appropriate arrangements should be made to ensure confidentiality.

## **4. Budgetary Processes**

- 4.1 Budgetary control is a continuous process involving the review of spending and adjustment of financial targets during each year. Responsibility for budgetary control places accountability over budget holders.

### **Revenue Budget**

- 4.2 The revenue budget is an estimate of the annual income and expenditure requirements of the Authority and thereby sets out the financial implications of the Authority's current policies. Once approved by the Fire Authority it gives the Chief Fire Officer the power to incur expenditure and also provides a basis on which the financial performance of the Fire Authority can be monitored. These Regulations provide a comprehensive framework for the preparation and monitoring of the revenue budget against these criteria.

### **Budget Preparation**

- 4.3 The Chief Fire Officer is responsible for ensuring that a revenue budget is prepared on an annual basis.
- 4.4 The Chief Fire Officer shall prepare a draft Revenue Budget for the next financial year, in consultation with the Treasurer, for submission to the Fire Authority in such time as to allow the council tax precept to be advised to collecting Authorities.
- 4.5 The Treasurer and Chief Fire Officer shall specify the format of the revenue budget and the timing of reports relating to it, subject to any overriding requirements of the Fire Authority. In practice the overall revenue budget will comprise a number of specific functional budgets which the Authority and/or Chief Fire Officer have identified as appropriate to the financial management arrangements of the Fire Authority.
- 4.6 Any draft revenue budget(s) presented to the Fire Authority shall be accompanied by a joint report from the Chief Fire Officer and the Treasurer which shall specify any variations relative to existing budgets and policies together with any implications for future financial years.
- 4.7 The Chief Fire Officer shall define budgetary control policy and ensure it is enforced including identifying responsible budget holders and the limits of their budgetary authority in relation to the approved revenue budget.

## **Expenditure against the Budget**

- 4.8 Expenditure may be incurred within the revenue budget approved by the Fire Authority in pursuit of the aims for which the budget has been established.
- 4.9 If any proposed change in policy is likely to affect the budget, a report to the Fire Authority shall be prepared setting out clearly the full financial implications of the proposal and seeking approval to a variation in the budget.

## **Monitoring the Revenue Budget**

- 4.10 Throughout the financial year each budget holder shall monitor expenditure and income against those specific budgets for which they are responsible. Where an officer orders goods or services which are to be charged against the budget(s) managed by another officer they will be required to gain the consent of that other officer before committing any expenditure against that budget.
- 4.11 The Treasurer shall advise the Chief Fire Officer on measures to assist budget holders fulfil their financial responsibilities.
- 4.12 Budget holders shall supply the Chief Fire Officer with sufficient information as and when required to enable accurate budget profiling and/or financial projections to be undertaken. This information shall be available to the Treasurer.
- 4.13 Budget monitoring statements including a forecast for the full financial year shall be submitted as a joint report by the Chief Fire Officer and the Treasurer to the Finance Committee on a regular basis.
- 4.14 If it appears that net expenditure will be in excess of the approved revenue budget and that excess cannot be financed by virement the Chief Fire Officer shall, following consultation with the Treasurer report the matter to the Fire Authority at the earliest convenience. If expenditure in excess of the approved budget is incurred due to an emergency, this expenditure must be reported to the Treasurer and the Chair of the Finance Committee as soon as practicable and to the Fire Authority as soon as possible thereafter.

## **Virement**

- 4.15 Virement is the transfer of budget provision between individually defined budget headings. It is a necessary facility to assist the effective management of budgets. When the Fire Authority sets its overall revenue budget for a given financial year it will effectively approve a series of specific functional budgets.

For the purpose of defining authorisation required for virement to take place budgets will be referred to as:

Objective budgets deal with a specific function subjective budgets deal with a certain type of expenditure/ income within a specific functional budget.

- 4.16 The Chief Fire Officer shall ensure that virement is undertaken as necessary to maintain the accuracy of the budget monitoring process and inform the Treasurer, in writing, as soon as possible that such virements have taken place.
- 4.17 The approval of the Fire Authority shall be required if the proposed virement includes one or more of the following:
- a) a change in policy
  - b) an addition to recurring commitments in future financial years
  - c) where the resources to be transferred were originally capital financing related
  - d) if required by the Treasurer.
- 4.18 The Treasurer may approve any virement where the additional expenditure is directly related to and is fully offset by fees, income or other contributions from another authority or separate organisation.
- 4.19 The approval of the Fire Authority will be required for any virement proposed between the Revenue Budget and the Capital Programme.
- 4.20 The amounts approved by the Fire Authority under the objective and subjective headings of the annual revenue budget shall not be diverted to any other purpose without the prior approval of the Authority except that:
- The Treasurer shall have delegated powers to vire amounts of up to £20,000; and the Executive (Brigade Managers) and Treasurer acting jointly, shall have delegated powers to vire amounts of up to £250,000. These powers shall not apply if any of the criteria at 4.17. are met.

## **Outturn**

- 4.21 The Treasurer in consultation with the Chief Fire Officer shall report to the Finance Committee on the outturn of expenditure and income as soon as possible after the end of the financial year.
- 4.22 The Treasurer shall be responsible for the completion and submission of any revenue claim forms to the relevant organisation and, if necessary, the External Auditor in accordance with any guidelines applicable to the claim in question.

## **Use of Reserves**

- 4.23 The Treasurer is responsible for advising the Authority on the levels of reserves. The advice will be based upon an annual risk assessment of the prudent levels of reserves the Authority should maintain.
- 4.24 The Treasurer will manage the Authority's reserves in accordance with decisions taken by the Authority.

## **5. Capital Programme**

- 5.1 Capital expenditure is an important element in the development of the Fire Authority's services as it represents a major investment in new and improved assets. These Regulations provide a comprehensive framework for the preparation and appraisal of schemes proposed for inclusion in the Capital Programme to provide appropriate authorisations for individual schemes to proceed, and to allow the overall management of the Capital Programme within defined parameters.

### **Capital Programme Preparation**

- 5.2 The Chief Fire Officer shall prepare a draft Capital Programme in consultation with the Treasurer for submission to the Fire Authority.
- 5.3 The Treasurer and Chief Fire Officer shall determine the format of the Capital Programme and the timing of reports relating to it, subject to any overriding requirements of the Fire Authority.
- 5.4 The Capital Programme shall identify actual expenditure on approved schemes in the current financial year (1) and proposed expenditure on schemes in the following three financial years.
- 5.5 Project appraisals shall be prepared by the Chief Fire Officer for all proposed schemes and shall be submitted to the Fire Authority for approval before the inclusion of any schemes in the Capital Programme.

### **Expenditure against the Programme**

- 5.6 Capital expenditure includes the following:
- a) the acquisition of lands, buildings, furniture, equipment, plant and vehicles
  - b) the construction of new buildings or improvements to existing buildings
  - c) internal or external professional fees on the above



- d) grants and advances for a capital purpose
  - e) property leases for more than 10 years duration or which give rise to a capital charge
- 5.7 Other expenditure may be brought within the definition of capital expenditure by Central Government regulations. The Treasurer will advise the Chief Fire Officer whenever any such changes arise.
- 5.8 Approval of the Capital Programme by the Fire Authority shall provide the Chief Fire Officer with:
- 1) Ratification for actual expenditure incurred on schemes contained in the approved Capital Programme for the current financial year.
  - 2) Authorisation to incur expenditure on each scheme listed providing that expenditure on a particular scheme does not exceed the sum contained in the approved Programme by more than 10%. This approval is subject to any additional expenditure on an individual scheme being met from within the Fire Authority's overall Capital Programme expenditure limit for that year.
  - 3) Authorisation to make arrangements necessary for site purchase, to seek planning permissions, to incur professional fees and preliminary expenses as appropriate. This approval is subject to any expenditure being met from the Fire Authority's predetermined capital expenditure limit for the year in which it is incurred.
- 5.9 Notwithstanding the authorisations detailed in Regulation 5.8. there may be circumstances in which a scheme requires expenditure to be committed well in advance of the year in which the actual costs will be incurred. In these circumstances the specific approval of the Fire Authority will be required before any expenditure can be confirmed.
- 5.10 The approval of the Fire Authority is required if:
- a) any increase/decrease in the Fire Authority's previously approved Capital Expenditure Limit for that year is necessary as a result of either
    - (i) the cost variation on an individual scheme exceeding the parameters defined in 5.8.
    - (ii) the inclusion, deletion or material modification of any scheme.
  - b) the committed expenditure in later years of the Fire Authority's Capital Programme is increased for either of the reasons listed at (i) or (ii) above
  - c) the Treasurer determines it appropriate

d) in accordance with Regulation 4.19. there is a proposed virement between the Revenue Budget and the Capital Programme.

5.11 The Chief Fire Officer shall define budgetary control policy and ensure it is enforced including identifying responsible budget holders for each scheme and the limits of their budgetary responsibility in relation to the approved Capital Programme.

### **Leasing**

5.12 All vehicle, plant, furniture and equipment leasing must be negotiated in conjunction with the Treasurer. Provision for the acquisition of leased items must be included in the Capital Programme.

5.13 All property leases must be notified to the Treasurer before commitment is entered into so that revenue implications and any statutory requirements can be considered.

### **Monitoring the Capital Programme**

5.14 The Chief Fire Officer in consultation with the Treasurer shall monitor expenditure, on a scheme by scheme basis, throughout the year against the approved Capital Programme.

5.15 The Chief Fire Officer in consultation with the Treasurer shall report as appropriate to the Finance Committee on actual expenditure against the approved Capital Programme.

### **Outturn**

5.16 The Treasurer in consultation with the Chief Fire Officer shall report on the outturn of expenditure on individual schemes within the Capital Programme as soon as possible after the end of the financial year.

## **6. Corporate Planning and Performance**

6.1 The Strategic Planning and Performance Management Framework ensures that corporate processes are in place for planning services and managing risks and performance. In terms of Performance Management it ensures there is a thread which links strategy to delivery. It is integral to the way the Authority works and is a key part of our culture, evident at all levels of the organisation.

### **Strategic Planning**

6.2 Strategic planning in simple terms should help the Authority to decide:

- where it wants to be in the future;
- how it is going to get there,
- relevant milestones along the way (objectives and targets in the medium and longer term); and
- how it will know when it has arrived.

Being strategic means developing a direction and scope for the organisation over the longer term using its resources in the changing environment to maximum advantage in line with the stakeholders' expectations.

The Authority has an integrated approach to financial and service planning through its approach to Service Transformation. The Authority's Integrated Risk Management Plan (IRMP) is aligned to the Service Transformation process to ensure that financial resources are considered at all stages of the strategic planning process.

### **Corporate Planning**

- 6.3 Each Brigade Manager should endeavour to ensure that plans are aligned with the overall values, objectives and priorities of the Authority.
- 6.4 Plans should be consistent with and based upon the budget allocated by the Authority to the services involved, address any fundamental service review recommendations and comply with statutory requirements.
- 6.5 The Treasurer shall maintain on-going reliable and accurate management information systems to enable the regular monitoring of actual activity, achievements and performance against the Corporate Plan, and will initiate any necessary corrective action.

### **Performance Management**

- 6.6 Performance management is about culture (e.g. leadership and commitment) and the systems (e.g. processes to develop service plans) which an organisation puts in place to help it manage and continuously improve its performance. Performance management should be seen as the detailed 'checks' on progress' that sit within, or support, a formalised strategic planning framework.
- 6.7 Each Brigade Manager shall ensure that there is a clear link between the financial aspects within the service's Corporate Plan, and the collective and personal targets and performance standards required of managers and staff.
- 6.8 Each Brigade Manager shall submit monitoring information to the Chief Fire Officer as required.
- 6.9 Each Brigade Manager shall maintain accurate and reliable systems to produce performance indicator data as required internally and by external auditors.
- 6.10 Each Brigade Manager shall actively seek opportunities for improved performance and best value, and shall assist Internal and External

Audit, and the various external Inspectorates to perform studies and reviews as required.

## **7. Employee Costs**

- 7.1 Employee costs are the largest element of the Authority's expenditure. Reliable and timely information from managers is essential to ensure correct payment. Also, failure to apply taxation and National Insurance regulations correctly to all payments could result in significant financial penalties being incurred.
- 7.2 The Treasurer shall establish procedures for the management and administration of personnel and payroll matters.
- 7.3 The Treasurer is responsible for operating secure and reliable systems to process payroll and employee data and information provided by Brigade Managers to make payment on the due date.
- 7.4 The Treasurer is responsible for ensuring that adequate and effective systems and procedures are operated for personnel and payroll aspects, to ensure that:
- a) payments are only authorised to bona fide employees
  - b) payments are only made where there is a valid entitlement
  - c) conditions and Contracts of Employment are correctly applied
  - d) employee names listed on the payroll are checked at regular intervals to verify accuracy and completeness
  - e) national insurance numbers are recorded for all employees and pensioners
  - f) there is an effective system of checking and clarification of information submitted to the Treasurer for payment, whether in the form of amendments to computer records or written information
- 7.5 With regard to staff claims for travel and subsistence (including those which must be paid through the payroll system for taxation and national insurance purposes) the Brigade Managers are responsible for ensuring compliance of claims with the Authority's policy, and for arranging the most cost effective means of travel and subsistence.

## **8. Contracts, Agreements and Purchasing**

- 8.1 This section of the Financial Regulations sets out the general rules governing the purchase of goods and services. More detailed procedures may be issued as appropriate.
- 8.2 Goods and services may only be procured if there is approved budgetary provision to cover the costs.
- 8.3 The Chief Fire Officer is responsible for:

- a) the procurement of all goods and services
- b) ensuring that goods and services are received and are of the correct quality
- c) the certification of invoices in accordance with the arrangements established by the Treasurer.

- 8.4 Financial procedures, limits and authorisation levels relating to purchasing, quotations and tenders can be found in the Contract Procedure Rules of this Constitution, Section 11.
- 8.5 The Treasurer shall ensure that the responsibilities of individuals for ordering, checking, certifying and recording transactions against budget are clearly defined.
- 8.6 All officers and Members are required to declare any links or personal interests which they may have with suppliers and/or contractors if they are engaged in contractual or purchasing decisions on behalf of the Authority. It is important for everyone involved in spending public funds to demonstrate that they do not benefit personally from decisions that they make, and to avoid any situation which might be regarded as compromising objectivity and impartiality.
- 8.7 Before entering in to a purchasing commitment, the Officer responsible for authorising the order should first be satisfied that the goods or services are appropriate and needed and that there is adequate budgetary provision. Quotations and / or tenders should then be obtained and Executive approval sought where required by the Authority's procedures.
- 8.8 Official orders should never be used by individuals to obtain goods and services for their private use.

### **Routine Purchasing of Goods and Services**

- 8.9 Before making any purchase, each Brigade Manager shall consider any steps required to demonstrate that best value is being obtained for the Authority.
- 8.10 Each Brigade Manager shall be responsible for all orders or requisitions issued from his service area which are generated through via the service's financial system.

### **Contracts**

- 8.11 The Treasurer shall ensure that adequate and effective systems and procedures are operated for arranging and managing contracts and agreements.
- 8.12 Any contract or legal agreement involving a charge upon

- assets - will be signed by a finance representative and the relevant budget holder
  - property and legal – will be forwarded to the Clerk of the Authority for signature and seal.
- 8.13 The Treasurer is the only officer who shall, enter into any agreement of contract involving the borrowing of funds or credit, or invest Authority monies or authorise any direct debit to be charged against the Authority's bank accounts. A finance representative via the treasury management process shall on behalf of the Treasurer enter into any agreement of contract involving the borrowing of funds or credit or invest Authority monies or authorise any direct debit to be charged against the Authority's bank accounts.
- 8.14 Except as agreed by the Treasurer, no officer may raise money by securing a legal charge or claim upon the buildings, property or any other asset or interest of the Authority.
- 8.15 Every contract, agreement, award or undertaking involving payment or by the Authority shall be sent to the Finance Officer for inclusion in the Contracts Register as soon as possible after it's execution.
- 8.16 The Treasurer shall ensure that adequate and effective arrangements are operated to monitor performance by the contractor in relation to the contract specification, and that there is a formal procedure to control and authorise contract variations.
- 8.17 For all construction and alterations to buildings, the Estates Manager shall document and agree with the Treasurer, the systems and procedures to be adopted in relation to financial aspects, including certification of interim and final payments; the checking, recording and authorisation of payments; and the system for the monitoring and controlling of schemes.
- 8.18 The Estates Manager shall ensure that the Treasurer is notified of all contracts for building works for new premises and alterations or extensions to existing premises, so that insurance cover may be obtained or amended.

### **Payment of Accounts and Claims**

- 8.19 Goods and services shall be checked upon receipt to ensure they are in accordance with the order. Notification of acceptance should be sent to Finance or directly receipted into the financial system.
- 8.20 An authentic VAT invoice (not a statement), is required to process a payment. An electronic image of the invoice must be checked in terms of validity and arithmetic, coded and certified for payment by an authorised budget holder. Invoices should only be certified by individuals who are specifically authorised to perform this function. Consideration should be given to separation of duties e.g. more than

one individual involved in the process. If such arrangements are not practicable, specific written advice should be sought from Internal Audit.

- 8.21 Where passing a copy invoice is unavoidable, and a thorough check reveals that payment has not already been made, the copy invoice should be clearly marked 'certified not previously paid' and this endorsement approved as part of the process at 8.20 above.
- 8.22 Each Brigade Manager is responsible for ensuring that their staff are aware of their responsibilities in relation to the payment of invoices and associated VAT treatment.
- 8.23 Payments to contractors for building or constructional contracts shall be made in accordance with the construction industry scheme as appropriate if registered in the scheme.
- 8.24 Accounts on the completion of building and constructional works carried out by contractors shall be retained by the Estates Manager showing the contract or estimated price variations, total cost, amount paid to date and the balance remaining due.
- 8.25 The Treasurer holds overall responsibility for ensuring safe and efficient arrangements for all payments. He is entitled to request any information or explanations that he deems necessary to substantiate a transaction.
- 8.26 The Treasurer must also operate adequate and effective controls upon the ordering, checking and certification processes.
- 8.27 The Treasurer shall also keep under review possible methods of collecting data for payment purposes, and in this connection, may consider any improvement proposals made by Brigade Managers.

### **Corporate Credit Cards**

- 8.28 All applications for corporate credit cards must be approved by the Treasurer. The Treasurer will issue guidelines regarding the application process and for their controlled use. Card holders are personally responsible for the security of cards and for ensuring compliance with guidelines for their use.

### **Purchasing Cards**

- 8.29 The Service do not currently issue purchasing cards. All applications for purchasing cards must be approved by the Treasurer who will issue guidelines regarding the application process and for their controlled use.

## **Taxation**

- 8.30 The Treasurer is responsible for ensuring that appropriate advice and guidance is available on all tax issues that affect the Authority, having regard to guidance issued by appropriate bodies and legislation.
- 8.31 The Treasurer is responsible for maintain the Authority's tax records, making all payments, receiving tax credits and submitting tax returns by their due date as appropriate and complying with HMRC regulations.
- 8.32 Brigade Managers are responsible for compliance with all guidance issued by the Treasurer.

## **9. Assets, Security and Risk Management**

- 9.1 The Authority's assets have a significant value, which must be safeguarded.
- 9.2 Brigade Managers shall be responsible for ensuring that adequate and effective arrangements are operated for the care and custody of all Authority assets and property within their remit, and that use is properly authorised and controlled (including adequate and effective security measures to prevent loss, and procedures to minimise damage and vulnerability). The assets of the Authority include buildings, vehicles, furniture and equipment, computer systems, stocks and materials, money and investments; but also less obvious things such as data and information.
- 9.3 Maximum limits for cash holdings will be agreed with Internal Audit, and shall not be exceeded without prior authorisation.
- 9.4 The Treasurer is the only person authorised to lend and invest Authority resources. No officer may place Authority resources in any fund or account other than through pre-arranged treasury management processes.
- 9.5 In respect of all goods received into Technical Services Centre must be checked as regards quantity and compliance with specification as soon as practicable thereafter.
- 9.6 The Treasurer shall ensure that procedures are operated for the safe custody, issue and disposal of assets such as vehicles, moveable plant and machinery; equipment, furniture, information and supplies.
- 9.7 At least annually, the Treasurer shall arrange physical stock checks of equipment, stores etc. against relevant records. Any significant surplus, deterioration or deficiency revealed as a result of such checks shall be investigated and reported promptly to Internal Audit.
- 9.8 Issues of all stores shall be supported by a requisition stating the



- quantity required and signed by a responsible officer.
- 9.9 The Treasurer shall arrange for the valuation of assets for accounting purposes.
- 9.10 The disposal of redundant items shall be recorded and should normally, subject to health & safety considerations, be by competitive tender or public auction. (Note the Chief Fire Officer has delegated authority to donate redundant decommissioned assets for charitable purposes up to a value not exceeding £10,000)
- 9.11 The Treasurer shall be notified of the intention to dispose of any item that might be regarded as capital or was obtained via a leasing agreement.
- 9.12 The Chief Fire Officer and other officers where appropriate, shall arrange for the safe custody of the original documents for all contracts, leases, deeds and agreements, and similar legal documents made under seal.
- 9.13 Assets purchased by the Authority shall be marked to identify them as property of the County Durham and Darlington Fire and Rescue Service, and shall not be removed or used except as required for the Authority's business and in accordance with specific procedures prescribed by the Chief Fire Officer.

### **Confidentiality, Security and Protection of Information**

- 9.14 All employees of the Authority have a personal responsibility with regard to the protection and confidentiality of information, whether held in manual or computerised records. Information may be sensitive, or privileged, or may possess some intrinsic value, and its disclosure or loss could result in a cost to the Authority.
- 9.15 The Authority's Administration and General Directive No AD/2/12 outlines the current Service Internet and E-mail policy and procedures to ensure that the law is not broken; to minimise the risk; and to ensure the safe and efficient use. Brigade Managers shall ensure that appropriate employees are familiar with this document; and that adequate and effective controls and security routines are operated in accordance with the guidance.
- 9.16 The Treasurer shall ensure that all computerised systems are properly registered and operated in accordance with requirements of the Data Protection Act 1998 and other legislation.
- 9.17 It is the responsibility of Brigade Managers to ensure that all computerised systems within their service areas are operated in accordance with legal requirements and all appropriate staff are familiar with the guidance provided.

- 9.18 Financial records, both manual and computerised should be retained and disposed of in accordance with the service's record management retention and disposal guide and held by Finance.

### **Insurances**

- 9.19 The Treasurer shall effect all those insurances falling within the framework approved by the Authority, and shall deal with all claims in consultation with the Chief Fire Officer.
- 9.20 For some risks not covered by external insurance policies, the Treasurer may operate an internal insurance account and is authorised to charge various Authority service budgets with the cost of contributions to this account.
- 9.21 Risk Management is the responsibility of the Brigade Managers having regard to advice from risk management specialist officers (e.g. crime prevention, fire prevention, health & safety). In general, costs and losses not insured externally and not covered by the internal insurance account would fall as a charge upon the budget of the service to which the item relates. Also, claims for insured risks could result in increased levels of future premiums, and this emphasises the need for effective preventative measures against all risks.
- 9.22 Brigade Managers shall promptly notify the Treasurer, in writing, of all new risks, properties, vehicles and other assets or liabilities for which insurance may be required; and of any changes affecting existing risks or insurance cover required.
- 9.23 Brigade Managers shall notify the Treasurer, in writing, without delay, of any loss, liability or damage or any event likely to lead to a claim. The Treasurer shall make all claims arising out of insurance and Brigade Managers shall provide such information and explanations required by the Treasurer or the Insurers.
- 9.24 Brigade Managers shall consult with the Treasurer concerning the terms of any indemnity which they are requested to give on behalf of the Authority.
- 9.25 The Treasurer shall review, at least annually, all insurances in consultation with Brigade Managers as appropriate.

## **10. Income, Banking and Treasury Management**

- 10.1 The prompt, secure and efficient collection and banking of all income; the optimisation of cash flow and the careful management of the Authority's borrowing requirements are vital aspects of good financial management and administration. Cash, in particular, can be very vulnerable unless adequately and effectively controlled.
- 10.2 All arrangements concerning the operation of the Authority's bank

accounts (including local imprest accounts) shall be made solely by the Treasurer and he alone is authorised to open such subsidiary bank accounts as are necessary.

### **Income**

- 10.3 All sums due to the Authority shall be collected, held securely and banked promptly. All income must be banked intact, and payments must not be made from receipts.
- 10.4 The Treasurer shall ensure that, where applicable, VAT is charged in calculating any income due. Where appropriate, advice should be sought from the Treasurer.
- 10.5 Every Officer paying money into a bank account shall enter on the paying in slip and on the counterfoil, the particulars of such payment, the account number, and other particulars of the debt to which it relates.
- 10.6 All receipt forms, tickets, and all other prime documents required for accounting for income, shall be ordered and controlled by the Treasurer.
- 10.7 Fees and charges within the control of the Fire Authority shall be subject to regular review by the Chief Fire Officer and the Treasurer.

### **Debt Collection**

- 10.8 Proposals to write off individual debts shall be agreed with the Treasurer.
- 10.9 The Treasurer is responsible for ensuring that all amounts due to the Authority are factually correct, recorded and collected promptly in the most efficient way.
- 10.10 As a general principle, income should be collected at the same time of the transaction whenever possible, to optimise cash flow and to minimise administrative costs. Where income cannot be collected immediately, the relevant Brigade Manager must ensure that a debtor account is raised immediately the debt occurs.
- 10.11 The Treasurer is responsible for maintaining records of debts raised for collection. He is also responsible for the subsequent sending of reminders to debtors to obtain payment. Brigade Managers are responsible for assisting the Treasurer to collect debts that they have originated, by providing any further information requested on the debtor.
- 10.12 The Treasurer shall take all necessary steps to recover debts, including the use of debt collection agencies, and/or legal proceedings as appropriate.

- 10.13 Once raised, no debt may be cancelled except by full payment or by its formal writing off by the Treasurer. A credit note to reduce a debt can only be issued to correct a factual inaccuracy or administrative error in the calculation and / or billing of the original debt.
- 10.14 The Treasurer shall prepare regular statements about the overall position on collection of the Authority's debts.

### **Petty Cash**

- 10.15 To assist designated officers to purchase minor expenses the Treasurer may grant petty cash advances.
- 10.16 The Treasurer may make advances to designated officers to allow them to meet minor expenses subject to such conditions as are deemed necessary.
- 10.17 Petty cash purchases should not exceed £50 per item and will be supported in all circumstances with authenticated receipts.
- 10.18 No income received other than reimbursement of approved expenditure may be paid into a petty cash imprest account.

### **Treasury Management**

- 10.19 The Fire Authority has formally adopted the key recommendations of the CIPFA Code of Practice for Treasury Management in the Public Services.
- 10.20 Accordingly, the Fire Authority has created and will maintain, as a cornerstone for effective Treasury Management:
- A Treasury Management Policy Statement, stating the policies and objectives of its treasury management activities;
  - Suitable Treasury Management Practices (TMPs), setting out the manner in which the Authority will seek to achieve those policies and objectives and prescribing how it will manage and control those activities.
  - A Treasury Management Strategy (year on year) which deals with the use of specified investments, non-specified investments and the liquidity of investments along with the Authority's approach to borrowing and the use of external managers.
- 10.21 Reports will be presented to members of the Authority on its treasury management policies, practices and activities, including annual strategy and plan in advance of the year end, and an annual report after its close, in the form prescribed in the TMPs
- 10.22 The Authority delegates responsibility for the execution and administration of treasury management decisions to the Treasurer who

will act in accordance with the Policy Statement, Treasury Management Practices and CIPFA's Standard of Professional Practice on Treasury Management.

- 10.23 The Treasurer is responsible for the management of the Authority's cash flow and associated temporary loans. The objective is to minimise risk to the Authority. Further details are set out within the Treasury Management section of the Budget Report.

### **External Funding**

- 10.24 Brigade Managers are responsible for ensuring that any bids for external funding are made in consultation with the Treasurer.
- 10.25 Brigade Managers must ensure 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.
- 10.26 The Treasurer is responsible for ensuring that all funding notified by external bodies is received and properly accounted for in the Authority's accounts. Brigade Managers are responsible for providing all necessary information to enable this to be achieved.

## **11. Audit, Monitoring and Inspection**

- 11.1 The Accounts and Audit Regulations require the Fire Authority's Responsible Financial Officer (the Treasurer) to maintain continuous, adequate and effective internal audit of the Authority's accounts. Impartial monitoring and inspection of activities is essential to a healthy organisation. All financial operations are subject to audit reviews and investigations that assist the Treasurer to meet statutory responsibilities. These reviews also assist managers by providing an objective view of the standard of financial management and administration and general performance.

### **Monitoring and Inspection**

- 11.2 The Treasurer is responsible for ensuring that sound financial procedures are operated throughout the service area, including compliance with these Regulations. Aspects of particular interest will be:
- a) quality of financial management;
  - b) soundness of financial decisions;
  - c) efficiency and effectiveness of deployment of resources to achieve aims and objectives in line with priorities;
  - d) effectiveness of financial control;
  - e) action taken to evaluate the cost effectiveness of the operation

### **External Audit**

- 11.3 The Authority is subject to external audit and is also inspected by various other external auditors and inspectors (for example, H.M.R.C., H.M. Collector of Taxes).

### **Internal Audit**

- 11.4 The Treasurer is statutorily responsible for providing an adequate and effective ongoing internal audit of the financial affairs of the Authority, including best value aspects.
- 11.5 The Treasurer or his representative shall have the authority to enter at all times on any premises or land used by the Fire Authority and to have access to all correspondence, documents, books or other records of any officer of the Fire Authority and relating in any way to the activities of the Fire Authority. The Treasurer shall have the authority to require any officer of the Fire Authority to produce cash, stores, or other Fire Authority property under his / her control for inspection.
- 11.6 The Treasurer shall have regard to any relevant professional guidelines and any audit standards issued by the Auditing Practices Board of the Consultative Committee of Accountancy Bodies (or equivalent successor body).
- 11.7 The Treasurer shall be notified immediately by the Chief Fire Officer of all financial irregularities or suspected irregularities, or any circumstances which may suggest the possibility of irregularities in the exercise of any of the Fire Authority's functions. Such communications may be oral initially but must be confirmed promptly in writing.
- 11.8 The Treasurer shall determine the scope of any internal enquiries or investigations subject to consultation with the Legal Advisor to the Fire Authority and the Chief Fire Officer.
- 11.9 The Treasurer and the Legal Advisor to the Fire Authority in consultation with the Chief Fire Officer shall decide whether any matter under investigation should be referred for police investigation and take recovery action as appropriate on such matters.
- 11.10 The Treasurer or his representative shall at all times preserve the confidentiality of information received in discharging tasks under this section of the Financial Regulations.
- 11.11 A formal audit report will be produced by Internal Audit at the conclusion of each audit, which will identify the audit findings and recommendations, and this will be submitted to the Chief Fire Officer for consideration and reply.
- 11.12 The Treasurer shall ensure that the level and type of audit consideration has regard to the characteristics and relative risks of the activities involved. They shall maintain an ongoing liaison with the

Chief Fire Officer about the audit strategy and the audit coverage that he considers to be appropriate. In doing this, the Treasurer will not only have regard to their statutory duty to operate an adequate and effective internal audit of the financial affairs of the Authority, but also the need to seek added value, effective use of resources, improved performance and cost effective controls.

### **Management Responsibilities**

- 11.13 The Chief Fire Officer shall consider and respond promptly to recommendations in audit reports by Internal Audit or by the External Auditor, and shall clearly indicate what action they intend to take. They should also record action taken and the outcomes in operational and financial terms.
- 11.14 All Brigade Managers have prime responsibility for the operation of adequate and effective systems of internal control. The Treasurer's role is to provide advice and guidance, and to monitor and inspect these arrangements as an aid to management. Such controls will assist in the prevention, detection, reporting and investigation of irregularity and / or fraud.
- 11.15 In this context, Brigade Managers are responsible for operating adequate and effective systems for on-going monitoring and feedback of information about their activities, and initialising any necessary action to maintain standards and objectives required.
- 11.16 Each Brigade Manager is responsible for securing best value for money in relation to their service's activities, and for achieving performance targets.
- 11.17 Any proposed changes or developments to financial procedures, records, systems and accounts shall not be made without the expressed agreement of the Treasurer.

### **Reporting of Irregularities**

- 11.18 Any individual becoming aware of (or suspecting) fraud, theft, irregularity, improper use or misappropriation of the Authority's property or resources (including systems and / or information) should report the matter immediately (preferably via his line manager) to the Durham County Council (DCC) Head of Internal Audit. This depends, however on the seriousness and sensitivity of the issues involved and who is suspected of the wrongdoing. For example, if the individual suspects that his / her manager is involved, then the Treasurer should be informed in line with the Authority's broader guidance in its Whistle Blowing Policy (Administration and General Directive No AD/2/43) or failing that to the Chief Fire Officer, or Head of Internal Audit as preferred.
- 11.19 The DCC Head of Internal Audit will take whatever steps are

considered necessary, on behalf of the Treasurer, to investigate and report upon the matter. The Chief Fire Officer shall meanwhile take any appropriate action to prevent further loss and to secure records and documentation against removal or alteration. If there is a possibility that an employee may have been involved, a report by management and / or Internal Audit shall be considered by the Chief Fire Officer before deciding what action is appropriate.

### **Preventing Fraud and Corruption**

- 11.20 The Authority will not tolerate fraud and corruption in the administration of its responsibilities, whether from inside or outside the organisation.
- 11.21 The Treasurer is responsible for the development, maintenance and review of anti-fraud, anti-bribery and anti-corruption policy (section 18 of the Constitution).
- 11.22 It is the responsibility of Brigade Managers to promote the anti-fraud and anti-corruption policy within their service areas and to ensure that all suspected irregularities are reported to the DCC Head of Internal Audit.
- 11.23 The DCC Head of Internal Audit will take whatever steps are considered necessary, on behalf of the Treasurer, to investigate and report upon the matter. Brigade Managers are responsible for taking any appropriate action to prevent further loss and to secure records and documentation against removal or alteration.

## **12. Partnerships**

- 12.1 The Authority may form partnerships with other local, public, private, voluntary and community sector organisations. The Authority is responsible for approving any delegations of its powers to address local needs.
- 12.2 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.
- 12.3 The Chief Fire Officer or other appropriate officer may represent the Authority on partnership and external bodies, in accordance with the respective decisions of the Authority.
- 12.4 The Monitoring Officer is responsible for promoting and maintaining the same high standards of conduct in partnerships that apply throughout the Authority.
- 12.5 The Treasurer is responsible for ensuring that the accounting arrangements to be adopted relating to partnerships are satisfactory. The Treasurer must also consider the overall corporate governance



arrangements and legal issues when arranging contracts with external bodies and ensure that risks have been fully appraised.

### **13. Revision of Financial Regulations**

- 13.1 These Regulations can only be altered by the agreement of the Fire Authority or as a result of changes in statutory arrangements.
- 13.2 These Regulations were last updated May 2018 and will be reviewed annually.

## **SECTION 14 ACCESS TO INFORMATION PROCEDURES AND RULES**

### **1. Scope**

These rules apply to all meetings of the Authority *and its Committees*.

### **2. Additional Rights to Information**

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

### **3. Rights to attend meetings**

Members of the public may attend all meetings of the Authority and any Committees which have been given delegated powers to make decisions on behalf of the Authority subject only to the exceptions in these Rules.

### **4. Notices of meeting**

The Authority will give at least five clear days notice of any meeting by posting details of the meeting on the website and at fire service headquarters.

### **5. Access to Agenda and Reports before the meeting**

5.1 The Authority will make copies of the agenda and reports open to the public available for inspection via the website and at the designated office at least five clear 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 Clerk shall make such report available to the public as soon as the report is complete and sent to Members) will be open to inspection for the time the item was added to the agenda.

### **6. Supply of copies**

The Authority will supply copies of:

- (a) any agenda and reports which are open to public inspection;
- (b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- (c) if the Clerk thinks fit, copies of any other documents supplied to Councillors in connection with an item

to any person on payment of a charge for postage and any other costs.

## **7. Access to Minutes etc. after the meeting**

The Authority will make available copies of the following for six years after a meeting:

- (a) the minutes of the meeting [or records of decisions taken, together with reasons, for all meetings of the Authority] excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
- (b) 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;
- (c) the agenda for the meeting; and
- (d) reports relating to items when the meeting was open to the public.

## **8. Background Papers**

### **8.1 List of background papers**

The Officer preparing a report will set out in such report a list of those documents (called background papers) relating to the subject matter of the report which in his 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 Rule 10).

### **8.2 Public inspection of background papers**

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

## **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 Brigade Headquarters; County Durham and Darlington Fire and Rescue Service, Belmont Business Park, Durham, DH1 1TW.

## **10. Exclusion of Access by the Public to Meetings**

### **10.1 Confidential information – requirement to exclude public**

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.

### **10.2 Exempt information – discretion to exclude public**

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.

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.

### **10.3 Meaning of confidential information**

Confidential information means information given to the Authority by a Government Service or Agency on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

### **10.4 Meaning of exempt information**

Exempt information means information falling within the following categories (subject to any qualification)

Category	Qualification	Interpretation
1. Information relating to any individual	The exemption applies only 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 (see note on public interest at the end of the table).	
2. Information which is likely to reveal the identity of an individual.	The Public Interest Test Qualification applies, as in 1 above.	
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	<p>The Public Interest Test Qualification applies, as in 1 above.</p> <p>"Financial or business affairs" includes contemplated, as well as past or current, activities. Information falling within paragraph 3 above is not exempt information by virtue of that paragraph if it is required to be registered under –</p> <ul style="list-style-type: none"> <li>(a) the Companies Act 1985;</li> <li>(b) the Friendly Societies Act 1974;</li> <li>(c) the Friendly Societies Act 1992;</li> <li>(d) the Industrial and Provident Societies Acts 1965 to 1978;</li> <li>(e) the Building Societies Act 1986 ["registered" in relation to information required to be registered under the Building Societies Act 1986, means recorded in the public file of any building</li> </ul>	Any reference to "the authority" is a reference to the Authority or, as the case may be, the committee or sub-committee in relation to whose proceedings or documents the question whether information is exempt or not falls to be determined.

Category	Qualification	Interpretation
	<p>society (within the meaning of that Act).]; or</p> <p>(f) the Charities Act 1993.</p>	
<p>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 Minister of the Crown and employees of, or office holders under, the authority.</p>	<p>The Public Interest Test Qualification applies, as in 1 above.</p>	<p>Any reference to "the authority" is a reference to the Authority or, as the case may be, the committee or sub-committee in relation to whose proceedings or documents the question whether information is exempt or not falls to be determined.</p> <p>"labour relations matter" means—</p> <p>(a) any of the matters specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (matters which may be the subject of a trade dispute, within the meaning of that Act); or</p> <p>(b) any dispute about a matter falling within paragraph (a) above; and for the purposes of this definition the enactments mentioned in paragraph (a) above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority;</p> <p>"employee" means a person employed under a contract of service;</p> <p>"office-holder", in relation to the authority, means the holder of any paid office appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or by any person who holds any such office or is an employee of the authority;</p>

Category	Qualification	Interpretation
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	The Public Interest Test Qualification applies, as in 1 above.	
6. Information which reveals that the authority proposes— (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.	The Public Interest Test Qualification applies, as in 1 above.	Any reference to "the authority" is a reference to the Authority or, as the case may be, the committee or sub-committee in relation to whose proceedings or documents the question whether information is exempt or not falls to be determined.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.	The Public Interest Test Qualification applies, as in 1 above.	
Exempt Information relating to the Finance Committee when dealing with Code of Conduct complaints ONLY		
7A. Information which is the subject to any obligation of confidentiality.	The Public Interest Test Qualification applies, as in 1 above.	
7B. Information which relates in any way to matters concerning national security.	The Public Interest Test Qualification applies, as in 1 above.	

**NOTE** -The Public Interest Test

The Public Interest Test in the Freedom of Information (FOI) Act 2000 is specifically defined –

The Authority must release the information unless *“in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information”*.

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.

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

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

#### **11. Exclusion of Access by the Public to Reports**

If the Clerk thinks fit, the Council may exclude access by the public to reports which in his opinion relate to items during which, in accordance with Rule 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.



## **SECTION 15**

### **MEMBERS HANDBOOK AND ALLOWANCES**

Members will be issued with a handbook setting out the allowances payable for serving on the Combined Fire Authority.

The handbook provides a detailed guide to the rules governing the payment of allowances and the amounts payable, as well as the procedures to be followed when making claims.

Information in relation to Members Allowances is published on the website at [www.ddfire.gov.uk](http://www.ddfire.gov.uk)

## **SECTION 16**

### **CODE OF CORPORATE GOVERNANCE**

#### **INTRODUCTION**

1. Corporate Governance is a term used to describe how organisations direct and control what they do. As well as systems and processes this includes cultures and values. For local authorities this also includes how a Fire Authority relates to the communities that it serves. Good Corporate Governance requires local authorities to carry out their functions in a way that demonstrates accountability, transparency, effectiveness, integrity, impartiality and inclusivity. Corporate Governance is also the structure through which strategic objectives are set and performance monitored. Best practice principles in that regard flow from the three core components of the Turnbull report, namely; the assessment of corporate risk; effective management systems and the enabling of the organisational culture.
2. County Durham and Darlington Fire Authority (the Authority) is committed to demonstrating that it has the necessary Corporate Governance arrangements in place to perform effectively.
3. This Code is a public statement that sets out the way the Authority will meet that commitment. As such it represents a key component of the Authority's governance arrangements. The Code has been developed in accordance with and is consistent with the CIPFA / SOLACE 2016 Framework: Delivering Good Governance in Local Government and is based upon the following seven principles of good governance:

**Principle A: Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law**

**Principle B: Ensuring openness and comprehensive stakeholder engagement**

**Principle C: Defining outcomes in terms of sustainable economic, social, and environmental benefits**

**Principle D: Determining the interventions necessary to optimize the achievement of the intended outcomes;**

**Principle E: Developing the entity's capacity, including the capability of its leadership and the individuals within it**

**Principle F: Managing risks and performance through robust internal control and strong public financial management**

**Principle G: Implementing good practices in transparency, reporting, and audit to deliver effective accountability.**

**The Code also sets out the mechanisms for monitoring and reviewing the Authority's Corporate Governance arrangements.**

## THE AUTHORITY'S CORPORATE GOVERNANCE PRINCIPLES

### **Principle A: Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law**

4. The Authority will foster a culture of behaviour based on shared values, high ethical principles and good conduct. The Authority will do this by establishing and keeping under review:
  - The Authority's own values on Leadership as enshrined in the Three Year Strategic Plan and evidenced in Codes of Conduct that set standards for behaviour;
  - A Member Code of Conduct;
  - An Employee Code of Conduct;
  - A Register of Interests and declarations of Gifts and Hospitality accepted;
  - Equality and Diversity arrangements;
  - A Confidential Reporting policy;
  - The roles of Members and Officers in decision-making;
  - Appropriate and timely advice, guidance and training for both Members and Officers;
  - Systems for reporting and dealing with any incidents of fraud and corruption.
5. Standards complaints will be considered by the Authority's Finance Committee.

### **Principle B: Ensuring openness and comprehensive stakeholder engagement**

6. The Authority will seek and respond to the views of stakeholders and the community. The Authority will do this by:
  - Forming and maintaining relationships with the leaders of other organisations;
  - Ensuring partnership arrangements demonstrate clear and appropriate governance accountabilities;
  - Producing plans for service delivery within the community;
  - Having a Communications Strategy and providing access to a range of consultation methods, particularly to those groups which are harder to reach;
  - Using an approach that recognises that people are different and gives everyone the same or an equal opportunity to information, advice and support in ways that are suited to the needs or circumstances of the individual;
  - Encouraging and supporting the public in submitting requests for aspects of the Authority's Service to be scrutinised;
  - Providing and supporting ways for Citizens to present community concerns to the Authority;
  - Providing for the public the opportunity to ask questions or make representations to the Authority;
  - Publishing a Three Year Strategic Plan and Integrated Risk Management Plan (IRMP) providing information in relation to the Authority;
  - Continually developing clear channels of communication;
  - Providing a modernised Information Communication and Technology Service that meets the needs and aspirations of the organisation and the communities we serve.

7. The Authority recognises the key role it has to play in supporting partnership working within County Durham and Darlington and also the role partners have to play in assisting the Authority to deliver on its objectives.

The Authority ensures good governance in respect of partnerships by:

- Reviewing and evaluating partnerships on a regular basis;
- Auditing partnership strategies and policies through the internal audit function;
- Ensuring partnerships offer value and contribute to the Authority's strategic objectives.

### **Principle C: Defining outcomes in terms of sustainable economic, social, and environmental benefits**

8. The Authority will, in exercising Strategic Leadership, develop and communicate its purpose and vision and intended outcomes for citizens and service users. It will explain and report regularly on activities, performance and the Authority's financial position. Timely, objective and understandable information about the Authority's activities, achievements, performance and financial position will be provided. The Authority will do this by annually publishing:

- A Three Year Strategic Plan incorporating the Integrated Risk Management Plan;
- A Medium Term financial Plan;
- An Efficiency Plan;
- Externally audited accounts; □ Detailed performance information.

9. The Authority will aim to deliver high quality services to the public in an efficient and effective way. The Authority will do this by:

- Delivering services to meet local needs through the Three Year Strategic Plan and the Integrated Risk Management Plan, and putting in place policies and processes to ensure that they operate effectively in practice;
- Developing effective relationships and partnerships with other public sector agencies and the private and voluntary sectors;
- Actively pursuing collaboration opportunities with the Police, Ambulance and other Fire Services;
- Responding positively to the findings and recommendations of external auditors and statutory inspectors and putting in place arrangements for the implementation of agreed actions;
- Comparing information about services with those provided by similar organisations, assessing why levels of efficiency, effectiveness and quality are different and considering other alternative means of service provision and procurement to maximise opportunities and improve value for money where appropriate.

**Principle D: Determining the interventions necessary to optimize the achievement of the intended outcomes;**

10. The Authority will achieve this by:

- publishing a detailed medium term financial plan which includes actions to ensure financial sustainability;
- producing a performance management framework, to ensure plans are met and remedial action taken;
- having processes in place to ensure data quality is high, so as to enable objective and rigorous decision making;
- holding regular monthly Service Leadership Team (SLT) meetings together with weekly SLT catch up meetings where issues are raised and actions agreed upon;
- having a risk management process to identify where interventions may be required;
- having a sound understanding of demand (current and future) which informs resource allocation decisions.

**Principle E: Developing the entity's capacity, including the capability of its leadership and the individuals within it**

11. The Authority will ensure that those charged with the governance have the skills, knowledge and experience they need to perform well. The Authority will do this by:

- Consistent application of the Workforce Strategy
- Operating robust recruitment and selection processes;
- Implementing Member Development strategies;
- Cascading regular information to Members and staff;
- Investing in Member and Officer Leadership training;
- Providing resources that support Member and Officer development;
- Promoting schemes supporting ongoing professional development;
- Undertaking the annual appraisal of the Chief Fire Officer and setting objectives that contribute to the Authority's vision, strategy and plans and that incorporate key development needs.

12. The Authority will ensure that the necessary roles and responsibilities for the effective governance of the Authority are identified and allocated so that it is clear who is accountable for decisions that are made. The Authority will do this by:

- Electing a Chair, establishing Committees and nominating Member Champions with defined responsibilities;
- Agreeing a scheme of delegated responsibilities to the Senior Management;
- Undertaking a regular review of the operation of the Constitution;
- Having in place effective and comprehensive arrangements for the scrutiny of services;
- Making the Chief Fire Officer responsible and accountable for all aspects of operational management;

- Ensuring at all times arrangements are in place for the proper administration of its financial affairs (S151 Officer);
- Ensuring at all times arrangements are in place for ensuring actions are taken in accordance with Statute and Regulation (Monitoring Officer);
- Developing protocols that ensure effective communications between Members and Officers.

**Principle F: Managing risks and performance through robust internal control and strong public financial management**

13. The Constitution sets out how the Authority operates, how decisions are made and the procedures which are followed to ensure that decisions are efficient, transparent and accountable to local people. Areas of potential change are identified throughout the year and the Constitution is amended on an annual basis.
14. The Authority will operate a risk management approach that aids the achievement of its strategic priorities, supports its decision making processes, protects the Authority's reputation and other assets and is compliant with statutory and regulatory obligations. The Authority will ensure that the risk management approach:
- Enables a culture of risk awareness;
  - Formally identifies and manages risks;
  - Involves elected members in the risk management process;
  - Maps risks to financial and other key internal controls;
  - Documents and records details of risks in a risk management information system;
  - Monitors the progress in mitigating significant risks, and reports this to appropriate Members;
  - Reviews and, if necessary, updates its risk management processes at least annually;
  - Considers risk within major projects.
15. The Audit and Risk Committee has responsibility for monitoring and reviewing the risk, control and governance processes and associated assurance processes to ensure Internal Control systems are effective and that policies and practices are in compliance with statutory and other regulations and guidance. This includes considering the work of External Audit, Internal Audit and Risk Management and making recommendations concerning relevant governance aspects of the Constitution.

**Principle G: Implementing good practices in transparency, reporting, and audit to deliver effective accountability.**

16. The Authority will achieve this by:
- publishing relevant information relating to salaries, business interests and performance data on its website;
  - having a Procurement Officer who provides advice and issues clear guidelines for procuring goods and services;

- having an Audit and Risk Committee that operates in accordance with guidance provided by the Chartered Institute of Public Finance and Accountancy (CIPFA);
- publishing information to the Authority and its Committees as part of established accountability mechanisms;
- acting upon the findings/recommendations of Internal Audit and External Audit Reports;
- preparing an Annual Governance Statement; □ preparing an annual Statement of Assurance; □ preparing an annual Efficiency Plan.

17. The Authority is committed to the publication of transparent performance information. This includes but is not limited to:

- Budget reports;
- Operational performance reports;
- Medium Term financial Plan;
- Efficiency plan;
- Statement of Accounts;
- Annual Governance Statement;
- Statement of Assurance;
- Information required under the Local Government Transparency Code.

## **MONITORING AND REVIEW**

18. The Authority has a Committee that is responsible for monitoring and reviewing the various aspects of Corporate Governance arrangements.

19. The Audit and Risk Committee is responsible for arrangements relating to;

- Monitoring and reviewing the risk, control and governance processes and associated assurance processes to ensure Internal Control systems are effective and that Policies and practices are in compliance with statutory and other regulations and guidance;
- Reviewing the Accounts prior to approval by the Authority;
- External audit;
- Internal audit;
- Risk Management;
- Making recommendations concerning relevant governance aspects of standing orders.

20. The Committee also has responsibility for promoting high ethical standards across the Authority, overview of the Member and officer codes and other relevant protocols.

21. This Committee will ensure that governance arrangements are kept under continual review through:

- Reports prepared by officers with responsibility for aspects of this Code

- The work of Internal Audit
- External Audit opinion;
- Other review agencies and Inspectorates; □ Opinion from Statutory Officers.

## **THE STATEMENT OF ASSURANCE**

22. Each year the Authority will publish a Statement of Assurance. This process is managed by the Service Leadership Team and will provide an overall assessment of the Authority's Corporate Governance arrangements and an appraisal of the key controls in place to manage principal governance risks. The Statement will also provide details of where improvements need to be made in accordance with the Accounts and Audit Regulations 2015.
23. The Statement of Assurance will be published with the Authority's Statement of Accounts.



## **SECTION 17 WHISTLEBLOWING POLICY**

### **1. Introduction**

- 1.1 Employees are often the first to realise that there may be something seriously wrong within the Authority. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Authority. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.2 The Authority is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we encourage employees and others with serious concerns about any aspect of the Authority's work to come forward and voice those concerns. It is recognised that certain cases will have to proceed on a confidential basis. This policy document makes it clear that employees can do so without fear of reprisals. This 'Whistle Blowing Policy' is intended to encourage and enable employees to raise serious concerns within the Authority, rather than overlooking a problem or blowing the whistle outside.
- 1.3 This policy has been discussed with the relevant Trade Unions and professional organisations and has their support.

### **2. Aims and scope of this policy**

- 2.1 This policy aims to:-
  - (a) provide avenues for you to raise concerns and receive feedback on any action taken;
  - (b) allow you to take the matter further if you are dissatisfied with the Authority's response; and
  - (c) reassure you that you will be protected from reprisals or victimisation for whistle blowing in good faith.
- 2.2
  - (a) There are existing procedures in place to enable you to lodge a grievance relating to your own employment this 'Whistle Blowing Policy' is intended to cover concerns that fall outside the scope of other procedures.
  - (b) That concern may be about something that:-
    - (i) is unlawful; or
    - (ii) contravenes the Authority's Standing Orders, Financial Regulations or policies; or

- (iii) falls below established standards of practice; or
- (iv) amounts to improper conduct or corrupt practice.

### **3. Safeguards**

#### **3.1 Harassment or Victimisation**

- (a) The Authority recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The Authority will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith.
- (b) This does not mean that if you are already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of your whistle blowing.

#### **3.2 Confidentiality**

The Authority will do its best to protect your identity when you raise a concern and do not want your name to be disclosed. It must be appreciated that the investigation process may reveal the source of the information and a statement by you may be required as part of the evidence.

#### **3.3 Anonymous Allegations**

- (a) This policy encourages you to put your name to your allegations. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the Authority.
- (b) In exercising the discretion, the factors to be taken into account would include:-
  - (i) the seriousness of the issues raised;
  - (ii) the credibility of the concern; and
  - (iii) the likelihood of confirmation of the allegations from attributable sources.

#### **3.4 Untrue Allegations**

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make malicious or vexatious allegations, disciplinary action may be taken against you.

#### 4. How to raise a concern

4.1 (a) As a first step, you should normally raise concerns with your immediate Manager or their superior. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. If you believe that management is involved and you cannot for that reason raise it with your immediate Manager, then you should approach the officer with overall responsibility for the maintenance and operation of this policy:-

(i) The Treasurer  
Fire and Rescue Service Headquarters  
Belmont Business Park Durham DH1  
1TW

Telephone: 0191 3755558

E-mail: THope@ddfire.gov.uk

OR,

(ii) The Clerk and Monitoring Officer to the County Durham and  
Darlington Fire and Rescue  
Authority,  
County Hall,  
Durham DH1 5UL

Telephone: 03000 269727

E-mail:helen.lynch@durham.gov.uk

4.2 Concerns are better raised in writing. You are invited to set out the background and history of the concern, giving names, dates and places where possible and the reason why you are particularly concerned about the situation. If you do not feel able to put your concern in writing, you can telephone or meet the appropriate officer.

4.3 The earlier you express the concern, the easier it is to take action.

4.4 Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for your concern.

4.5 (a) Advice and guidance on how matters of concern may be pursued can be obtained from:-

(i) The Treasurer  
Fire and Rescue Service Headquarters  
Belmont Business Park

Durham DH1 1TW

Telephone: 0191 3755558

E-mail: THope@ddfired.gov.uk

- (b) You should note that matters of concern may be raised with either the Clerk to the Fire and Rescue Authority or the Treasurer Usually, matters of concern about action which is believed to be unlawful and may contravene Authority Standing Orders (including Contract Standing Orders), conduct falling below established Standards of Practice, improper or corrupt practice should be raised with the Clerk to the Fire and Rescue Authority.
- (c) Communication with either officer may be by means of personal appointment, telephone, e-mail or ordinary mail. If requested, special envelopes can be provided in order to protect the confidentiality of any communication.

4.6 When any meeting is arranged, the whistle-blower may, if they so wish, be accompanied by a trade union representative or a workplace colleague who is not involved in the area of work to which the concern relates.

## **5. How the Authority will respond**

- 5.1 (a) The action taken by the Authority will depend on the nature of the concern. The matters raised may:-
  - (i) be investigated internally;
  - (ii) be referred to the Police;
  - (iii) be referred to the external Auditor;
  - (iv) form the subject of an independent inquiry.
- 5.2 In order to protect individuals and the Authority, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example, discrimination issues) will normally be referred for consideration under those procedures.
- 5.3 Some concerns may be resolved by agreed action without the need for investigation.
- 5.4 Within ten working days of a concern being received, the Authority will write to you:-
  - (a) acknowledging that the concern has been received;

- (b) indicating how it proposes to deal with the matter;
- (c) giving an estimate of how long it will take to provide a final response;
- (d) telling you whether any initial enquiries have been made; and
- (e) telling you whether further investigations will take place and, if not, why not.

5.5 The Authority will take steps to minimise any difficulties which the whistle-blower may experience as a result of raising a concern. For instance, should they be required to give evidence in criminal or disciplinary proceedings, the Authority will give advice about the procedure and provide any necessary support.

5.6 The Authority accepts the whistle-blower needs to be assured that the matter has been properly addressed. Subject to legal constraints, information about the outcomes of any investigate will be given.

## **6. Audit and review**

6.1 The HR team will perform a review of this procedure every five years or earlier if a change in circumstances occurs in legislation or good practice. Any recommendations will be implemented into the existing procedure.

## **7. Further information**

- AD/1/10 Dignity at work policy
- AD/2/54 Dignity at work procedure
- AD/1/7 Discipline policy
- AD/2/68 Discipline procedure
- AD/2/36 Grievance procedure

**REVISED May 2018**

## **SECTION 18**

### **ANTI-FRAUD, ANTI-BRIBERY and ANTI-CORRUPTION POLICY**

#### **1. Introduction**

County Durham and Darlington Fire Authority is committed to sound corporate governance and has demonstrated this by adopting a Code of Corporate Governance based on the CIPFA/SOLACE framework.

In administering its responsibilities, the Authority is committed to the highest ethical standards. It expects all its Members and officers to lead by example in ensuring compliance with rules, procedures and recommended practices, whilst maintaining conduct of the highest standards, such that the public confidence in their integrity is maintained.

The Authority expects that individuals and organisations that it comes into contact with will act towards the Authority with integrity and without thought or actions involving fraud or corruption. This policy has been updated to reflect the introduction of the Bribery Act 2010. Bribery is the most common form of corruption and it is arguable that the definition of “bribery” will encompass all forms of corruption covered by the previous policy. The word “corruption” has been retained for the time being.

The Authority’s Anti-Fraud and Anti- Bribery and Corruption Policy is based on a series of comprehensive and inter-related procedures designed to frustrate any fraudulent or corrupt act. The Policy covers

- Culture
- Prevention
- Detection and Investigation
- Training

The Policy will be made available to all Members and officers of the Fire Authority to ensure that they are aware of the Authority’s stance in relation to fraud, bribery and corruption.

#### **2. Definitions**

##### Fraud

‘The intentional distortion of financial statements or other records by persons internal or external to the organisation that is carried out to conceal the misappropriation of assets or otherwise for gain’

##### Bribery

‘Offering, promising or giving a financial or other advantage to a person intending them to perform improperly a relevant function or activity or to reward them for the improper performance;

Requesting, agreeing to receive or accepting a financial or other advantage intending that in consequence a relevant function or activity should be performed improperly.'

### Corruption

'The offering, giving, soliciting or acceptance of an inducement or reward that may influence the action of any person'

### Culture

- 2.1 The Audit Commission highlights the need for Members and senior officers to create an anti-fraud culture and environment within the organisation. The avoidance of fraud, bribery and corruption can only be truly effective where such acts are considered anti-social, unacceptable behaviour, and whistle blowing is perceived as a public spirited action.
- 2.2 The Authority has adopted a whistle blowing policy that gives officers a mechanism for reporting areas of concern, illegal acts and corruption. A copy of the policy will be issued to all officers and Members of the Authority and placed on the internet site.
- 2.3 Members of the public are also encouraged to report any concerns they may have about Authority officers or Members, through any of the routes outlined at 2.5 or those listed at Appendix 1 to this document.
- 2.4 The Authority's officers play a key role in the prevention and detection of fraud bribery and corruption. Officers are bound by the Confidential Reporting Code and are encouraged to raise any concerns that they may have on issues related the to Authority's activities.
- 2.5 Such concerns will be treated in the utmost confidence and be properly investigated. If necessary concerns can be raised via:
  - Chief Fire Officer, Clerk or Treasurer
  - Brigade Managers
  - External Agencies e.g. external auditor

*Contact details for the main internal and external contacts are attached at the end of this document*

- 2.6 Financial malpractice or corruption will not be tolerated by the Authority. Any suspicion of fraudulent or corrupt practices will be promptly investigated by Authority officers and a decision taken in conjunction with the Clerk, Internal audit and the designated Police Liaison Officer within Durham Police Force, where appropriate, as to whether to refer the matter to the police for criminal investigation. Referral for police investigation is normal practice where fraud or corruption is suspected. Following investigation and notwithstanding

possible Police involvement, if appropriate, senior management will instigate the Authority's disciplinary procedures in respect of those who are suspected of defrauding the Authority or who are suspected of bribery or corruption. It should be understood that fraud will be regarded as gross misconduct and as such is likely to lead to summary dismissal.

- 2.7 Where either officers or Members are implicated, the Treasurer must be informed immediately. Any subsequent investigation into Members conduct will be conducted under the procedures set out under the Local Government Act 2000 and in accordance with the Members Code of Conduct.
- 2.8 The raising of unfounded or malicious allegations will be dealt with under the appropriate disciplinary process and codes of conduct.

### **3. Prevention**

- 3.1 The Authority is committed to raising the profile of its anti-fraud and anti-bribery and corruption work and this policy, which underpins the whole framework, will be widely distributed and publicised.
- 3.2 There is an important role to be played in the prevention of fraud, bribery and corruption by all managers across the Service. This general role complements the anti-fraud and anti-bribery and corruption activities undertaken by the services provided from the County Council Audit and Risk Management division. It is therefore essential that all managers understand the importance of soundly designed systems which meet key control objectives and minimise opportunities for fraud, bribery and corruption. They are responsible for assessing the potential for fraud, bribery and corruption within their own Service's activities and for implementing appropriate strategies to reduce this risk.
- 3.3 There are five main strands to the measures taken by the Authority to minimise the opportunities for fraud and corruption.
  - Officer measures
  - Member measures
  - Internal control systems
  - Information and Communications Technology measures
  - Liaison with other Agencies

These measures are discussed in the following sections of the policy.

#### **Officer Measures**

- 3.4 The Authority is expected to maintain, and is entitled to expect, a high standard of conduct from officers. The public are entitled to demand the highest standards of conduct from officers and to have the utmost



confidence that officers are working honestly and without bias in order to achieve the Authority's objectives.

The Authority has adopted a Code of Conduct for employees that sets out the conduct expected of all its employees in the performance of their jobs. A number of clauses in the Code specifically deal with fraud bribery and corruption issues and offer guidance to officers on correct procedures to follow. Failure to comply with the requirements of the Code is treated as a serious matter and can lead to action being taken against the officer under the Authority's Disciplinary Procedures, up to and including dismissal.

- 3.5 In order to ensure that all officers are fully aware of the Authority's stance towards fraud, bribery and corruption, and the responsibilities it places on its employees, information relating to the Anti-Fraud and Anti-Bribery and Corruption Policy will be communicated at induction.
- 3.6 All professional officers employed by the Authority are also expected to comply with any relevant codes of practice that may have been issued by the professional institute to which that person belongs.
- 3.7 Officers are required to comply with the Authority's constitution. They must also operate within section 117 of the Local government Act 1972, regarding the disclosure of pecuniary interests in contracts relating to the Authority or fees and rewards other than their remuneration as an employee.

#### Member Measures

- 3.8 Members of the Fire Authority are expected to operate honestly and without bias within relevant advisory frameworks.

The Anti-Fraud and Anti-Bribery and Corruption Policy will be issued to all members as a reminder of the high ethical standards required by the Authority.

#### Internal Control Systems

- 3.9 Standing Orders and Financial Regulations set out a framework for financial control within the Authority. All officers are required to act in accordance with these rules and regulations when carrying out their duties.
- 3.10 The Treasurer, has a statutory responsibility under Section 151 of the Local Government Act 1972 to make arrangements for the proper administration of the Authority's affairs. The framework for delivery of this responsibility can be found in Financial Regulations.
- 3.11 The Authority aims to have in place efficient and effective systems of control that as far as possible prevent potential fraudsters from exploiting weaknesses in procedures. The prime responsibility for

maintaining such systems lies with Senior Managers. An independent appraisal of the integrity of internal control systems is undertaken by Internal Audit on a priority risk basis.

### Internal Audit Examination

3.12 The strategic audit plan, based on risk, provides for system reviews of all major financial and management systems, whether computerised or manual. The audit frequency is determined following a risk assessment with the aim of all major audits being reviewed over a three year period. Financial systems regarded as 'core' systems are audited on an annual basis.

### Information and Communications Technology

3.13 Information and Communications Technology (ICT) is integral to the delivery of the Authority's business. The internet and e-mail facilities bring opportunities for the perpetration of fraud. The Authority has in place procedures and systems that minimise these opportunities and improve the chances of fraudulent activity being detected.

3.14 There are three main strands to the Authority's attempts to combat fraud conducted via ICT. These are as follows

- Internet and e-mail policy
- Internal Audit examination of major computerised financial and management systems
- Liaison with other agencies

3.15 The most difficult ICT system fraud to detect, and potentially the most costly, is that which occurs when unauthorised amendments are made to the computer source code itself. The main control applied is the verification of system inputs and outputs using specialised computer audit techniques carried out by Internal Audit.

### Internet and e-mail policy

3.16 Policies are in place for the use of the internet and email. Policies are posted on the Authority's intranet.

### Liaison with Other Agencies

3.17 It is important that there is a high level of co-operation between the various agencies involved in the prevention and detection of fraud bribery and corruption in the public sector. In accordance with data protection and human rights regulations the Authority maintains links with, and shares information with many organisations including;

- National Audit Office
- Police
- CIPFA national and regional audit groups

- County Chief Auditors' Network
- Northern Counties Chief Internal Auditor Group
- National Anti-Fraud Network
- Government Agencies
- Other Public Sector Bodies

3.18 Ultimately, the best method of deterring fraudulent activity may be to ensure that fraudsters are left in no doubt about the consequences of their actions. This Authority will investigate fully all instances of suspected fraud and corruption brought to its attention and will normally refer such matters for criminal investigation.

#### **4. Detection and Investigation**

- 4.1 The internal control systems within the Authority have been designed to provide indicators of any fraudulent activity although generally the systems should be sufficient in themselves to deter fraud. It is also, on occasions, the alertness of officers, Members and the general public to signs of fraud, bribery and corruption that enables detection to occur and the appropriate action to be taken.
- 4.2 Internal Audit is also proactive in the use of proven methods for the detection of fraud, bribery and corruption e.g. computer assisted audit techniques and data matching (National Fraud Initiative).
- 4.3 Despite the best efforts of financial managers and auditors, many frauds are discovered by chance or by a 'tip-off' and the Authority has in place arrangements to enable such information to be properly dealt with via the mechanisms set out in the whistle blowing policy.
- 4.4 Prosecution is a prime deterrent to prospective fraudsters. The Authority has decided that where evidence of potential fraud, bribery or corruption is uncovered, the matter will normally be referred to the Police for further investigation with a view to criminal proceedings taking place.
- 4.5 It is recognised that, on occasions officers will feel unable to voice their suspicions for fear of reprisals or discrimination against themselves by other officers. To encourage officers to come forward and report their suspicions, and in compliance with the provisions of the Public Interest Disclosure Act 1998, the Authority has introduced a whistle blowing policy. This ensures any suspicions that are reported are dealt with in a consistent and confidential manner and provides officers with an assurance that they will not be discriminated against.

#### **5. Training**

- 5.1 The Authority is committed to ensuring that all employees are properly trained to fulfil their responsibilities. It is recognised that the continuing success of its Anti-Fraud and Anti-Bribery and Corruption Policy and its general credibility will depend largely on the effectiveness of

programmed training and the responsiveness of officers throughout the organisation. To facilitate this, the Authority supports the concept of training for Members and officers.

- 5.2 Principal Officers should ensure that all officers likely to be involved in the conduct of investigations receive appropriate training and guidance to enable them to fulfil any obligations placed upon them by the operation of the Authority's disciplinary procedures.

### **Anti Fraud and Bribery and Anti Corruption Policy**

#### **Internal Contact List**

Chief Fire Officer	0191 3755553
Treasurer	0191 3755558
Clerk and Monitoring Officer	03000 269727
Head of Internal Audit	03000 269645

#### **External Contact List**

National Audit Office dedicated whistleblower's hotline	020 7798 7999
Durham Police (Aykley Heads)	0345 6060365

**REVISED May 2018**

## **SECTION 19**

### **CODE OF CONDUCT FOR EMPLOYEES**

#### **1. Introduction**

- 1.1 The Authority values the commitment and contribution of its people. It recognises that it is important to have systems and procedures in place which can identify areas where support and guidance may be required, to ensure that the community we serve can be confident that the affairs of the Authority are conducted in accordance with the highest standards of probity and accountability. The Authority will combat fraud and corruption wherever they may arise in relation to any of the activities or services involving any employee of the Authority.
- 1.2 A key factor is to demonstrate the highest standards of honesty and integrity throughout the organisation. You must therefore comply with:
- (a) all appropriate legislation;
  - (b) all Authority Policies;
  - (c) Standing Orders of the Authority;
  - (d) Financial Regulations;
  - (e) Conditions of Service;
  - (f) Any other standard, guideline or instruction relevant to the particular service or activity.
- 1.3 This document is to clarify the conduct that the Authority and the public expect of you. It will also ensure that you do not find yourself, inadvertently or otherwise, in a situation where your conduct could create an impression of undue influence or corruption in the minds of the public.

#### **2. Scope**

- 2.1 This code of conduct applies to all employees of the Authority. It also applies to those employees of other Fire Authorities or Local Authorities who are seconded to this Authority for any period of time.

#### **3. Standards**

- 3.1 You, as an employee of the Authority must give the highest possible standard of service to the people of County Durham and Darlington, and where it is part of your duties, to provide appropriate advice to Elected Members and colleagues with total impartiality.
- 3.2 You must report to your Line Manager any impropriety, breach of procedure or any serious deficiency in the provision of service.

3.3 In all cases, it is not enough to avoid actual impropriety. You must, at all times avoid any occasion for suspicion and any appearance of improper conduct.

#### 4. Equality and fairness

4.1 All members of the local community and our employees have a right to be treated fairly and equally. All staff are expected to promote the Service's Diversity Policy and Core Values, both within the Service and external in order to demonstrate commitment to antidiscriminatory practice in all the Service's activities.

#### 4.2 We value ...

##### (a) Service to the Community

(i) We value service to the community by ...

- Working with all groups to reduce risk
- Treating everyone fairly and with respect
- Being answerable to those we serve
- Striving for excellence in all we do

##### (b) People

(i) We value all our employees by practising and promoting

...

- Fairness and respect
- Recognition of merit
- Honesty integrity and mutual trust
- Personal Development
- Co-operative and inclusive working

##### (c) Diversity

(i) We value diversity in the Service and the community by...

- Treating everyone fairly and with respect
- Providing varying solutions for different needs and expectations
- Promoting equal opportunities in employment and progression within the Service
- Challenging prejudice and discrimination

##### (d) Improvement

(i) We value improvement at all levels of the Service by ...

- Accepting responsibility for our performance
- Being open-minded

- Considering criticism thoughtfully
- Learning from our experience □ Consulting others

## 5. Disclosure of information

- 5.1 The Authority deals continuously with sensitive and confidential information (including data) affecting its policies, transactions, personnel, relationships with other organisations and individual members of the public. Conflicts of interests can arise over the unauthorised use of information received by virtue of employment. The basic safeguards against such misuse of information are the existing contractual terms, which restrict the disclosure of confidential information by all employees.
- 5.2 Information is described as any data that has come into the possession or knowledge of an employee by virtue of their employment and in connection with their employment. Such information can be stored on a variety of media such as paper, floppy disks, CD-ROMs, computer systems, Internet etc.
- 5.3 The law requires that certain types of information must be available to Elected Members, Auditors, Government Departments, service users and the public. If you are in any doubt as to whether particular information can be released, you should refer to the Officer with responsibility for the Freedom of Information (Brigade Manager, Corporate Services) for clarification.
- 5.4 You are reminded however, that information relating to the affairs of the Authority should not be disclosed, used or permitted to be disclosed or used to an individual's advantage, nor should such information be knowingly passed on to others who might use it in such a way.
- 5.5 You must not communicate confidential information or documents to others that do not have a legitimate right to that information. In addition, employees involved or working with computer based information are reminded of the terms of the Data Protection Act 1998, and the Computer Misuse Act 1990, and must ensure confidentiality of information and guard against the possibility of a third party intentionally or inadvertently misusing the information.
- 5.6 Any particular information received by an individual from another individual, Elected Member or Officer of the Authority, which is personal to that individual and does not belong to the Authority should not be divulged to any person without the prior approval of the information owner, except where such disclosure is required or sanctioned by law.

- 5.7 You must not use any information you get in the course of your duties for personal gain or benefit. You must not pass information on to others who might use it for their own gain.
- 5.8 You should not make statements directly to the press or other media if it is not a requirement of your role without first getting approval from your manager. Principal Officers should speak to the Chief Fire Officer before making statements to the press or other media on major policy issues.

## **6. Political neutrality/politically restricted posts**

- 6.1 Those posts identified as politically restricted under the Local Government and Housing Act 1989 (those posts with a salary equivalent to the National Joint Council for Local Government Services Spinal Column point 44 and above) must abide by the specific terms and conditions of employment associated with these regulations.
- 6.2 Whether you hold a politically restricted post or not, you must not allow your own personal or political opinions to interfere with your work.
- 6.3 You cannot display political posters

## **7. Relationships**

### **7.1 Elected Members and Officers of the Authority**

- (a) The Authority has built a culture where all employees are treated with dignity and respect, and the Authority will ensure that employees work in a safe, secure and productive environment, and are treated fairly in recruitment, employment, training and promotion. In addition, the Authority expects all employees to be treated fairly, consistently and with respect by other employees and to be treated fairly and courteously by the community served.
- (b) Mutual respect between employees and Elected Members/officers of the Authority is essential. Some employees work closely with Elected Members/Officers of the Authority, and potential close personal familiarity between employees and individual Elected Members/Officers can damage the relationship and prove embarrassing to other employees and must therefore be avoided.

### **7.2 The Local Community**

You must always remember your responsibilities to the community as a public servant and ensure courteous, efficient and impartial service



delivery to all groups and individuals within the community in all aspects of the service provided.

### **7.3 Purchasing and Contracting or related decisions**

You should take no part in any direct or indirect involvement in purchasing, contracting or related decisions, where you have a personal interest in the transaction. Should you have a personal interest at any time in any purchasing, contracting or related decisions, you must indicate your interest to the Chief Fire Officer in writing. The Chief Fire Officer may remove you from the process.

7.4 The Corporate Procurement Officer is available to give further advice and guidance in terms of tendering and contracting procedures. Orders and contracts must be awarded in accordance with the Standing Orders and Financial Regulations of the Authority and no special favour should be shown to businesses run by, for example, friends and relatives or ex-employees.

### **7.5 Recruitment and Other Employment Matters**

- (a) Employees involved in appointments must ensure that these are made on merit and in accordance with current policies and procedures.
- (b) In order to avoid any possible accusation of bias, you must not be involved in any appointment where you are related to an applicant or have a close personal relationship.
- (c) You must not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative or with whom you have a close personal relationship, nor should you attempt to influence such decisions.

## **8. Secondary employment/outside commitments**

8.1 All matters relating to secondary employment are fully set out in the Secondary Employment Policy and employees are reminded that they must refer to that procedure prior to undertaking any form of secondary employment whether it is paid, unpaid or voluntary.

8.2 Although it is accepted that your off-duty hours are your personal concern, you must avoid situations whereby your work and personal interests conflict. The Authority will consider applications from you to undertake secondary employment provided that it does not conflict with the Authority's interests or your role, weaken public confidence in the Service, affect the Service reputation and fully complies with your terms and conditions of employment. The Personnel Section is available for advice in terms of secondary employment.

## **9. The use of equipment and materials**

- 9.1 You must not use the Authority's telephone/fax facilities for private purposes unless under the arrangement for such facilities to be paid for. No other facilities or equipment provided by the Authority may be used for personal gain.
- 9.2 The Authority has provided an electronic mail system for use by authorised persons to assist in the business process. The system must be used in accordance with the Email and Internet Policy (AD/2/12).
- 9.3 The use of e-mail for Representative Bodies, Social or Charitable Activities is subject to approval from the relevant Brigade Manager. There are no circumstances when the e-mail system can be used for other than legitimate business use. You are reminded that unauthorised or illegitimate use of the e-mail system may result in disciplinary procedures.
- 9.4 The Authority's vehicles may only be used for authorised purposes. If there is any doubt whether a particular use is authorised, advice should be sought from the relevant manager. You are reminded that the Authority's insurance policy does not apply to unauthorised journeys and an employee driving the vehicle could be liable for any loss if an accident should occur, and be guilty of driving a motor vehicle without insurance and taking without the owner's consent. You are further reminded that when using an Authority vehicle you are not exempt from the road traffic laws legislation and therefore subject to potential prosecution.

## **10. Consultancy work, lecturing, speaking at conferences, etc**

- 10.1 During the course of your employment, you may be asked to undertake consultancy and other opportunities, which allow you to develop expertise beyond the boundaries of your normal role. Where offers of consultancy work, lecturing, speaking at seminars, etc. are received the following will apply:-
- (a) If you wish or are invited to undertake consultancy, lecturing and other outside work including involvement in regional or national affairs, you must apply for permission to a Brigade Manager. In the case of a Principal Officer, permission must be sought from the Chief Fire Officer (the Clerk to the Authority in the case of the Chief Fire Officer). Any fees paid by virtue of this work will be treated as income for the Authority.
- (b) Where a request is received for a representative of the Authority to make a presentation and the employee is not named, the relevant Principal Officer will nominate a suitable person. This commission will then be undertaken, as part of

that employee's employment and therefore any fee will be treated as income for the Authority.

- (c) When an approach is made directly to an employee because of that employee's reputation, skills, knowledge or experience then there is potential for any fee to be treated as income for the employee. In these circumstances you may apply to your Principal Officer for leave, paid or unpaid, as appropriate. In the case of paid leave, all fees will be treated as income for the Authority. In the case of unpaid leave, you may retain the fee as applicable.

10.2 The above also applies in relation to an employee contributing to or writing a text book, chapter for a reference book or an article for a journal. When work is undertaken in your own time then you would normally wholly retain any fees or commission.

10.3 You are reminded that work as detailed above, undertaken in your own time, is subject to the terms of the Secondary Employment Policy.

## **11. Fraud and corruption**

11.1 There is a large volume of legislation which regulates the Authority and which sets out the framework to ensure that the Authority adopts effective control and monitoring in relation to the conduct of business.

11.2 In addition to compliance with legislation, the Authority has established an Anti-Fraud and Corruption Policy along with other policies and procedures that are designed to ensure a high standard of probity when you are conducting the affairs of the Authority. You must adhere to:-

- (a) The Standing Orders of the Authority;
- (b) The Financial Regulations of the Authority;
- (c) Fire and Rescue Service Policies and Procedures.

11.3 You are also bound by your relevant terms and conditions of contract, which include references to standards of conduct and possible conflict of interest between private interests and the interests of the Authority. Every employee has a role to play in maintaining the standards, which the public is entitled to expect of the Fire Service.

11.4 The responsibility for maintaining effective monitoring systems, procedures and controls to prevent or detect fraud and corruption rests with managers responsible for particular service areas. However you are advised that the Authority must maintain the proper control of its financial affairs and will not hesitate to use Auditors or the Police to investigate suspected cases of fraud and corruption should the need arise.

11.5 You must be aware that it is a serious criminal offence to corruptly receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in your official capacity. If an allegation is made, it is for you to demonstrate that any such rewards have not been corruptly obtained. The relevant statutory provisions appear at Appendix 'A'. However, if incidents of fraud and corruption nevertheless occur, the next objective is to ensure those management arrangements and systems of control are robust enough to identify when irregularities are occurring.

11.6 Incidents of potential fraud and corruption can arise in a variety of ways including:-

- (a) information provided by employees (sometimes anonymously);
- (b) information provided by members of the public (again sometimes anonymously);
- (c) information provided by other authorities or agencies;
- (d) information highlighted by management processes and arrangements;
- (e) information highlighted by system controls;
- (f) Information highlighted by an audit or review process.

## **12. Reporting allegations of irregularities**

12.1 Indications of suspected irregularities can arise in many different ways and it is possible that anybody may be the first to become alerted to a potential situation involving malpractice, fraud or corruption.

12.2 In order to ensure that a report or allegation is dealt with quickly and confidentially, you are reminded that:-

- (a) allegations will be handled discretely – any leaking of information may jeopardise the investigation, and could lead to disciplinary action being taken;
- (b) as much information as possible must be recorded or collected in respect of the allegation – you should not delay the reporting process in order to achieve this;
- (c) records, including computer records must be secured so that there is no possibility of evidence being lost, destroyed, amended or otherwise tampered with.

- 12.3 If and when there is prima facie evidence that a criminal offence has been committed, the situation will be referred to the Police.
- 12.4 In the event of allegations or evidence indicating that financial irregularities have occurred, the Fire and Rescue Service will deal with all such issues in line with the Anti-Fraud and Corruption Policy.

### **13. Register of gifts and interests**

#### **13.1 Register of Financial and other Interests**

- (a) You must declare to the Chief Fire Officer any financial or nonfinancial interests that you consider could bring about a conflict with the interests of the Fire and Rescue Service. Section 117 of the Local Government Act 1972 requires you to make a formal declaration about contracts with the Authority in which you have a pecuniary interest. You are advised that appropriate record of interests will be maintained by the Service.
- (b) The criterion for 'interests' is as follows:-
- (i) any external employment or business carried on by you (Note the contents of the Secondary Employment Policy);
  - (ii) the name of the secondary employer, the name of any firm in which you are a Partner and the name of any company in which you are a Director;
  - (iii) the name of any person who has made a payment to you, other than a relevant Authority, in carrying out your duties;
  - (iv) the name of any corporate body which has a place of business or land in the Authority's area and in which you have a beneficial interest;
  - (v) a description of any contract for goods, services or works made between the Authority and you or a firm in which you are a Partner or Director;
  - (vi) the address (or other description sufficient to identify the location) of any land in which you have a beneficial interest and which is in the area of the Authority;
  - (vii) the address (or other description sufficient to identify the location) of any land where the Landlord is the Authority and the tenant is the firm in which you are a partner or director;

- (vii) the address (or other description sufficient to identify the location) of 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.
- 13.4 A Register of Interests Form (See Appendix 'B') has been provided on which you must record any interests as identified above.
- 13.5 You must ensure that you have completed the relevant documentation, for consideration. You must also ensure that the documentation is valid, accurate and updated regularly as necessary.
- 13.6 It is your responsibility to ensure that, should any details declared on the Record of Interests Form change, a new form is submitted.

#### **14. Register of gifts**

- 14.1 The official conduct of officers and other employees should never foster the suspicion of a conflict of interest. You must be careful not to show, by your behaviour, that you may be influenced by gifts whilst acting in an official capacity. This is important, not simply because the reputation of the Authority may be at stake, but also you are liable to criminal proceedings if you are shown to be influenced by inducements.
- 14.2 A potential source of conflict between private and public interests is the offer of gifts, hospitality or benefits in kind to you in connection with your official duties. For the purposes of this Code, a gift includes any item with a monetary value that you have not purchased and paid for yourself, or that has not been issued by the Authority during the normal course of your employment. This includes such things as hospitality, holidays, software, food and drink, clothes and electronic devices. You are reminded that this list is not exhaustive.
- 14.3 With the exception of unsolicited gratuities received in accordance with paragraph 14.4, you must not, under cover of your employment, accept any fee or reward whatsoever other than your proper remuneration. When a gift has to be refused, this should be done with tact and courtesy because the offering of gifts is more common in practice in the commercial world.
- 14.4 You may accept unsolicited gratuities offered by any person or organisation during the normal course of your employment provided that such gratuities are disposed of for charitable purposes to a charity to be determined by the Chief Fire Officer. If a gift or unsolicited gratuity is simply delivered to your place of work there may be a problem returning it. In which case, it must be reported to a Principal Officer immediately by e-mail, who in consultation with the Chief Fire Officer will determine a suitable charity.

14.5 In all cases, the Register of Gifts/Hospitality Form (See Appendix 'C') must be completed and forwarded to your Line Manager. Your Line Manager will check and then authorise the form and forward it to the Personnel Section. A record of every gift/gratuity received by an employee will be recorded on a Register of Gifts, available within the Personnel Section.

14.6 The only exceptions to the above are:-

- (a) Gifts of a promotional nature on the conclusion of any courtesy visit to a factory or firm of a sort normally given by that firm;
- (b) Gifts of a token value, often given at Christmas time such as diaries, calendars, pens, etc.

## 15. Hospitality

15.1 A reasonable amount of hospitality may be offered as a normal part of public life, but it is important not to create an appearance of improper influence thus undermining public confidence.

15.2 Where hospitality is offered to you, special caution is needed when the host is seeking to do business with the Authority or to obtain a decision from it. It is important to avoid any suggestion of improper influence, and therefore you should consider the following:-

- (a) Is the donor or event significant in the community?
- (b) Are you expected to attend because of your position in the community?
- (c) Will the event be attended by others of a similar standing in the community?
- (d) What is the motivation behind the invitation?
- (e) Would the invitation be, in any way inappropriate or place you under pressure in relation to any current or future issue involving the Authority?
- (f) Could you justify your decision to the Authority and the public?
- (g) Is the extent of the hospitality reasonable and appropriate?
- (h) How will you respond to the hospitality?
- (i) Are you comfortable with the decision?

- 15.3 In general terms it will often be more acceptable to join in hospitality offered to a group than to accept something unique to you.
- 15.4 When a particular person or body has a matter currently in issue with the Authority, then offers of hospitality from that person or body should be refused even if, under normal circumstances, they would have been accepted.
- 15.5 Hospitality is sometimes offered to representatives of the Authority and is accepted as official, i.e. corporate level, because that is reasonable in the circumstances. In such cases, Fire Authority Members and Principal Officers, or individuals nominated by them, should attend.
- 15.6 All acceptance of hospitality, other than those indicated at 15.5 above, must be reported using the Register of Gifts/Hospitality Form (See Appendix 'C'), completed in accordance with paragraph 14.5 above.
- 15.7 All records appertaining to either your Record of Interests or Record of Gifts/Hospitality will be available for inspection by Officers who currently have access to your personal data as defined under the Data Protection Act, and those other persons authorised to have access, such as Auditors.

## **16. Malpractice occurring in the workplace (whistle-blowing)**

- 16.1 The term whistle-blowing is used to describe arrangements, which allow you to express concerns about any types of malpractice, which may be occurring in the workplace. Such arrangements are closely linked to a culture which encourages you to express your concerns (sometimes anonymously) without the fear of intimidation or recrimination, and in the confident knowledge that any reported concerns will be treated seriously and confidentially in line with the Service Whistle-blowing Policy.
- 16.2 The Service has a Whistleblowing policy that is set out in the Constitution.

## **17. Monitoring and review**

- 17.1 The Chief Fire Officer will review this Code of Conduct every two years.
- 17.2 All records appertaining to this code will be reviewed at the same frequency to the above.

**REVISED May 2018**



**This Appendix provides further guidance about the definitions of fraud and corruption and applicable legislation connected to this code of conduct.**

### 1. **FRAUD**

Fraud is defined as:

*The intentional distorting of financial statements or other records by persons internal or external to the organisation which is carried out to conceal the misappropriation of assets or otherwise for gain.*

Fraud is therefore, a deliberate act by an individual or group and is normally intentional and dishonest. It does not include misappropriation of assets not involving the distortion of financial statements of other records, e.g. fraud would not include theft of cash or property.

Within the Authority, fraud can occur in a number of ways including: .

- ❖ Falsification of records
- ❖ Over claiming of expenses
- ❖ Payment for goods and services which are not received
- ❖ Creation of fictitious issue records or goods received notes

This list is intended to be indicative only.

### 2. **CORRUPTION**

Corruption can be defined as:

*The offering, giving, soliciting or acceptance of an inducement or reward which may influence the action of any person.*

Within the Authority, corruption is only possible by collusion and would normally involve staff in conjunction with members of the public or other third parties. Corruption can therefore occur in a number of ways:

Tendering and award of contracts;  
Contractors claims and final accounts; Award of permissions, consents, licences etc; Disposal of assets.

Again, this list is not exhaustive.

### 3. **BRIBERY**

Bribery is defined as:

## Bribery

*Offering, promising or giving a financial or other advantage to a person intending them to perform improperly a relevant function or activity or to reward them for the improper performance;*

*Requesting, agreeing to receive or accepting a financial or other advantage intending that in consequence a relevant function or activity should be performed improperly.*

Under the Bribery Act 2010 it is a criminal offence to accept a bribe to influence you not to do your job properly.

APPENDIX B

COUNTY DURHAM AND DARLINGTON FIRE AND RESCUE SERVICE



**REGISTER OF INTERESTS**

If it comes to your knowledge that a contract in which you have a pecuniary interest, whether direct or indirect (not being a contract to which you are a party), has been, or is proposed to be, entered into by the Authority, as soon as practicable you must give notice in writing to the Chief Fire Officer of your interest therein.

Using the criterion detailed with the Code of Conduct as a guide, complete the following short questionnaire and return it to the Personnel Section as soon as possible. The original will be held on your Personal Record File and a copy will be returned to you for information.

**NAME:**

\_\_\_\_\_  
(Please Print Clearly)

**ROLE/GRADE:**

\_\_\_\_\_

**SERVICE NUMBER:**

\_\_\_\_\_

**LOCATION**

**INTERESTS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Signed:**

\_\_\_\_\_

**Date:**

\_\_\_\_\_

**RECEIVED BY THE PERSONNEL SECTION**

**On:** \_\_\_\_\_

**Signed:** \_\_\_\_\_

COUNTY DURHAM AND DARLINGTON FIRE AND RESCUE SERVICE

REGISTER OF GIFTS/HOSPITALITY

This form should be completed in accordance with the Employee Code of Conduct Guidance.

NAME:

\_\_\_\_\_  
(Please Print Clearly)

ROLE/GRADE: \_\_\_\_\_

NUMBER: \_\_\_\_\_ LOCATION: \_\_\_\_\_

GIFT/GRATUITY/HOSPITALITY ACCEPTED:  
\_\_\_\_\_

COMPANY/INDIVIDUAL OFFERING GIFT/GRATUITY/HOSPITALITY:  
\_\_\_\_\_

EMPLOYEE: Signed: \_\_\_\_\_ Date: \_\_\_\_\_

LINE MANAGER: Signed: \_\_\_\_\_ Date: \_\_\_\_\_

DONATED TO: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

RECEIVED BY THE HR SECTION

On: \_\_\_\_\_

Signed: \_\_\_\_\_

This page is intentionally left blank



### Current Correspondence: March 2018 – June 2018

Release date	Subject	Summary	Action		
			CFA Report	CFA Response	Info
7/3/18	Gender Pay Gap Reporting	All employers with more than 250 staff are required by law to report their gender pay gap by 30 March 2018			√
13/3/18	Letter to Chiefs and Chairs regarding compliance with national framework for England	Annual statements of assurance for 2015/16 and 2016/17 to be provided to the Home Office by the end of March 2018			√
14/3/18	Part time workers (prevention of less favourable treatment) regulations	Long standing cost sharing agreement to cover the legal work provided by DAC Beachcroft. Authorities will be invoiced for their share in the next few weeks (which will cover the period 31 Jan 17 – 19 Feb 18)			√
15/3/18	FY2018 /19 Fire Revenue New Dimensions Grant Determination and Grant Letter	Three letters received <ul style="list-style-type: none"> <li>• Fire Revenue New Dimensions Grant for FY2018-19</li> <li>• Revision to the 2017/18 Fire Revenue "firelink" grant – to reflect the 2017 retail price index rates</li> <li>• Fire Revenue Firelink Grant for 2018-19</li> </ul>			√
01/05/18	HMICFRS letter from HMI Zoe Billingham	Letter to provide update on information to be sent to Service Liaison Officers for Services being inspected in			√

		tranche one, which includes the document request, self assessment, strategic briefing and future discovery visits for the fire and rescue inspection programme.			
01/05/18	Letter from Shehla Husain, Deputy Director of the National Resilience and Fire Programmes in the Home Office	Letter to outline the changes to the Firelink billing arrangements.			√
01/05/18	Letter regarding JESIP embedding progress	Letter to inform Services of agreement from the Home Office to assist the emergency services to maintain a dedicated JESIP team. To assess progress Services would be asked to provide regular updates on key specific areas.			√
21/5/18	Letter from Chloe Dunnett	Letter regarding professional standards for the fire and rescue services in England.			√

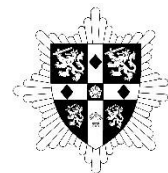




**COMBINED FIRE AUTHORITY**

**11 JUNE 2018**

County Durham and Darlington  
**Fire and Rescue Authority**



**MEMBER CHAMPIONS**

---

**REPORT OF ASSISTANT CHIEF FIRE OFFICER – SERVICE DELIVERY**

---

**Purpose of Report**

1. This report sets out details of two new Member Champion roles and seeks nominations for the individual roles for the forthcoming year.

**Background**

2. As part of the approach to developing the Authority's services and engaging with stakeholders, the Authority has sought to 'champion' particular areas of work through a Combined Fire Authority (CFA) Member Champion role.
3. Member Champions provide the Service with an opportunity to work closely with individual Members to help to develop services and to engage with local communities, staff, councillors and other stakeholders through a closely aligned officer and member relationship.

**Member Champion Roles**

4. The following Member Champion roles have been identified as bringing significant advantages to the Service and Authority:
  - Community Safety
  - Public Health
  - Equality, Diversity & Inclusion
  - Health, Safety & Wellbeing
  - Retained Duty System
  - Young Firefighters & Fire Cadets
5. Following the introduction of Her Majesty's Inspectorate of Constabulary and Fire and Rescues Services (HMICFRS) and the Dame Judith Hackitt Review on the tragic events that occurred at Grenfell Tower in London, two additional Member Champion roles have been identified as equally significant to the Authority and Service;
  - HMICFRS
  - Business Fire Safety
6. The existing Member Champion roles listed in paragraph 4 were agreed at the CFA on 25 July 2017 and will run through until 2019. The two new roles will initially be for a single

year only and this will then allow them to be included when nominations for the Member Champion roles are again sought in 2019.

7. The individual role requirements for the new Member Champion roles are set out in Appendices A-B.
8. Given the extremely challenging financial position facing public services, the role of a Member Champion is more important than ever if the Service is to ensure performance is sustained over the medium to longer term.
9. Any members undertaking a Member Champion role will gain a significant amount of personal development in relation to the specific role being undertaken, whilst the Service benefits from the local knowledge, experience and public standing of members.
10. Details of work undertaken by Member Champions will be recorded on individual training and development records.

### **Expressions of Interest**

11. Members are requested to complete and submit the expression of interest form for either of the new Member Champion roles and return it to the Service via email [pa@ddfired.gov.uk](mailto:pa@ddfired.gov.uk) by 25 June 2018.
12. If there is more than one expression of interest in a role, a final decision on allocating the role will be made by the Chair and Vice Chair of the Authority.
13. The outcomes of this process will be reported to the CFA on the 17 July 2018.

### **Recommendations**

14. CFA Members are requested to:
  - **Note** the new Member Champion roles as set out in this report and as detailed at Appendix A-B.
  - **Note** that the expression of interest form Appendix C needs to be submitted by email by the 25 June 2018.
  - **Note** that the Fire Authority will approve the new Member Champions at the CFA meeting on the 17 July 2018.

Dominic Brown, Assistant Chief Fire Officer, Service Delivery, 0191 375 5610

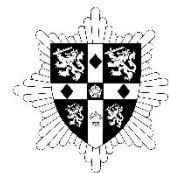
**Role Description**

<p><b>Overview</b></p>	<p>County Durham and Darlington Fire and Rescue Authority Member Champions play a pivotal role in helping to shape the way services are provided to local communities. Member Champions also play a pivotal role in engaging with key stakeholders and making the best use of links with other councillors to promote the work of the Authority.</p> <p>A Member Champion role provides a unique opportunity to work closely with the Service and to help the Authority deliver its vision of Safest People, Safest Places.</p>
<p><b>Strategy</b></p>	<p>The Fire Authority have a statutory duty under the Regulatory Reform (Fire Safety) Order 2005 (RRO) and have delegated powers to the Chief Fire Officer through the CFA Constitution.</p> <p>A fundamental part of this Member Champion role is to assist the Service to develop its approach to BFS and to help to ensure that services provided by the Authority are fit for purpose, effective and take full account of the statutory requirements placed on the Authority through the Fire Services Act, National Framework and Regulatory Reform Order. This includes:</p> <ul style="list-style-type: none"> <li>• Being involved in the early stages of BFS strategy development</li> <li>• Having oversight of the Service’s performance involving BFS</li> <li>• Helping to align the Authority’s BFS work with the IRMP and wider business community agenda for County Durham and Darlington</li> </ul>
<p><b>Policy Implementation</b></p>	<p>The implementation of the Authority’s BFS strategy is important in ensuring that the communities we serve remain safe.</p> <p>The Member Champion will:</p> <ul style="list-style-type: none"> <li>• Act as a sounding board for proposals relating to BFS</li> <li>• Assist the Service to ensure policy implementation takes account of local issues</li> <li>• Ensure that policy implementation takes account of partners and other stakeholders policies where this is practical</li> <li>• Ensure that the strategies we employ are effective</li> <li>• Assist the Service in promoting sprinkler installation</li> </ul>
<p><b>Stakeholder Engagement</b></p>	<p>Member Champions can play a pivotal role in engagement with stakeholders. This will include pro-active engagement with:</p> <ul style="list-style-type: none"> <li>• Other Fire Authority members</li> <li>• Councillors</li> <li>• Staff</li> <li>• Partner agencies</li> <li>• Public</li> <li>• Local businesses</li> <li>• Interest groups / Media</li> <li>• Government officials</li> </ul>

## Member Champion for Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS)

### Role Description

<b>Overview</b>	<p>County Durham and Darlington aspire to achieve the best possible outcome from the HMICFRS inspection of the Service and be recognised as an outstanding Fire and Rescue Service.</p> <p>A Member Champion role provides a unique opportunity to work closely with the Service and assist in achieving an outstanding outcome from the HMICFRS inspection.</p>
<b>Strategy</b>	<p>A key part of this Member Champion role is to promote the benefits of the collaborative relationship of the Service and its key partners as this area is described in detail within the efficiency pillar of the inspection methodology. This would include:</p> <ul style="list-style-type: none"> <li>• Having an oversight of CDDFRS key partners and historical knowledge of the key outcomes of collaboration with the Service;</li> <li>• Liaison with key partners to prepare them for their involvement in the HMICFRS inspection as they will be required to evidence the working relationship and collaborative benefits of working with the Service.</li> </ul>
<b>Policy Implementation</b>	<p>The HMICFRS will conduct a series of surveys with a range of stakeholders in the pre-fieldwork phase of the inspection of the Service. These surveys will be conducted with CDDFRS internal staff, members of the public from both County Durham and Darlington who have received a service from CDDFRS and key partners who engage in collaboration with CDDFRS to achieve joint organisational objectives.</p> <p>The HMICFRS inspection Member Champion will:</p> <ul style="list-style-type: none"> <li>• Engage with key stakeholders to raise the awareness of the working arrangements and outcomes from collaboration with the Service;</li> <li>• Provide a conduit between the Service and the Authority on matters relating to the HMICFRS inspection;</li> <li>• Highlight support to the HMICFRS inspection process and emphasise the importance of the outcome.</li> </ul>
<b>Stakeholder Engagement</b>	<p>The Member Champion would play an essential role in promotion of the collaboration between the Service and key stakeholders. Outcomes from the initial HMICFRS inspections indicate the following organisations would be contacted for their feedback and opinions on the relationship with the Service:</p> <ul style="list-style-type: none"> <li>• Police;</li> <li>• Health;</li> <li>• Voluntary sector;</li> <li>• LRF chairs of strategic, tactical and supporting groups; □</li> </ul> <p>Organisations involved in the sharing of any CDDFRS estate; □ The local community.</p>

**MEMBER CHAMPION EXPRESSION OF INTEREST**

Name:		
<b>Member Champion Role</b>	<b>Tick Box</b>	
Community Safety	Councillor Brian Jones	
Public Health	Councillor Christine Potts	
Equality, Diversity & Inclusion	Councillor Sue Richmond	
Health, Safety & Wellbeing	Councillor Colin Carr	
Retained Duty System	Councillor John Shuttleworth	
Young Firefighters / Fire Cadets	Councillor Linda Marshall	
HMICFRS		
Business Fire Safety		
Please state why you are interested in this role:		
Have you any particular skills and/or experience you can bring to this role?		

Please return to Janine Milburn via [pa@ddfir.gov.uk](mailto:pa@ddfir.gov.uk) by the 25 June 2018.

This page is intentionally left blank

**Safest People, Safest Places**

### COMBINED FIRE AUTHORITY

11 JUNE 2018

### MEMBER ATTENDANCE AT CONFERENCE

---

### REPORT OF CHAIR

---

County Durham and Darlington  
Fire and Rescue Authority



#### PURPOSE OF REPORT

1. To provide feedback to members on the recent Local Government Association (LGA) Fire Conference held between 13 and 14 March 2018.

#### BACKGROUND

2. Members have agreed to feedback a summary of any key issues emerging from conferences, events or seminars they have attended on behalf of the Authority.
3. The LGA Fire Conference is held annually with the event being held this year in Gateshead. This year's conference covered a wide range of topics with delegates attending a large number of presentations and workshops with a summary of these detailed in appendix A.

#### RECOMMENDATION

4. Members are asked to **note** the report and appendix A.

This page is intentionally left blank



## APPENDIX A

### MEMBER FEEDBACK FROM CONFERENCE/SEMINAR/FIRE RELATED EVENT

<b>Attendees</b>	Cllr Robinson, Cllr Laing, CFO Errington, DCFO Bage
<b>Event</b>	Local Government Association (LGA) Fire Conference: Gateshead
<b>Date</b>	13 - 14 March 2018
<b>Overview of event</b>	
Annual LGA Fire conference with a range of keynote sessions covering a range of topics such as: trauma support; Grenfell, building safety, early reflections from HMICFRS pilot inspection authorities; recruitment and inclusion; future of fire finance.	
<b>TOPIC</b>	Chairs welcome
<b>Speaker</b>	<b>Organisation</b>
Cllr Ian Stephens	Fire Service Management Committee
He is new to the role of FSMC Chair. 2017 has been a significant and challenging year for the Fire and Rescue Service (FRS). There is an opportunity to influence Hackett Review findings. HMICFRS appointed and Sussex speaking later about their experience of being a pilot FRS. Recruitment is an opportunity to increase diversity across all underrepresented groups not just gender. The LGA have an important role in ensuring there is a level playing field with PCCs who wish to take on responsibility for FRSs in their area.	
<b>Implications for Service</b>	
N/A	
<b>TOPIC</b>	Trauma Support Team An Internal Peer Support Service
<b>Speakers</b>	<b>Organisation</b>
Dany Cotton Fiona Twycross Ian Hayton Laura Lawrence Steve Malley	Commissioner of London Fire Brigade Chair of the London Fire and Emergency Planning Authority Chief Fire Officer, Cleveland Fire Brigade Welfare Manager, Tyne and Wear Fire and Rescue Service Group Manager B Risk and Information, Tyne and Wear Fire and Rescue Service
<p><b>Fiona Twycross</b> - mental toll from Grenfell has impacted the entire Brigade. Leadership from Dany Cotton has been inspirational. A video of a poem written by a firefighter from the Grenfell Tower incident was played.</p> <p><b>Dany Cotton</b> - there has been a huge impact on London Fire Brigade (LFB) and FRS in general, need to be vigilant in relation to mental health. Impact across organisation of Grenfell. Effect still being felt 9 months later. Whilst some were affected immediately and some of those are beginning to cope with the mental health issues other individuals are now only beginning to experience issues. Need to keep conversation going in relation to mental health and need to act quickly after Grenfell. Everyone had access to a counsellor at a debrief session before they left the incident ground, followed up with regular sessions. Pressure and stress of public enquiry will be immense for those individuals who will be required to give evidence. LFB have been encouraging all staff to check on their colleague's behaviour. The fact that Dany Cotton has been open with her challenges has</p>	

helped others. People want to tell their story and feel free to do so. Support from T&W FRS was excellent and work of the Firefighters Charity and Mind. It is clear that mental health impacts on vulnerability to fire. Hoarding is an issue and it impacts on wide range of people. Men more at risk of not talking about mental health issues. Promoting the phrase: *'Its OK not to be OK'*

**Ian Hayton** – Mental health is an FRS issue not just LFB issue. There is still a stigma attached to mental health. The National Fire Chiefs Council (NFCC) is dealing with absence issues across the sector and mental health is a growing issue. 55,000 shifts lost every year to mental health. 20% of wholetime absence, 29% of control absence and 30% of green book staff absence is attributed to mental health. Statistics show that 1 in 4 people will suffer a mental health problem in their lifetime. He mentioned the Oscar Kilo assessment tool that is available to analyse the issues of mental health in blue light services. Services need to put action behind the words and pledges

**Laura Lawrence and Steve Malley** - The history of the Trauma Support Team in Tyne and Wear FRS was outlined. In 1996 a debriefing team established but there was disparity between the views of the Team and the views of staff in general. Over the years they have developed a professional process which and leads to a qualification for those members of staff taking part in the team. They use the Mitchel model which is a facilitated discussion that signposts additional support. Any fatalities trigger support from the Service, although anyone can also request support. There is a process in place to monitor station activity across the team to see if additional support is required. The team is made up of volunteers who all receive training up to level 3 certificate with some having gone on to degree qualification.

**Implications for Service**

The Service have a number of arrangements in place through the employee assistance programme to support staff with mental health issues. The involvement of T and W Trauma Support Team has also been considered following recent incidents in this Service. Options are currently being assessed on enhancing the internal resources for trauma support in the Service.

<b>TOPIC</b>	Grenfell, Building Safety
<b>Speakers</b>	<b>Organisation</b>
Dame Judith Hackitt	Chair, Independent review of building safety and fire safety regulations
Roy Wilshire	Chair, National Fire Chiefs Council

**Dame Judith Hackitt** - Explained the timeline. The review was announced on 28 July 2017. The review was tasked to look at if Grenfell Tower was a one off or if there were similar flaws in other buildings. It was clear from an early stage that this was a broad issue not a single building problem. The Review has looked at the issues from a system perspective and how we need to have a different approach going forward. The need for a radical overhaul of the current system was the common message passed to the review team. An Interim Report was published on 18 December 2017 with a final report expected to be published in May 2018. Judith Hackitt made it clear that she is looking at the overarching framework for Building Regulations and Fire Safety not the specifics details of the clauses/sections of the existing regulations. The framework, she believes, needs a

radical overhaul and the changes required are too big to be addressed by just 'tinkering' with the existing.

There was confusion and complexity about what is guidance and what is regulation at many levels in the system. Interpretation of the guidance is varied. There are many areas where specific responsibilities in regulations are unclear and therefore with any new system safety is paramount. There are a series of issues around competence e.g. what constitutes a competent Fire Engineer as the means of assessing and ensuring competence is weak. It is simply not good enough for anyone to undertake those roles in complex buildings. Compliance, enforcement and sanction processes are also weak. The privatisation of Building Control has added to the general confusion. It was clear that the voices of residents aren't often heard when there is an issue in a building. It was also evident that product testing is insufficient and not robust.

Judith Hackitt outlined the direction of travel. A new regulatory framework is needed, and it must be risk based, simple and clear in terms of roles and responsibilities. The building industry seems to be working in a way that a contractor can do what they want providing it isn't specifically prohibited. Significant culture change is needed to ensure ownership and accountability of safety of building. Need for stronger regulations and penalties for noncompliance. Structure of guidance documentation needs to be reviewed. There is a specific problem with desk top studies.

The Review Team are still working on the final detail and have six established working groups to cover the various areas in the review's scope:

- Procurement of building
- Occupancy and maintenance
- Record keeping of buildings
- Competence
- Testing of products
- Regulation and guidance

**Roy Wilshire** – Explained the NFCC work. Nobody thought Grenfell Tower could happen in UK as we believed the regulations were too tight. We have seen a 100% failure rate of ACM 3 cladding during the tests. The FRS nationally had undertaken 1200 visits to premises by October 2017. He talked about the Camden evacuations on 21 June and the issues related to fire safety in those premises. He reminded everyone that the cladding being used didn't comply with current regulations never mind reviewed regulations which might be introduced following the review. The NFCC had received immense support from West Midlands Fire Service, data cleansing has been a big issue. NFCC are represented on all of the working groups. Any future role for the FRS is important but we need additional resources funded by government. Inspection officers' competence is equally important. The systems are different in Wales and Scotland and England could learn from some of these aspects, particularly from Scotland.

<b>Implications for Service</b>	
The Service is currently reviewing the level of qualifications required for its specialist fire safety officers who carry out the complex building inspections and also the qualifications for the operational crews who carry out the low-medium level audits of buildings.	
<b>TOPIC</b>	Early reflections from HMICFRS pilot inspection authorities
<b>Speakers</b>	<b>Organisation</b>
Zoe Billingham Mark Hardingham Cllr Matthew Hicks	HM Inspector of Fire and Rescue Services Chief Fire Officer, Suffolk Fire and Rescue Service Cabinet Member, Suffolk Fire and Rescue Service
<p><b>Mark Hardingham</b> – Provided insight where Suffolk FRS are with the first pilot inspection. Stated that although the inspection team arrived on site on 12 March to begin the formal inspection the process began several months before that. There had been two rounds of data collection and requests for documentation. A discovery week had taken place with three members of the inspection team; although there are eleven inspectors as part of the team in total. He acknowledged they had put a no insignificance amount of resources into the process but felt it was worthwhile.</p> <p><b>Zoe Billingham</b> – stated that they are not inspecting corporate governance but if they pick up a point that a Service is not delivering because of a governance issue then a separate inspection of governance will be carried out. Stated that grades will be given for the three areas of efficiency, effectiveness and people but they still hadn't decided whether an overall grade is given.</p> <p>Her early reflections were:</p> <ul style="list-style-type: none"> <li>• Develop a trusting relationship with the inspection team</li> <li>• The role of the Service Liaison officer (SLO) is vital</li> <li>• Be open and honest when writing the self-assessment</li> <li>• Don't 'over engineer' any responses to information requests or preparation for the visit</li> <li>• Talk to the pilot service and importantly talk to the inspectorate</li> </ul>	
<b>Implications for Service</b>	
Extensive preparation work for the HMICFRS is already underway in the Service and feedback received from the pilot services will assist in this process.	
<b>TOPIC</b>	Liberal Democrat View on Fire Sector
<b>Speaker</b>	<b>Organisation</b>
Baroness Pinnock	Liberal Democrat Spokesperson
<p><b>Baroness Pinnock</b> – was previously leader of Kirklees Council but has never been involved with FRS before. Thanked LFB for heroic efforts at Grenfell. It was a clear failure of public policy and an example of a heavy price to pay for loosening regulations. BP believed that the appointment of a female CFO will set a good precedence for the future. It was clear that 40% cuts to budgets has impacted on the public and there was a need to increase funding for FRS. Code of corporate governance for private sector specifies the</p>	

make-up of boards and that should be adopted for the public sector as opposed to a single PCC. The Lib Dems are opposed to the PCC agenda unless there is local agreement for it. They support the LGA view that there should be support from the constituent authorities. Robust scrutiny arrangements need to be in place where a PCC takes on Fire. She admitted that she had much to learn and intends to make most of the opportunity as spokesperson.

When asked about the party's view on sprinklers she believed that there wasn't a clear view from FRS on the issue but suggested that they need to listen to experts.

**Implications for Service**

No specific implications for the Service

<b>TOPIC</b>	Recruitment and Inclusion
<b>Speakers</b>	<b>Organisation</b>
Micky Nicholas	Fire Brigade Union
Sam Rye	Fire Brigade Union
Lt Col Andy Black	SO1 Engagement NE, British Army

**Micky Nicholas** – joined LFB in 1990 and became an FBU rep in 1993. Black history is important and links to the FRS. There is still much to be done to encourage a more inclusive service, lack of recruitment has been an issue but there has still been a failure to raise awareness of the FRS as an employer with black people; positive action should be on-going not just in the run up to recruitment campaigns. Gregor Smith Review in 2017 stated that every person should be able to fulfil their potential but that hasn't become a reality. He listed various FRSs as a comparator against the local population. Clearly the FRSs don't reflect the BME population in some areas. Published targets, mandatory unconscious bias training, mentoring, ED&I policies and procedures should all be looked at. Apprenticeship offers an opportunity and in his opinion the Home Office (HO) need to act.

**Sam Rye** - represents women through the FBU National Women's Committee. 2018 was an important year for women as it was 100 years since they received the vote. HO needs to be more involved in the work of the FRS to encourage inclusion and Sam Rye saw the Inclusive Fire Service Working Group (IFSWG) as a key group. Austerity meant no recruitment but there was now an opportunity to do something positive. Stated how females are well represented in fire cadet schemes so Services need to work to get these to take the next step into employment. Positive action is contentious but necessary and there is a need to learn from good practice. Rep Bodies can help as they think outside the norm. Some key issues were: poor facilities, working through the menopause, language is important, and the fact that society still think it is a man's job. Leaders of change need to be bold and engage with all underrepresented groups.

**Andy Black** – discussed the structure of the Army which was built around 10 Brigades across UK. Engagement with the community was important but so are targets as, what gets measured gets done. The Army needed to be reflectively of the community and therefore they have been carrying out continuous and persistent engagement over the last 7 years which is increasing their 'in-flow' of BME and females into the army.

**Implications for Service**

The Service has representation on the IFSWG (CFO) and we have developed and Equality, Diversity and Inclusion Strategy. The Services workforce is not representative of the local population and the strategy sets out the positive action initiatives we need to undertake to try and address this.

<b>TOPIC</b>	Future of Fire Finance
<b>Speakers</b>	<b>Organisation</b>
Charles Kerr	Director, Finance and Corporate Services, Kent Fire and Rescue Service
Emma Laurence	Fire Funding Policy Team, Home Office
Nick Chard	Chairman of Kent and Medway Fire and Rescue Authority

**Charles Kerr** - We are facing a perfect storm for the FRS sector from 2021. What is the climate going to be? It seems likely that austerity will be here to stay and we may possibly be facing a further 5-10% cut in funding in the next Comprehensive Spending Review (CSR) period. FRS won't be protected so proportional cuts could be larger. Other key factors HMICFRS - unhelpful for our discussions. The debate around demand v risk may impact and it is clear that times are changing. In his view the tax payer is looking to challenge the view on demand. Fair funding review could move money around sector. The Home Office have said that transition onto a new funding formula will mean transition so impacts more significant than it has been where floors and ceiling protection has been in place. 75% Business Rate Retention scheme causes uncertainty, assumptions need to be made in age of uncertainty. CSR get it right.

**Emma Laurence** - Fire demand and risk across whole sector. Requirements going forward and need evidence for Treasury. Work will help with evidence. HO isn't protected so evidence is essential. Need to be transparent around reserves. How will drive efficiency in future. Fair funding review will result in HO receiving their allocation in October 2019.

**Nick Chard** - thanked Charles Kerr. He believed unlike Charles Kerr that it was an Amber rather than Red warning regarding funding. Light at end of tunnel for austerity from Chancellor. Productivity of FRS staff is important and broadening the role of the FF's is key. Agreement close through NJC with some local determination. Generally reserves have gone up but accepts they can't use for ongoing expenditure. Capital funding has changed significantly- no funding available. Need to use revenue budget to fund capital. Do we deliver and can we measure it. Clear return on investment for EMR through University of Hertfordshire and New Economy reports. What added value have we added as a sector?

**Implications for Service**

Authority's medium term financial plan (MTFP) takes account of uncertainties in funding beyond the current settlement period. The Service will need to continue to identify areas for future savings to ensure it is as prepared as it can be for any potential further government grant reductions.

<b>TOPIC</b>	Labour Party View of Fire Sector
<b>Speakers</b>	<b>Organisation</b>
Karen Lee MP	Shadow Fire Minister

**Karen Lee** – was elected in 2017 having previously been a nurse and councillor so states she understands public sector. She wants to build on the work of Chris Williams. She was

involved in the Lincolnshire campaign to stop closure of a fire station. Highlighted Government chose to go down the austerity route whilst at the same time cutting taxes. Government misunderstands the statistics and Labour will build the FRS not cut it. PCC agenda is also a threat. The FRS is not a law enforcement service and the PCC agenda undermines the trust from country in the fire service. Labour will focus on cost effectiveness, expansion of the role will only be introduced if it is fully funded. Pay cap will be scrapped. Structure and approach of pension schemes needs to be reviewed. They will celebrate diversity and inclusion. Labour have a duty to ensure Grenfell can't happen again.

**Implications for Service**

None at present; if the approach to the fire sector, as articulated in the speech, was to be adopted by a future labour government the Authority would need to lobby to ensure that additional government funding was available to cover the increased costs.

This page is intentionally left blank



**Safest People, Safest Places**

**COMBINED FIRE AUTHORITY**

**11 JUNE 2018**

County Durham and Darlington  
**Fire and Rescue Authority**



## **COMBINED FIRE AUTHORITY STRATEGIC PLANNING DAY**

---

### **REPORT OF ASSISTANT CHIEF FIRE OFFICER SERVICE SUPPORT**

---

#### **Purpose of the Report**

1. This report sets out the areas discussed at the Combined Fire Authority (CFA) strategic planning day on 10 May 2018.

#### **Background**

2. The Authority holds a strategic planning day twice a year to consider the future strategy, service transformation options, challenges and opportunities facing the Service.
3. At the strategic planning day on 10 May 2018, the Service Leadership Team (SLT) provided a brief to members on the following topics:
  - A national update and the possible impacts for the Authority and Service from:
    - The Fire Reform Programme;
    - Demand and Risk;
    - The impact of high profile incidents; ○ Resilience and terrorism; ○ Changes to the governance of fire and rescue services.
  - The current Medium Term Financial Plan (MTFP);
  - An update on the Emergency Response (ER) Review and options currently being trialled;
  - The Service's business continuity resilience (BCR) arrangements to satisfy the requirements of the Fire and Rescue National Framework for England;
  - Organisational culture interventions implemented following the outcomes of the culture survey circulated in October 2016 and details of the recently launched culture survey for 2018;
  - An overview of the Her Majesty's Inspectorate for Constabulary and Fire and Rescue Services (HMICFRS) and the engagement the CFA could expect.

#### **National Update**

4. The uncertainty and the potential impacts that the national issues, highlighted in section 3, may have on the Authority and the Service were discussed and debated in detail. In particular, it was noted how the Home Office (HO) had commenced its implementation of the Fire Reform Programme through:
  - The Policing and Crime Act 2017 and the potential impact this will have on governance; collaboration and the inspection of fire and rescue services (FRS) by HMICFRS;

- The new Fire and Rescue National Framework for England and how this will be used to drive reform and the greater emphasis it places on holding both the CFA and the Chief Fire Officer (CFO) to account for compliance with it, and;
  - The uncertainties on future funding of the Service and the discussions the CFO had had with the Fire Minister regarding demand and risk.
5. The impact of recent high-profile incidents which the FRS had been involved in nationally, namely Grenfell and the terrorist attack in Manchester clarified expectations both from the public and the government of the FRS.

### **Medium Term Financial Plan**

6. The current MTFP, which was approved in February 2018 along with the level of reserves were discussed in some detail. The current MTFP is based on a four-year funding settlement until 2019/20, after which the level of government funding to be received is unknown. For the purpose of the MTFP, the Service has assumed no further reductions in government funding beyond 2019/20.
7. The current MTFP is based upon a number of assumptions, particularly in relation to pay and inflation. The current MTFP assumes an annual inflation of 2% in 2018/19 and then 1% thereafter and a 2% pay increase in each year. If the assumptions prove to be incorrect, this could have a significant impact on the future MTFP deficit.
8. Whilst the Service was successful in securing £3.8million from the Fire Transformation Fund to build the quad station at Barnard Castle, the Government no longer provides any support to fund capital expenditure. The Authority requires an investment of at least £1million per year to maintain the status quo so will be required to borrow to fund capital expenditure which adds a further £100k to the revenue budget in debt repayment costs each year.
9. The new Fire and Rescue National Framework for England requires the Authority to publish the following information in relation to reserves:
- How the level of the general reserve has been set;
  - Justification for holding a general reserve larger than 5% of budget;
  - Whether the funds in each earmarked reserve are legally or contractually committed and if so what amount is committed;
  - A summary of what activities or items will be funded by each earmarked reserve and how they support the FRA's strategy to deliver good quality services to the public.
10. County Durham and Darlington Fire and Rescue Authority (CDDFRA) currently has the lowest level of reserves of all stand-alone English FRS'.

### **Emergency Response Review**

11. A summary of the ER review conducted in 2017, which identified 8 options for change together with details of the current trials which are being carried out were presented to members. The trials being conducted involve changes to the establishment numbers at Bishop Auckland, Seaham and Newton Aycliffe, these changes were ideas generated by staff following consultation on the 8 options. A change to the staffing model at Spennymoor is also being trialled, this currently involves utilising 'on call' personnel to staff one post on the day crewed appliance.

## **Business Continuity Resilience**

12. Members were presented with the previous and current requirements of the National Framework for England regarding the BCR arrangements the Service is required to have in place in accordance with our duties under the Civil Contingencies Act 2004. In addition, members were briefed on the current arrangements in place by the Service to address those duties.
13. The new Framework published on 8 May 2018 states that '*FRA's must make every endeavour to meet the full range of service delivery risks and national resilience duties and commitments that they face*' which now specifically includes the requirement for FRA to respond to the threat of terrorism and to maintain the robustness of their Marauding Terrorist Firearms Attack (MTFA) capability which went live in County Durham and Darlington on 18 May 2018. The Service is required by the HO to complete a survey confirming its BCR arrangements on an annual basis, however this information has been requested on 3 occasions since December 2017.
14. The importance of meeting the requirements of the Framework was emphasised as primarily it is aimed at ensuring public safety; but also failure to comply would likely result in a 'requires improvement' or 'inadequate' judgement from HMICFRS.

## **Culture Update**

15. An update on the interventions that have taken place to improve the culture of the Service since the last staff survey in October 2016 was delivered to members. An explanation of the new survey which was launched on 30 April and focusses on leadership and innovation was also provided. The results of the latest survey will be delivered to a future CFA meeting.

## **Her Majesty's Inspectorate for Constabulary and Fire and Rescue Services**

16. Members were provided with an insight into the HMICFRS inspection process that was introduced through the Policing and Crime Act 2017 and is a requirement of the Fire and Rescue National Framework for England. The inspection methodology, process, judgement criteria and timeline were presented to members, highlighting that CDDFRS is included in the third tranche of inspections which commence in Spring 2019; this affords the Service an opportunity to learn from tranche one and two.
17. Members were informed that although the inspection would not take place until Spring 2019, the Service's involvement with HMICFRS is well underway. The HMICFRS Service Liaison Lead (SLL) Matt Reavill has already visited the Service; he remains in regular contact and several data requests have been made by the Inspectorate which the Service has responded to.
18. HMICFRS have stated that although the inspection will not include an assessment of corporate governance; however, it is expected that members of the inspection team will meet representatives from the CFA. The Inspectorate will focus on the service provided to the public and the content of the Integrated Risk Management Plan (IRMP) and how this translates into operational practice.
19. In preparation for the HMICFRS inspection, the SLT will ensure members receive regular updates on progress and are briefed prior to the Service's inspection in Spring 2019.

## Recommendations

20. Members are asked to:

- (a) **Note** the contents of the report.

Sarah Nattrass Assistant Chief Fire Officer Service Support, 0191 375 5587

**COMBINED FIRE AUTHORITY**

**11 JUNE 2018**

County Durham and Darlington  
**Fire and Rescue Authority**



**SERVICE LEADERSHIP TEAM STRUCTURE**

---

**REPORT OF DEPUTY CHIEF FIRE OFFICER**

---

**PURPOSE OF THE REPORT**

1. This report outlines the Service Leadership Team (SLT) structure going forward following the retirement of the Deputy Chief Fire Officer (DCFO) and the resignation of the Area Manager(AM): Training, Assets and Assurance to take up a position with Bedfordshire Fire and Rescue Service (FRS).

**BACKGROUND**

2. On 27 September 2017 the Authority approved an amended structure for the SLT, to take account of the retirement of the DCFO and resolved to replace the position with two Assistant Chief Fire Officer (ACFO) positions. Subsequently Sarah Natrass and Dominic Brown were appointed into the ACFO position in February 2018. Sarah has taken up the ACFO: Service Support role on a substantive basis and Dominic has taken the up the ACFO: Service Delivery role on a temporary basis.
3. On 01 May 2018, AM Andy Hopkinson left the Service to take up the DCFO role with Bedfordshire FRS. The Chair and Vice Chair have written to him, on behalf of the Authority, thanking him for all of his hard work while with the Service and wishing him well in his new role.
4. The changes outlined above gave rise to two AM vacancies in the Service, one temporary (to replace Dominic Brown) and one permanent (to replace Andy Hopkinson). A temporary promotion process was, therefore, advertised to qualified staff both internally and with Tyne and Wear FRS (TWFRS), as part of our ongoing collaboration work. This resulted in two internal members of staff being temporary promoted:
  - John Walkden to the AM: Emergency Response role;
  - Steve Wharton to the AM: Training, Assets and Assurance role.
5. As there is a substantive vacancy at AM level the Service will be undertaking a substantive AM Assessment and Development Centre (ADC) at some point this year. In line with our normal policy we will be advertising this process nationally to ensure we attract the best possible applicants. This is also now a requirement of the Fire and Rescue National Framework for England which was published on 08 May 2018.
6. Discussions with TWFRS will take place to establish if they have any AM vacancies and if they wish to collaborate on the ADC process.

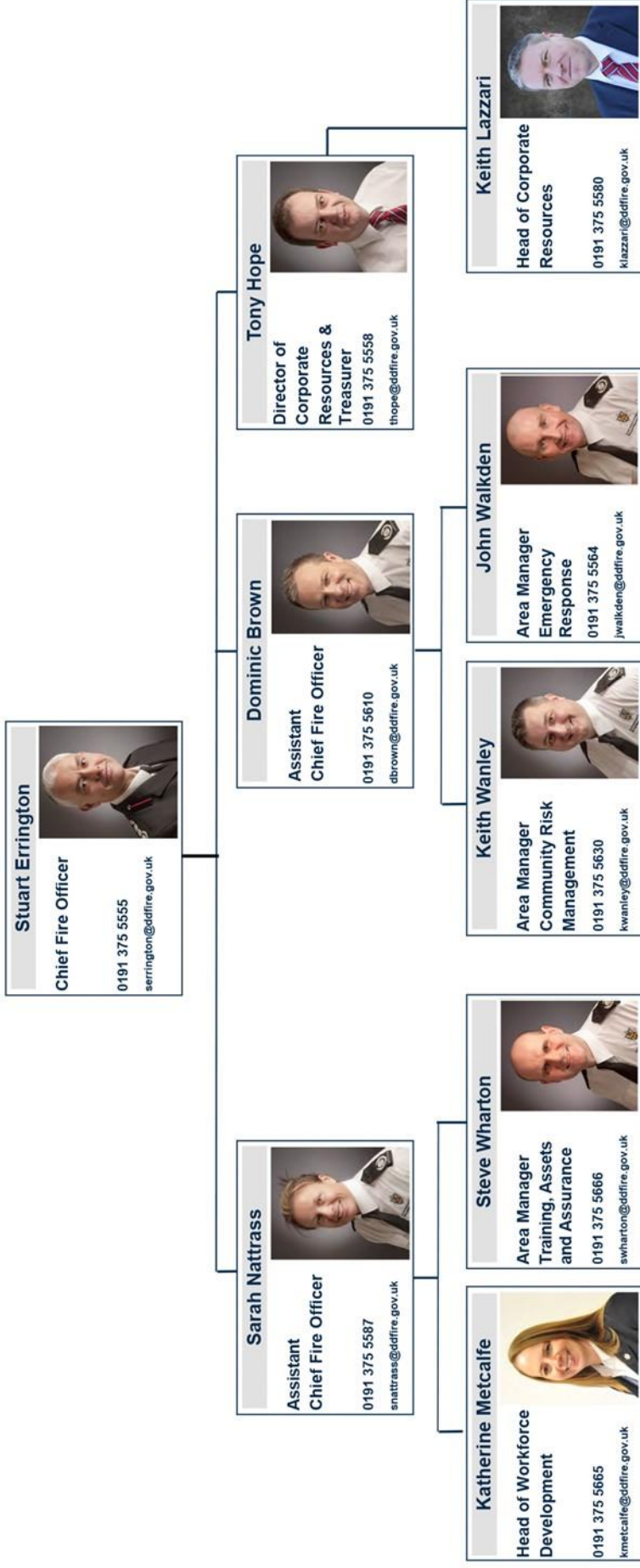
7. As part of the restructure the reporting lines for a number of roles have changed and therefore it is appropriate to ensure that the job titles accurately reflect the roles the individuals are undertaking. If the Service wish to influence the national agenda it is also important that our job titles are reflective of those in other FRSs for equivalent positions. It is therefore recommended that the following titles are amended:
- Head of Corporate Resources and Treasurer to Director of Corporate Resources and Treasurer;
  - Corporate Resources Manager to Head of Corporate Resources;
  - Workforce Development Manager to Head of Workforce Development.
8. The renaming of these posts will not result in any increase in remuneration for any of the members of staff and all three posts have previously been subjected to external job evaluation. A copy of the amended SLT structure is attached as Appendix A.

## RECOMMENDATIONS

9. Members are requested to:
- (a) **Note** the amended SLT structure at Appendix A which will be in place from 29 June 2018 when the DCFO retires;
  - (b) **Note** the intention to advertise nationally for an Area Manager ADC over the next few months;
  - (c) **Approve** the amended job titles listed in paragraph 7.

Deputy Chief Fire Officer Colin Bage 0191 3755585

# Service Leadership Team



The Service Leadership Team (SLT) provide the senior executive officer function within the Service.

The Fire and Rescue Authority delegates to the SLT, the effective management of the organisation and its resources, the delivery of the primary corporate, operational and support services and the execution of the statutory responsibilities. Updated: April 2018

This page is intentionally left blank



**Safest People, Safest Places**

**COMBINED FIRE AUTHORITY**

**11 JUNE 2018**

County Durham and Darlington  
**Fire and Rescue Authority**



**CONTRIBUTION TO DARLINGTON PARTNERSHIP**

---

**REPORT OF ASSISTANT CHIEF FIRE OFFICER – SERVICE DELIVERY**

---

**PURPOSE OF THE REPORT**

1. To request Members to consider the financial contribution to the One Darlington Partnership for 2018/19.

**BACKGROUND**

2. The Authority has provided a financial contribution to the running of the Darlington Partnership of £7,500 per annum since 2011/12. The Darlington Partnership was renamed the One Darlington Partnership in 2015 to align with the Council's vision of "One Darlington, Perfectly Placed".
3. A request has been received from the One Darlington Partnership to continue to provide funding at the same rate of £7,500 for 2018/19. A copy of the request letter is attached as Appendix A.

**THE BENEFITS OF PARTNERSHIP WORKING**

4. The One Darlington Partnership is structured to bring key partners together to develop cross sector understanding of strategic issues in Darlington. The work of the Partnership has been focused on Darlington Borough Councils priorities but also takes account of partner's priorities in agreeing its direction and work programmes.
5. The One Darlington Partnership has also had success in some specific outcomes such as community safety, protecting vulnerable people and a focus on alcohol and smoking reduction.
6. The overall budget for the Partnership is £79,000 which covers: the cost of the partnership office, any costs associated with Board and Executive meetings; conferences and assemblies; coordination of Best of Darlington Awards; and any partnership specific projects.
7. In the next twelve months the Partnership will be looking to explore how to maximise the contribution of the private sector for the good of the community and to improve volunteering across the public sector.

8. Given the importance the Fire Authority, The Fire and Rescue National Framework and HMICFRS place on collaboration and partnership working, the One Darlington Partnership is an important forum to attend. We can only shape the agenda for Darlington if we continue to contribute to the work of the One Darlington Partnership.
9. The funding required for the One Darlington Partnership is built into the 2018/19 budget and the MTFP.

## **RECOMMENDATIONS**

10. Members are recommended to
  - a) **approve** the financial contribution to the Darlington Partnership of £7,500 per annum for 2018/19.

Dominic Brown, Assistant Chief Fire Officer, Service Delivery 0191 3755610

Mr S Errington  
Belmont Business Park  
Durham  
DH1 1TW



**Seth Pearson – Partnership Director**

Room 101, Town Hall  
Darlington  
DL1 5QT

Tel: 01325 406090  
Mob: 07973 425408

[seth.pearson@darlington.gov.uk](mailto:seth.pearson@darlington.gov.uk)

29<sup>th</sup> March 2018

Dear Stuart

**Re: One Darlington Partnership funding**

You will shortly receive an invoice for your £7,500 contribution towards One Darlington Partnership and we thank you for your continued commitment.

As confirmed at the last Board meeting there is a continuing strong commitment to working together through the Partnership. This year we will be reviewing how we focus our energies but the strong relationships and the core values of respect, openness and a willingness to act at the heart of the Partnership continue to be recognised as invaluable assets.

We continue to drive forward action which addresses our ambitions laid out in One Darlington: Perfectly Placed. The Partnership has forged a particularly important role in Building Strong Communities: one of the three pillars of the strategy. For example:

- Darlington Cares, the corporate social responsibility collaboration that we developed in 2012 continues to grow and provided 4,800 hours of volunteering last year
- The Partnership held a second volunteering fair. Over 60 voluntary and community groups exhibited. Feed-back from exhibitors was extremely positive with many new volunteer having been recruited.

Through our review of progress towards the objectives of One Darlington: Perfectly Placed we identified domestic violence as an area where our collective efforts could have a positive impact. In collaboration with the Police Crime and Victims' Commissioners office we launched a campaign raising awareness with employers and providing information about help available to their employees should they be victims of domestic violence.

Cont'd ...

The Partnership is also playing a significant role in promoting a positive image of Darlington:

- The Best of Darlington Awards goes from strength to strength. This year we have received over 160 nominations from the public, the largest number ever, testimony to the esteem it is held in within the community.
- The second Festival of Ingenuity was held in September. The event, which celebrates Darlington's ingenious heritage and present, had more businesses participating than the year before and attracted thousands more visitors. It has established itself as a major event in Darlington's cultural calendar and is set to play an important role in Darlington's bid for City of Culture.

In recognition of the tight financial climate we have trimmed the Partnership's budget as far as possible to an annual cost of £90,000. We also managed to secure over £70,000 in sponsorship for the activities we delivered.

In conclusion, we hope you would agree that there is a need for us to work together now more than ever. We need your voice at the table as we make plans to ensure Darlington continues to thrive.

Yours sincerely



**Alasdair MacConachie**  
Chairman, One Darlington Partnership



**Ada Burns**  
Chief Executive Darlington Borough Council

**COMBINED FIRE AUTHORITY**

County Durham and Darlington  
**Fire and Rescue Authority**



**11 JUNE 2018**

**MEMBERSHIP OF THE CHIEF FIRE OFFICERS ASSOCIATION**

---

**REPORT OF CHIEF FIRE OFFICER**

---

**PURPOSE OF THE REPORT**

1. To inform members of the amended invoicing procedure and seek approval for continuation of the professional partnership arrangement with the Chief Fire Officers Association (CFOA).

**BACKGROUND**

2. All fire and rescue services (FRS) in the UK are professional partners of CFOA. CFOA and its subsidiary, the National Fire Chiefs Council (NFCC), co-ordinate FRS activity across the UK and provide professional advice to the various UK governments. CFOA has undergone a significant transformation programme over the last two years to ensure that it reflects the needs of the sector following the Fire Reform Programme.
3. The recently published Fire and Rescue Service National Framework for England outlines the government's support for the NFCC:

*"The NFCC brings together the operational leadership of the UK's fire and rescue services to provide co-ordinated professional, operational and technical leadership of the sector, advising and supporting central and local government, and other stakeholders.*

*The NFCC fulfils a multifaceted role that is reflected throughout this document and other national frameworks. The NFCC represents the sector in local and national structures, helping to develop national policies and strategies. The NFCC is the first line of operational advice to central and local government during major incidents. This is outlined within the National Coordination and Advisory Framework (NCAF), which fire and rescue services must proactively engage with.*

*The NFCC has a role to drive continuous improvement and development throughout the sector. Fire and rescue services should consult the NFCC for advice and support when developing improvement plans, particularly in response to inspections.*

*The expectation is that fire and rescue services in England engage with the NFCC and, in turn, that the NFCC works to support and represent every service."*

4. Part of CFOA's transformation and at the request of FRSs, CFOA have changed the way that they invoice for the various elements of the services they provide. Previously separate elements of the services were invoiced individually and were dealt with internally by separate budget holders. In

order to reduce bureaucracy and improve transparency it was agreed that CFOA would issue a single invoice to each FRS.

5. There are currently four elements that make-up the total invoice from CFOA:
  - The Professional Partnership Fee – this enables each FRS to access all of the guidance and advice produced by CFOA. It also provides membership of the NFCC and the ability to be able to vote on policy decisions.
  - Children and Young People element – this enables a collaborative approach to be taken to the educational programmes for young people that are developed in the sector. The programme will develop standard packages and advice for each FRS in areas such as cadets and the Young Firefighters Association (YFA).
  - Research and Development element – this function will provide evidence-based research that can be shared throughout the sector for the benefit of all FRSs.
  - Central Programme Office element – provides the staff and resources to operate the entire programme.
6. An overarching concept of the NFCC is that if all FRSs pool resources then efficiencies should be achieved by reduced duplication. The NFCC also have an important role in spreading good practice and therefore helping the sector to improve.
7. A copy of the invoice for 2018/19 is attached at Appendix A. Given the new arrangements that have been put in place, Authority approval for continuing with the membership of CFOA is sought.
8. The funding required for CFOA is built into the 2018/19 budget and the MTFP. Going forward it is recommended that the decision around the Service's continued membership is delegated to the Chief Fire Officer (CFO), in consultation with the Treasurer. The CFO will, as part of the decision-making process, consider whether or not CFOA is delivering value for money for the Authority.

## RECOMMENDATIONS

9. Members are requested to:
  - a) **Note** the amended process for invoicing from CFOA;
  - b) **Approve** the single invoice for 2018/19;
  - c) **Delegate** future decisions on membership of CFOA/NFCC to the CFO in consultation with the Treasurer.

Chief Fire Officer Stuart Errington 0191 3755555

**Invoice CFOA 4688**

Invoice / Tax Date 01/04/2018

Customer Order  
No.

Account No. DURH01


**CFOA**  
 Chief Fire Officers  
 Association

 Chief Fire Officers Association  
 c/o West Midlands Fire Service  
 99 Vauxhall Road  
 Nechells  
 Birmingham

B7 4HW

Co Durham &amp; Darlington Fire &amp; Rescue

 ServiceFinance Department  
 Belmont Business Park  
 Durham

DH1 1TW

**VAT registration no: 902 1954 46**
 Finance enquiries+44(0)121 3806925/6  
 revenues@wmfs.net& 7  
 www.cfoa.org.uk
**Invoice**

Details	Qty	Unit Price	Net
D. 2018-19 Professional Partnership fee	1	£9,259.00	£9,259.00
2018-19 Children and Young People element	1	£7,750.00	£7,750.00
C. 2018-19 Research and Development element	1	£3,936.00	£3,936.00
C. 2018-19 Central Programme Office element	1	£15,000.00	£15,000.00

Invoice Tax Breakdown:	Tax Rate	Total Net	Total Tax
	20.00%	35,945.00	7,189.00

**PAYMENT DETAILS****Bank details HSBC Bank**

Account no. 71617532 Sort code 40-44-02

**Total Net Amount £ 35,945.00****Total VAT Amount £ 7,189.00****Invoice Total £ 43,134.00****Payment is due on receipt of invoice**
 Registered in England as Limited Company number  
 03677186 Registered in England as Charity  
 number 1074071

This page is intentionally left blank



**Safest People, Safest Places**

**COMBINED FIRE AUTHORITY**

**11 JUNE 2018**

**FIRE AND RESCUE NATIONAL FRAMEWORK FOR ENGLAND**

County Durham and Darlington  
**Fire and Rescue Authority**



---

**REPORT OF ASSISTANT CHIEF FIRE OFFICER SERVICE SUPPORT**

---

**Purpose of the Report**

1. To inform members of the publication of the Fire and Rescue National Framework for England (attached as Appendix A) and any associated implications for the Combined Fire Authority (CFA).

**Background**

2. At the CFA Meeting on 13 February 2018 members were informed of the publication of the 'Fire and Rescue National Framework for England: Government Consultation. The Authority provided a response to the consultation which ended on 14 February 2018.
3. The National Framework sets out the Government's expectations for the Fire and Rescue Service and what is required of Fire and Rescue Authorities to meet those expectations. The Government has a duty, under Section 21, of the Fire and Rescue Services Act 2004 to produce the Framework, keep it under review and revise it if necessary.
4. Fire and Rescue Authorities (FRAs) must have regard to the Framework in carrying out their duties. Under Section 25 of the Fire and Rescue Services Act 2004, the Secretary of State is required to prepare a biennial report to Parliament on the extent to which FRA are acting in accordance with the Framework.
5. The National Framework was last updated in 2012 and the consultation document for the latest Framework contained a number of significant changes to the previous version, reflecting some of the changes that are being introduced through the Fire Reform Programme and provisions in the Policing and Crime Act 2017 on emergency service collaboration and changes to governance arrangements.
6. The new Fire and Rescue National Framework for England was published by the Home Office (HO) on 08 May 2018 and is open ended in duration.

## **Fire Reform Programme**

7. As stated in section 5, the HO outlined an ambitious programme of reform for the fire and rescue sector in 2016. The new National Framework seeks to embed these reforms, which include:
- Transforming local governance of fire and rescue by enabling mayors and police and crime commissioners to take on responsibility for their fire and rescue service where a local case is made;
  - Establishing Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) as an independent inspection regime for fire and rescue services;
  - Developing a comprehensive set of professional standards to drive sector improvement;
  - Supporting services to transform commercially with more efficient procurement and collaboration;
  - Increasing the transparency of services with the publication of greater performance data and the creation of a new national fire website; and
  - Driving forward an ambitious programme for workforce reform; enhancing: professionalism; management and leadership; training and development; equality and diversity; culture; and options for flexible working.

## **Fire and Rescue National Framework for England Priorities**

8. The HO expect to see the above areas of reform embedded in the plans developed by FRA to ensure they deliver on the priorities detailed in this National Framework; these are:
- Make appropriate provision for fire prevention and protection activities and response to fire and rescue related incidents;
  - Identify and assess the full range of foreseeable fire and rescue related risks their areas face;
  - Collaborate with emergency services and other local and national partners to increase the efficiency and effectiveness of the service they provide;
  - Be accountable to communities for the service they provide; and
  - Develop and maintain a workforce that is professional, resilient, skilled, flexible and diverse.

## **Implications for the Authority**

9. The Service Leadership Team has developed a Gap Analysis and Action Plan which will help ensure the Authority complies with all the statutory requirements of the National Framework 2018. A copy of the Gap Analysis and Action Plan is contained as Appendix B.
10. The analysis also shows 2 areas of partial compliance; both of these areas being new requirements introduced by the new Framework. The Service is progressing work in both areas to demonstrate compliance.

## Conclusion

11. The National Framework 2018 is a key strategic document for the CFA. There are a number of implications for the Authority in the document and further work is being taken forward at national, regional and local levels. The Authority, however, is well placed to address these implications and has developed a robust Gap Analysis and Action Plan to ensure compliance against all the requirements. Completion of the Action Plan will assist the Authority to provide assurance to local communities, Government and the HMICFRS on operational matters.

## Recommendations

12. Members are asked to:

- (a) **Note** the report;
- (b) **Note** publication of the Fire and Rescue National Framework for England 2018 document contained as Appendix A;
- (c) **Note** the associated Gap Analysis and Action Plan contained at Appendix B;
- (d) **Receive** further reports to update on progress with the Action Plan.

This page is intentionally left blank



Home Office

# Fire and Rescue National Framework for England

## CONTENTS

Foreword	3
1. INTRODUCTION	5
Powers	5
Priorities	5
2. DELIVERY OF FUNCTIONS	6
Identify and Assess	6
Prevent and Protect	6
Respond	7
Collaboration	7
3. NATIONAL RESILIENCE	9
Gap Analysis	9
National Coordination and Advisory Framework	10
Response to Terrorist Attacks or Marauding Terrorist Firearms Attacks	10
National Resilience Assurance	10
4. GOVERNANCE	11
Managing the Fire and Rescue Service/Chief Fire Officer	11
Documents to be Prepared	12
National Fire Chiefs Council	13
5. ACHIEVING VALUE FOR MONEY	14
Reserves	14
Commercial Transformation	15
Research and Development	16
Trading	16
6. WORKFORCE	17
People Strategy	17
Professional Standards	17
Fitness Principles	17
Re-engagement of Senior Officers	18
7. INSPECTION, INTERVENTION AND ACCOUNTABILITY	19

Inspection	19
Intervention	19
Accountability	20
Transparency	21
8. TIMESCALE AND SCOPE	22
Timescales	22
Scope	22
Annex A - Requirements on Fire and Rescue Authorities in England	23
Annex B - Published Financial Guidance (see Chapter 5)	24
Annex C - Fitness Principles	25
Annex D - Protocol on Central Government Intervention Action for Fire and Rescue Authorities	26

# Foreword

Fire and rescue services play a crucial role in making our communities safer, whether it be preventing and protecting people from fire and other risks, or responding swiftly and effectively to the incidents and emergencies that occur.

Over the past decade we have witnessed a significant decrease – almost half - in the number of fires attended which suggests that we are, as a society, becoming safer than ever from the risks and consequences of fire. This decrease can be attributed to many factors, including in part testament to the successful fire prevention and protection work that fire and rescue services deliver day in, day out, up and down the country. We must continue to work hard to keep people – especially those whose vulnerability to fire is increased by age, infirmity, mental health, domestic violence or any of the other complex issues some of us are living with – as safe from fire risks as possible. In many cases, this means engaging effectively with other agencies to work together to better protect and improve the outcomes for these individuals. Nevertheless, the awful tragedy at Grenfell Tower provided a stark and terrible reminder that we can never afford to become complacent.

The past decade has also seen fire and rescue services respond to an ever growing number of non-fire incidents. I expect collaboration to be at the heart of how services operate so that services can work with, or on behalf of, local providers, to deliver a range of public safety activity to protect their local communities, where it is in the interests of efficiency and effectiveness for them to do so. But such activity must not be at the expense of services' core functions around prevention, protection and response as that is ultimately what the taxpayer funds fire and rescue services to deliver.

In 2016, the Home Office outlined an ambitious programme of reform which it is delivering with the fire and rescue sector. We want to support the continuous improvement of fire and rescue services, enabling them to be more accountable, effective and professional than ever before, building on the great strides in prevention and collaboration that they have already made. This revised National Framework seeks to embed these reforms, which include:

- transforming local governance of fire and rescue by enabling mayors and police and crime commissioners to take on responsibility for their fire and rescue service where a local case is made;
- establishing Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) as an independent inspection regime for fire and rescue services;
- developing a comprehensive set of professional standards to drive sector improvement;
- supporting services to transform commercially with more efficient procurement and collaboration;
- increasing the transparency of services with the publication of greater performance data and the creation of a new national fire website; and
- driving forward an ambitious programme for workforce reform including through enhancing: professionalism; management and leadership; training and development; equality and diversity; culture; and options for flexible working.



It is against this background that the Government issues this revised National Framework. I am grateful to all those who responded to our consultation. We have carefully considered every response and amended the National Framework as appropriate. Our consultation response has been published separately.

The National Framework will continue to provide an overall strategic direction to fire and rescue authorities, but Whitehall will not run fire, and fire and rescue authorities and their services remain free to operate in a way that enables the most efficient and effective delivery of their services, drawing upon their considerable skills and experience to best reduce the risks from fire. Ultimately, it is to local communities, not Government, that fire and rescue authorities are accountable. The fire landscape is changing with different governance models, the new inspectorate and the recently created National Fire Chiefs Council. This revised framework outlines the new roles and responsibilities of these changes and sets expectations for how services should work with the new arrangements.

Finally, it is vital that we learn the lessons from Grenfell. I very much welcome the publication of Dame Judith Hackitt's interim report setting out a comprehensive analysis of the current system of building regulations and fire safety and providing recommendations for how it can be improved. We agree with her call for a change in culture and a more effective system that will encourage people to do the right thing and hold to account those who try to cut corners. The scale of the change indicated in her Interim Report cannot be delivered by government alone. We will work closely with Dame Judith and other partners – including the National Fire Chiefs Council and fire and rescue services – to implement her short-term recommendations and to identify the long-term changes that will need to be made to the system over time. We will update the National Framework as required to ensure that the learning and recommendations from this Review, as well as those from the wider Grenfell Tower Inquiry, are captured and reflected. In the meantime, we acknowledge the vital work that local fire and rescue services, and the National Fire Chiefs Council - as a member of the Expert Panel - are doing to ensure that building owners are taking all the necessary steps to ensure those living in high rise buildings are safe and feel safe to remain in their homes.

I look forward to continuing to see the important and life-saving work that fire and rescue services deliver.

A handwritten signature in blue ink that reads "Nick Hurd". The signature is written in a cursive, slightly slanted style.

Rt Hon Nick Hurd MP

Minister of State for Policing and the Fire Service

## 1. INTRODUCTION

### Powers

- 1.1 Under section 21 of the Fire and Rescue Services Act 2004 (“the 2004 Act”), the Secretary of State must prepare a Fire and Rescue National Framework. The Framework:
- a) must set out priorities and objectives for fire and rescue authorities in connection with the discharge of their functions;
  - b) may contain guidance to fire and rescue authorities in connection with the discharge of any of their functions; and
  - c) may contain any other matter relating to fire and rescue authorities or their functions that the Secretary of State considers appropriate.
- 1.2 In setting out priorities and objectives for fire and rescue authorities in England, the requirements are best calculated to promote public safety and the economy, efficiency and effectiveness of fire and rescue authorities. The Framework sets out high level expectations; it does not prescribe operational matters which are best determined locally by fire and rescue authorities and their staff.
- 1.3 In preparing the Framework, the Secretary of State undertook a public consultation which met the requirements of the 2004 Act, namely to include fire and rescue authorities or their representatives; persons representing employees of fire and rescue authorities; and any other persons considered appropriate as required by the 2004 Act.
- 1.4 Every fire and rescue authority must have regard to the Framework in carrying out their functions. Every authority must publish an annual statement of assurance of compliance with the Framework (see Chapter 4).
- 1.5 Fire and rescue authorities function within a long-established statutory and policy framework. This document does not repeat all the duties placed on them in connection with the discharge of their functions, or more generally as a public service provider and employer.
- 1.6 The term ‘fire and rescue authority’ in this Framework applies to every fire and rescue authority in England unless otherwise stated.

### Priorities

- 1.7 The priorities in this Framework are for fire and rescue authorities to:
- make appropriate provision for fire prevention and protection activities and response to fire and rescue related incidents;
  - identify and assess the full range of foreseeable fire and rescue related risks their areas face;
  - collaborate with emergency services and other local and national partners to increase the efficiency and effectiveness of the service they provide;
  - be accountable to communities for the service they provide; and
  - develop and maintain a workforce that is professional, resilient, skilled, flexible and diverse.

## 2. DELIVERY OF FUNCTIONS

### Identify and Assess

- 2.1 Every fire and rescue authority must assess all foreseeable fire and rescue related risks that could affect their communities, whether they are local, cross-border, multiauthority and/or national in nature from fires to terrorist attacks. Regard must be had to Community Risk Registers produced by Local Resilience Forums and any other local risk analyses as appropriate.
- 2.2 Fire and rescue authorities must put in place arrangements to prevent and mitigate these risks, either through adjusting existing provision, effective collaboration and partnership working, or building new capability. Fire and rescue authorities should work through the Strategic Resilience Board where appropriate when determining what arrangements to put in place.

### Prevent and Protect

- 2.3 Fire and rescue authorities must make provision for promoting fire safety, including fire prevention, and have a locally determined risk-based inspection programme in place for enforcing compliance with the provisions of the Regulatory Reform (Fire Safety) Order 2005 in premises to which it applies.
- 2.4 We expect fire and rescue authorities to target their fire safety, prevention and protection resources on: those individuals or households who are at greatest risk from fire in the home; those most likely to engage in arson or deliberate fire setting; and on those non-domestic premises where the life safety risk is greatest. Consideration could also be given to non-domestic premises which are at risk from fire in order to mitigate loss to economic wellbeing.
- 2.5 To identify those at greatest risk from fire, we expect fire and rescue authorities to work closely with other organisations in the public and voluntary sector, as well as with the police and ambulance services. Wherever appropriate, we expect fire and rescue services to develop partnerships to support risk reduction services to those identified as vulnerable, including from exploitation or abuse, and wherever possible to share intelligence and relevant risk data.
- 2.6 In many cases, fire and rescue staff may be in a position to identify individuals' wider vulnerabilities and exposure to risks beyond fire. By working closely and collaboratively with other public and voluntary sector organisations – both nationally through the National Fire Chiefs Council (NFCC) and through local arrangements – we recognise fire and rescue authorities can make an important contribution to increasing the effectiveness and efficiency of public services and alleviating pressures on local response resources. However, this should not be at the expense of effective delivery of their statutory core fire functions.
- 2.7 In all their prevention and protection activities, fire and rescue authorities should assess what they are aiming to achieve through the activity, what type of intervention is most likely to achieve the aims and how best to measure and evaluate outcomes. Fire and rescue authorities should share details of their interventions to support each other to understand and improve the evidence base of what works best and what is most cost-effective.

2.8 Given the wide range of roles that fire and rescue personnel undertake, including with people with complex needs and vulnerabilities, fire and rescue authorities will need to ensure that all their staff in public-facing roles have the necessary skills and training to meet such demands. They also should have appropriate safeguarding arrangements in place – including ensuring staff have appropriate vetting clearance - to provide the public with the reassurance and confidence that they have every right to expect.

## **Respond**

2.9 Fire and rescue authorities must make provision to respond to incidents such as fires, road traffic collisions and other emergencies within their area and in other areas in line with their mutual aid agreements.

2.10 Fire and rescue authorities must, so far as is practicable, enter into reinforcement schemes, or mutual aid agreements, with other fire and rescue authorities for securing mutual assistance.

2.11 Fire and rescue authorities must have effective business continuity arrangements in place in accordance with their duties under the Civil Contingencies Act 2004. Within these arrangements, fire and rescue authorities must make every endeavour to meet the full range of service delivery risks and national resilience duties and commitments that they face. Business continuity plans should not be developed on the basis of armed forces assistance being available.

## **Collaboration**

2.12 The Policing and Crime Act 2017 created a statutory duty on fire and rescue authorities, police forces, and ambulance trusts to:

- keep collaboration opportunities under review;
- notify other emergency services of proposed collaborations that could be in the interests of their mutual efficiency or effectiveness; and
- give effect to a proposed collaboration where the proposed parties agree that it would be in the interests of their efficiency or effectiveness and that it does not have an adverse effect on public safety.

2.13 The duty is deliberately broad to allow for local discretion in how it is implemented and recognises that local emergency services are best placed to determine how to collaborate for the benefit of their communities. However, the duty sets a clear expectation that collaboration opportunities should be considered.

2.14 The duty does not preclude wider collaboration with other local partners, such as local authorities and wider health bodies. To reflect their wider role, ambulance trusts are required to consider the impact of the proposed collaboration on their wider nonemergency functions and the NHS when determining if it would be in the interests of their efficiency or effectiveness.

2.15 Fire and rescue authorities must collaborate with other fire and rescue authorities to deliver intraoperability (between fire and rescue authorities) and interoperability (with other responders such as other emergency services, wider Category 1 and 2 responders and Local Resilience Forums) in line with the Joint Emergency Services Interoperability Principles (JESIP). Fire and rescue authorities must collaborate with the National Resilience Lead Authority to ensure interoperability is maintained for National Resilience assets.

2.16 Intraoperability includes, but is not limited to:

- compatible communications systems, control rooms and equipment;
- common command and compatible control and co-ordination arrangements;
- effective information, intelligence and data sharing;
- compatible operational procedures, and guidance with common terminology;
- compatible training and exercising (both individually and collectively); and
- cross border working with other English fire and rescue authorities and those in the devolved administrations.

2.17 Interoperability includes, but is not limited to:

- compatible communications systems, control rooms and equipment, as appropriate;
- compatible command, control and co-ordination arrangements;
- effective inter-agency working and liaison and, where appropriate, information, intelligence and data sharing;
- shared understanding of respective roles and responsibilities, operational procedures, guidance and terminology;
- robust multi-agency plans for managing risks identified in the National Risk Assessment and community risk registers;
- multi-agency training and exercising; and
- cross border working with other responders in England and the devolved administrations.

### **3. NATIONAL RESILIENCE**

- 3.1 The Government retains responsibility for the provision of national resilience assets and capabilities managed and delivered through fire and rescue services. This responsibility extends to undertaking the National Risk Assessment which informs the requirements for fire and rescue national resilience capabilities. In meeting this responsibility, the Government has committed significant financial resource to build national resilience capabilities and to support their ongoing maintenance.
- 3.2 The Government relies on the strategic leadership role of the NFCC to maintain fire and rescue national resilience capabilities in a high state of operational readiness through a comprehensive assurance regime delivered through lead authority arrangements.
- 3.3 Fire and rescue authorities must work with the lead authority to support the national resilience assurance processes in order to ensure capabilities are maintained at a high state of operational readiness. This includes co-operation of fire and rescue authorities, as necessary, on devolved training and, where applicable, on the longterm capability management arrangements.
- 3.4 Fire and rescue services, through the NFCC's representation on the Strategic Resilience Board, must also work with Government to identify and address any national resilience capability gaps identified through ongoing analysis of the National Risk Assessment.

#### **Gap Analysis**

- 3.5 Fire and rescue authorities' risk assessments must include an analysis of any gaps between their existing capability and that needed to ensure national resilience (as defined above).
- 3.6 Fire and rescue authorities are required to assess the risk of emergencies occurring and use this to inform contingency planning. To do this effectively, fire and rescue authorities are expected to assess their existing capability and identify any gaps as part of the integrated risk management planning process. This gap analysis needs to be conducted by fire and rescue authorities individually and collectively to obtain an overall picture of their ability to meet the full range of risks in their areas.
- 3.7 As part of their analysis, fire and rescue authorities must highlight to the Home Office or the Fire and Rescue Strategic Resilience Board, any capability gaps that they believe cannot be met even when taking into account mutual aid arrangements, pooling and reconfiguration of resources and collective action.
- 3.8 The Home Office, in liaison with other government departments and the devolved administrations, will support fire and rescue authorities in considering and defining the gap between existing capability and the capability required to ensure national resilience.

## **National Coordination and Advisory Framework**

3.9 The National Coordination and Advisory Framework (NCAF) has been designed to provide robust and flexible response arrangements to major emergencies that can be adapted to the nature, scale and requirements of the incident. Fire and rescue authorities must proactively engage with, and support, the NCAF arrangements including the NFCC's lead operational role.

## **Response to Terrorist Attacks or Marauding Terrorist Firearms Attacks**

3.10 Fire and rescue services must be able to respond to the threat of terrorism and be ready to respond to incidents within their areas and across England. Fire and rescue services should also be interoperable to provide operational support across the UK to terrorist events as required. Government recognises the critical contribution of fire and rescue services when responding to acts of terrorism. This is an agreed function of fire and rescue services as set out in the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service ("the Grey Book") and is encompassed within the broad descriptions within the existing agreed firefighter role maps: to save and preserve endangered life, and safely resolve operational incidents.

3.11 To enhance resilience to terrorist risks, the Government has committed significant financial resources to develop a Marauding Terrorist Firearms Attack (MTFA) capability, with the support of fire and rescue services. This is aligned to the National Risk Assessment and provides a specialist response across the country. Fire and rescue authorities are responsible for maintaining the robustness of this capability.

3.12 MTFA arrangements shall be further enhanced by putting in place an appropriate multi-agency assurance mechanism that will ensure the capability is effective and delivered to the agreed standard.

## **National Resilience Assurance**

3.13 Fire and rescue authorities must continue to work collectively and with the Fire and Rescue Strategic Resilience Board and the national resilience lead authority to provide assurance to government that:

- existing national resilience capabilities are fit for purpose and robust; and
- risks and plans are assessed and any gaps in capability that are needed to ensure national resilience are identified.

3.14 Fire and rescue authorities with MTFA teams must work with police forces and ambulance trusts to provide tri-service assurance of this capability.



## 4. GOVERNANCE

- 4.1 Fire and rescue authorities operate with a range of different locally determined governance arrangements including an individual – either a police, fire and crime commissioner (PFCC) or a mayor – having sole responsibility for being the fire and rescue authority for an area. Each fire and rescue authority has a statutory duty to ensure provision of their core functions as required by the Fire and Rescue Services Act 2004.
- 4.2 Where police and crime commissioners under the Fire and Rescue Services Act 2004 – and mayors – wish to develop a local proposal to take on governance responsibility for fire and rescue in their area, fire and rescue authorities must provide them with such information that they reasonably require to develop a proposal. The Secretary of State can only give effect to a fire governance proposal where, in their view, it appears to be in the interests of economy, efficiency and effectiveness, or in the interests of public safety. The Secretary of State cannot give effect to a proposal if, in their view, it would have an adverse effect on public safety.
- 4.3 In London, the Mayor appoints a London Fire Commissioner who, in addition to being the fire and rescue authority, may have an operational role. The Mayor of London, who has overall responsibility for setting the strategic direction for the London Fire Brigade and holding the Commissioner to account, should give due regard to the advice of the London Fire Commissioner when making decisions about the service. The London Fire Commissioner is responsible for ensuring fire and rescue services in London are efficient and effective and prepares the Integrated Risk Management Plan for approval by the Mayor.

### **Managing the Fire and Rescue Service/Chief Fire Officer**

- 4.4 Each fire and rescue authority will appoint an individual – commonly known as a Chief Fire Officer – who has responsibility for managing the fire and rescue service. This role does not have to be operational but includes managing the personnel, services and equipment secured by the fire and rescue authority for the purposes of carrying out functions conferred on it by the Fire and Rescue Services Act 2004, Civil Contingencies Act 2004, and other enactments. Each fire and rescue authority must hold this person to account for the exercise of their functions and the functions of persons under their direction and control.
- 4.5 The chief fire officer must, in exercising their functions, have regard to the fire and rescue authority's Integrated Risk Management Plan and any set objectives and priorities which may be outlined in a strategic plan. The fire and rescue authority should give due regard to the professional advice of the Chief Fire Officer while developing the Integrated Risk Management Plan and when making decisions affecting the fire and rescue service.



## Documents to be Prepared

4.6 Each fire and rescue authority is required to produce (see Annex A for further details):

### i. Integrated Risk Management Plan

Each plan must:

- reflect up to date risk analyses including an assessment of all foreseeable fire and rescue related risks that could affect the area of the authority;
- demonstrate how prevention, protection and response activities will best be used to prevent fires and other incidents and mitigate the impact of identified risks on its communities, through authorities working either individually or collectively, in a way that makes best use of available resources;
- outline required service delivery outcomes including the allocation of resources for the mitigation of risks;
- set out its management strategy and risk-based programme for enforcing the provisions of the Regulatory Reform (Fire Safety) Order 2005 in accordance with the principles of better regulation set out in the Statutory Code of Compliance for Regulators, and the Enforcement Concordat;
- cover at least a three-year time span and be reviewed and revised as often as it is necessary to ensure that the authority is able to deliver the requirements set out in this Framework;
- reflect effective consultation throughout its development and at all review stages with the community, its workforce and representative bodies and partners; and
- be easily accessible and publicly available.

### ii. Annual statement of assurance

The statement should outline the way in which the authority and its fire and rescue service has had regard – in the period covered by the document – to this National Framework, the Integrated Risk Management Plan and to any strategic plan (e.g. the Fire and Rescue Plan – see 4.10 below) prepared by the authority for that period. The authority must also provide assurance to their community and to government on financial, governance and operational matters. For PCC FRAs, this statement is subject to scrutiny by the Police, Fire and Crime Panel. The name of this statement differs across governance models (e.g. in the case of PCC FRAs it is called the ‘Fire and Rescue Statement’ and in Greater Manchester the ‘Fire and Rescue Declaration’).

### iii. Financial plans

A medium-term financial strategy, an efficiency plan and a reserves strategy. These can be combined or published separately. Please see section 5 for further details.

## PFCC FRAs

4.7 A police, fire and crime commissioner (PFCC) must additionally produce a **fire and rescue plan**. The plan should set out the fire and rescue authority’s strategic vision, priorities and objectives for their fire and rescue service over the period of the document in connection with the discharge of their functions. This plan can be revised as frequently as considered necessary but the Government’s expectation is that a plan should be produced and issued shortly after the PFCC takes office. In

developing this plan, the PFCC must make arrangements for obtaining the view of the community as they currently do in preparing their Police and Crime Plan. These views can cover both the Fire and Rescue Plan and the Integrated Risk Management Plan and so there is no need for separate consultations to be undertaken, although local areas can consult as often as they consider necessary. The Government's expectation is that this plan should inform the Integrated Risk Management Plan which should in turn outline how the PFCC's priorities will be met.

- 4.8 The PFCC must have regard to both the Fire and Rescue Plan and the Police and Crime Plan when carrying out their functions. The plans can be combined. Where a joint Police, Crime and Fire and Rescue Plan is developed, the plan must set out both policing and fire and rescue priorities and objectives. Such plans are subject to scrutiny by the Police, Fire and Crime Panel.
- 4.9 The function of preparing and issuing the Integrated Risk Management Plan may be delegated to the Chief Fire Officer – or Chief Officer where a single employer has been put in place – however, the plan must be approved by the PFCC as the fire and rescue authority.

### **National Fire Chiefs Council**

- 4.10 The NFCC brings together the operational leadership of the UK's fire and rescue services to provide co-ordinated professional, operational and technical leadership of the sector, advising and supporting central and local government, and other stakeholders.
- 4.11 The NFCC fulfils a multifaceted role that is reflected throughout this document and other national frameworks. The NFCC represents the sector in local and national structures, helping to develop national policies and strategies. The NFCC is the first line of operational advice to central and local government during major incidents. This is outlined within the National Coordination and Advisory Framework (NCAF), which fire and rescue services must proactively engage with.
- 4.12 The NFCC has a role to drive continuous improvement and development throughout the sector. Fire and rescue services should consult the NFCC for advice and support when developing improvement plans, particularly in response to inspections.
- 4.13 The expectation is that fire and rescue services in England engage with the NFCC and, in turn, that the NFCC works to support and represent every service.

## 5. ACHIEVING VALUE FOR MONEY

- 5.1 Fire and rescue authorities must manage their budgets and spend money properly and appropriately, and ensure the efficient and effective use of their resources, pursuing all feasible opportunities to keep costs down while discharging their core duties effectively. Fire and rescue authorities should regularly review the numbers and deployment of firefighters and other staff to ensure that their fire and rescue service has a workforce that is commensurate with the risks that they face.
- 5.2 Fire and rescue authorities must ensure that financial decisions are taken with the advice and guidance of the chief finance officer and that decisions are taken with an emphasis on delivering value for money to the public purse. Fire and rescue authorities should ensure that management of their finances is undertaken with regard to published guidance including those set out at Annex B.
- 5.3 Combined and Metropolitan Fire and Rescue Authorities should produce and publish a medium term financial plan, efficiency plan and a reserves strategy (see para 5.8 below). The efficiency plan and reserves strategy can form part of the medium term financial plan and do not need to be separate documents. Where fire and rescue is part of a County Council, Unitary Authority or Mayoral Body we expect that these requirements will be included within the parent authorities' documentation. In the case of London, the efficiency plan and reserves strategy will be produced by the London Fire Commissioner.
- 5.4 The medium term financial plan should include funding and spending plans for revenue and capital. The plan should take into account multiple years, the interdependencies of revenue budgets and capital investments, the role of reserves and the consideration of risks. It should have regard to affordability and also to CIPFA's Prudential Code for Capital Finance in Local Authorities. The strategy should be aligned with the fire and rescue authority's Integrated Risk Management Plan and – if appropriate – the Fire and Rescue Plan.
- 5.5 Local Authorities (including combined fire and rescue authorities) were required to produce robust, transparent and locally owned efficiency plans and publish them on their website in order to receive a four year funding settlement from 2016/17 to 2019/20. Each fire and rescue authority should publish an annual report on their progress against these efficiency plans, and publish any updated efficiency plan if produced. Again, this can form part of the medium term financial plan.

### Reserves

- 5.6 Sections 31A, 32, 42A and 43 of the Local Government Finance Act 1992 requires billing and precepting authorities to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement.
- 5.7 Fire and rescue authorities should establish a policy on reserves and provisions in consultation with their chief finance officer. General reserves should be held by the fire and rescue authority and managed to balance funding and spending priorities and to manage risks. This should be established as part of the medium-term financial planning process.

- 5.8 Each fire and rescue authority should publish their reserves strategy on their website, either as part of their medium term financial plan or in a separate reserves strategy document. The reserves strategy should include details of current and future planned reserve levels, setting out a total amount of reserves and the amount of each specific reserve that is held for each year. The reserves strategy should cover resource and capital reserves and provide information for the period of the medium term financial plan (and at least two years ahead).
- 5.9 Sufficient information should be provided to enable understanding of the purpose(s) for which each reserve is held and how holding each reserve supports the fire and rescue authority's medium term financial plan. The strategy should be set out in a way that is clear and understandable for members of the public, and should include:
- how the level of the general reserve has been set;
  - justification for holding a general reserve larger than five percent of budget; and
  - details of the activities or items to be funded from each earmarked reserve, and how these support the FRA's strategy to deliver a good quality service to the public. Where an earmarked reserve is intended to fund a number of projects or programmes (for example, a change or transformation reserve), details of each programme or project to be funded should be set out.
- 5.10 The information on each reserve should make clear how much of the funding falls into the following three categories:
- a. Funding for planned expenditure on projects and programmes over the period of the current medium term financial plan.
  - b. Funding for specific projects and programmes beyond the current planning period.
  - c. As a general contingency or resource to meet other expenditure needs held in accordance with sound principles of good financial management (e.g. insurance).

### **Commercial Transformation**

- 5.11 Each fire and rescue authority must demonstrate that it is achieving value for money for the goods and services it receives. Every fire and rescue authority should look at ways to improve its commercial practices including whether they can aggregate their procurement with other fire and rescue authorities and other local services (e.g. police) to achieve efficiencies.
- 5.12 Fire and rescue authorities must demonstrate and support national and local commercial transformation programmes where appropriate. Each fire and rescue authority should be able to demonstrate full awareness of the objectives to standardise requirements, aggregate demand and manage suppliers of products and services within their commercial arrangements.
- 5.13 Fire and rescue authorities must ensure that their commercial activities, be that the placement of new contracts or the use of existing contracts, is in line with their legal obligations, including but not limited to the Public Contracts Regulations, the Public Services (Social Value) Act 2012, the Modern Slavery Act 2015 and transparency commitments.

## Research and Development

- 5.14 Fire and rescue authorities should engage with national research and development programmes, including those overseen by the NFCC, unless there is a good reason not to.
- 5.15 Where fire and rescue services embark on research and development outside of any national programme, processes should be put in place to ensure it meets quality standards and, where possible and appropriate, is available to the sector to enable good practice to be shared.

## Trading

- 5.16 Fire and rescue authorities have the power to trade and make a profit but they must ensure that their commercial activities are performed in accordance with the requirements of the Local Government Act 2003, the Fire and Rescue Services Act 2004 (as amended by the Localism Act 2011), the Local Government Order 2009 and the Local Authorities (Goods and Services) Act 1970. Fire and rescue authorities must also ensure that such commercial activities are exercised through a company within the meaning of Part 5 of the Local Government and Housing Act 1989.
- 5.17 A trading company is a separate legal entity and elected members and officers should at all times be aware of potential conflicts of interest when carrying out their roles for their authorities, or when acting as directors of trading companies.
- 5.18 Fire and rescue authorities must ensure any actions taken in respect of their trading companies are considered against the requirements of competition law. Any financial assistance – in cash or in kind – given by an authority that establishes or participates in it, should be for a limited period, set against the expectation of later returns, and re-paid by those returns. Any assistance should be provided under a formal agreement with the company and must be entered into for a commercial purpose. Before entering into such an agreement, the authority should satisfy itself that it will achieve its objective, and the company should satisfy itself that it will meet its objective in terms of its business plan. The parties should consider any State Aid implications and obtain their own expert advice where necessary.

## 6. WORKFORCE People Strategy

6.1 Each fire and rescue authority should have in place a people strategy that has been designed in collaboration with the workforce. This should take into account the principles set out in the NFCC's people strategy and at a minimum cover:

- continuously improving the diversity of the workforce to ensure it represents the community it serves;
- equality, cultural values and behaviours;
- the various routes available in terms of recruitment, retention and progression;
- flexible working;
- professionalism, skills and leadership;
- training opportunities;
- health and safety, wellbeing, disabilities and support (e.g. mental health and physical support); and
- tackling bullying, harassment and discrimination.

6.2 The Home Office collects and publishes a range of workforce data which fire and rescue authorities are required to provide. This includes workforce diversity, information on new joiners, reasons for leaving and firefighter injuries.

### Professional Standards

6.3 To enhance professionalism of fire and rescue services, a coherent and comprehensive set of professional standards across all areas of fire and rescue services' work will be developed, drawing on existing standards where appropriate. The development of new standards will be on an ongoing basis.

6.4 All fire and rescue authorities must implement the standards approved through this work and the inspectorate will have regard to these standards as part of their inspections.

### Fitness Principles

6.5 Firefighting is a physically demanding occupation and it is essential that firefighters have sufficient levels of fitness to enable them to carry out their tasks as safely and effectively as possible. As such, this requires higher levels of fitness than most other occupations and therefore there is a requirement for operational personnel to maintain levels of personal fitness. It is recognised that fitness levels may decline with age and whilst this may be mitigated by fitness training, diet and other lifestyle changes, it is acknowledged that there may be a general decline in fitness as a result of the ageing process.

6.6 Fire and rescue authorities have an important role in helping to ensure their firefighters remain fit and are supported in remaining in employment. Each fire and rescue authority must comply with the fitness principles set out at Annex C.

## Re-engagement of Senior Officers

- 6.7 The re-appointment of principal fire officers to the same or similar posts within the same fire and rescue authority, a short time after they have retired, has caused concern in recent years and increases costs for taxpayers. These individuals very often receive their pension benefits on retirement (such as their tax free lump sum) and then return on favourable terms, including an increase in take-home pay through avoiding paying employee pension contributions.
- 6.8 Fire and rescue authorities must not re-appoint principal fire officers<sup>1</sup> after retirement to their previous, or a similar, post save for in exceptional circumstances when such a decision is necessary in the interests of public safety. Any such appointment must be transparent, justifiable and time limited.
- 6.9 In the exceptional circumstance that a re-appointment is necessary in the interests of public safety, this decision should be subject to agreement by a public vote of the elected members of the fire and rescue authority, or a publicised decision by the appropriate elected representative of the fire and rescue authority, taking into account the legislative requirements of PCC FRA Chief Fire Officer appointment procedures. The reason why the re-appointment was necessary in the interests of public safety, and alternative approaches were deemed not appropriate, must be published and the principal fire officer's pension must be abated until they cease to be employed by a fire and rescue authority.
- 6.10 To ensure greater fairness and the exchange of talent and ideas, all principal fire officer posts must be open to competition nationally, and fire and rescue authorities must take account of this in their workforce planning.
- 6.11 While the above requirements only extend to principal fire officers, we expect fire and rescue authorities to have regard to this principle when re-appointing at any level.

---

<sup>1</sup> For the purpose of this Framework, Principal Officers refers to those officers at Brigade or Area Manager level, and above, or those with comparable responsibilities to those roles.



## 7. INSPECTION, INTERVENTION AND ACCOUNTABILITY

### Inspection

- 7.1 Independent inspection of fire and rescue authorities in England – and the fire and rescue service they oversee - is delivered by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS). The chief fire and rescue inspector and inspectors of fire and rescue authorities in England have powers of inspection given to them by the Fire and Rescue Services Act 2004, as amended by the Policing and Crime Act 2017.
- 7.2 The inspectorate will provide a crucial assurance function to consider how effective and efficient fire and rescue authorities are, how well they manage their people and whether they are fulfilling their statutory obligations. The inspectorate will also highlight good practice and identify areas where improvement is needed so that remedial or constructive action can be taken. Alongside the inspectorate, other mechanisms exist for fire and rescue authorities to seek assurance or views on how they operate and/or the service they deliver, for example the Local Government Association's sector improvement support. The Government's expectation is that these mechanisms should complement inspection rather than duplicate or hinder it.
- 7.3 The Policing and Crime Act 2017 requires the chief fire and rescue inspector for England to publish an inspection programme setting out what inspections of fire and rescue authorities in England they propose to carry out, and an inspection framework setting out the manner in which inspections will be carried out, including the matters that will be inspected. The inspection framework and programme applies to every fire and rescue authority in England. The 2017 Act also requires the chief fire and rescue inspector for England to submit an annual report to the Secretary of State providing an assessment of the efficiency and effectiveness of fire and rescue authorities in England for the period in respect of which the report is prepared.
- 7.4 All fire and rescue authorities must cooperate with the inspectorate and its inspectors to enable them to deliver their statutory function. This includes providing relevant data and information to inform inspections. The Home Office and HMICFRS will work together to align data and information collections where possible to avoid duplication.
- 7.5 Fire and rescue authorities must give due regard to reports and recommendations made by HMICFRS and – if recommendations are made – prepare, update and regularly publish an action plan detailing how the recommendations are being actioned. If the fire and rescue authority does not propose to undertake any action as a result of a recommendation, reasons for this should be given. When forming an action plan, the fire and rescue authority could seek advice and support from other organisations, for example, the National Fire Chiefs Council and the Local Government Association; and, for those areas where a PFCC has responsibility for fire governance, the Association of Police and Crime Commissioners.

### Intervention

- 7.6 Section 22 of the Fire and Rescue Services Act 2004 gives powers to the Secretary of State to intervene should a fire and rescue authority fail, or be likely to fail, to act in accordance with this Framework. The Secretary of State is required to prepare a protocol about the exercise of these powers and to have regard to it when exercising



the section 22 powers. The intervention protocol for these powers is attached at Annex D.

7.7 The 2004 Act allows the Secretary of State, by order, to require the fire and rescue authority to do something; to stop doing something; or not to do something in order to ensure the fire and rescue authority acts in accordance with this Framework. An order could be made if the Secretary of State considers it would promote public safety or the economy, efficiency and effectiveness of the relevant fire and rescue authority. Before any such order is made the Secretary of State must give the authority an opportunity to make representations about the order proposed.

7.8 Use of this power is a last resort and intervention would only be considered if there was clear evidence that an authority was failing to act in accordance with the Framework, and that the failure was sufficiently serious as to warrant Government intervention. The expectation is that the fire and rescue authority should put in place remedial measures to overcome any concerns, seeking sector-led support as appropriate.

7.9 The Secretary of State also has other powers of intervention (for example, under section 15 of the Local Government Act 1999) but the Protocol on Central Government Intervention Action for Fire and Rescue Authorities at Annex D relates solely to ensuring fire and rescue authorities act in accordance with the National Framework.

## **Accountability**

7.10 Fire and rescue authorities are expected to have governance and accountability arrangements in place covering issues such as financial management and transparency, complaints and discipline arrangements, and compliance with the seven principles of public life.<sup>2</sup>

7.11 Each fire and rescue authority must hold the individual who has responsibility for managing the fire and rescue service – an operational or non-operational Chief Fire Officer – to account for the delivery of the fire and rescue service and the functions of persons under their direction and control. In London, the Mayor of London must hold the London Fire Commissioner, as fire and rescue authority for Greater London, to account for the exercise of the Commissioner's functions.

7.12 In demonstrating their accountability to communities for the service they provide, fire and rescue authorities need to:

- be transparent and accountable to their communities for their decisions and actions;
- provide the opportunity for communities to help to plan their local service through effective consultation and involvement; and
- have scrutiny arrangements in place that reflect the high standard communities expect for an important public safety service.

---

<sup>2</sup> Selflessness; Integrity; Objectivity; Accountability; Openness; Honesty; and Leadership

## Assurance and scrutiny

7.13 More broadly, a Police, Fire and Crime Panel will perform a scrutiny function, providing both support and challenge to the PFCC on the exercise of their functions and scrutiny of their Fire and Rescue Plan and Fire and Rescue Statement (see Section 4). The powers, responsibilities and membership requirements of PFCCs are set out in the Police Reform and Social Responsibility Act 2011 and apply in relation to fire as they do policing.

## Transparency

7.14 Each fire and rescue authority must comply with their statutory transparency requirements. The nature of the requirements is dependent on the legal basis of the authority; for example, combined fire and rescue authorities would be subject to the Local Authority Transparency Code 2015 while PCC FRAs must comply with requirements under section 11 of the Police Reform and Social Responsibility Act 2011 and the Elected Local Policing Bodies (Specified Information) Order 2011. All fire and rescue authorities should therefore publish certain information, including: senior salaries; register of interests; staffing; income and expenditure; property; rights and liabilities; and decisions of significant public interest. Fire and rescue authorities must make their communities aware of how they can access data and information on their performance.

7.15 Furthermore, section 26 of the Fire and Rescue Services Act 2004 states that a fire and rescue authority must:

- a) submit to the Secretary of State any reports and returns that are required; and
- b) give the Secretary of State any information with respect to its functions that are required.

7.16 Fire and rescue authorities also have a responsibility to provide regular data to the Home Office as stipulated by MHCLG's Single Data List process. The data supplied are the source for the official and national statistics published by the Home Office and are used for the purposes of policy development across a range of organisations including Government as well as providing a publicly available national overview of activity by fire and rescue services.

## **8. TIMESCALE AND SCOPE Timescales**

8.1 This Framework has an open-ended duration. The Secretary of State continues to be responsible for keeping the terms of the Framework under review under section 21(3) of the Fire and Rescue Services Act 2004 and is required under section 25 to prepare a biennial report to Parliament on the extent to which fire and rescue authorities are acting in accordance with the Framework.

### **Scope**

8.2 The Framework covers England only. It does not apply to Northern Ireland, Scotland or Wales where responsibility for fire and rescue is devolved

## Annex A - Requirements on Fire and Rescue Authorities in England

Fire and Rescue National Framework for England

	Metropolitan FRA	Combined FRA	County/unitary FRA	PFCC FRA	London	Mayor led FRA
<b>Overall responsibility for fire and rescue functions</b>	FRA	FRA	FRA/ council committee	PFCC	London Fire Commissioner	Mayor
<b>Who scrutinises decision making?</b>	FRA	FRA	FRA/ council committee	Police, Fire and Crime Panel	London Assembly	Mayor (or specific committee if created)
<b>Need to identify priorities and objectives?</b>	No	No	No	Yes ('Fire and Rescue Plan')	Yes	Yes (Greater Manchester (GM): 'local risk plan')
<b>Need to provide an assessment of all foreseeable fire and rescue related risk and how those risks will be mitigated?</b>	Yes ('IRMP')	Yes ('IRMP')	Yes ('IRMP')	Yes ('IRMP')	Yes ('IRMP' – 'London Safety Plan')	Yes (GM: 'local risk plan')
<b>Need to produce an annual assurance statement about compliance with the National Framework?</b>	Yes ('National Framework Annual Statement of Assurance')	Yes ('National Framework Annual Statement of Assurance')	Yes ('National Framework Annual Statement of Assurance')	Yes ('Fire and Rescue Statement')	Yes	Yes (GM: 'fire and rescue declaration')
<b>Need to produce a medium term financial plan ('MTFP')?</b>	Yes	Yes	Yes – part of parent authority's documentation.	Yes	Yes – part of parent authority's documentation.	Yes – part of parent authority's documentation.
<b>Need to produce an efficiency plan? (This can be part of the 'MTFP')</b>	Yes	Yes	Yes – part of parent authority's documentation.	Yes	Yes – part of parent authority's documentation.	Yes – part of parent authority's documentation.
<b>Need to produce a reserves strategy? (This can be part of the 'MTFP')</b>	Yes	Yes	Yes – part of parent authority's documentation.	Yes	Yes – part of parent authority's documentation.	Yes – part of parent authority's documentation.
<b>Service subject to HMICFRS inspection?</b>	Yes	Yes	Yes	Yes	Yes	Yes

## **Annex B Published Financial Guidance** (see Chapter 5)

- The Accounts and Audit Regulations 2015 issued by the Ministry for Housing, Communities and Local Government which sets the financial reporting framework for local government bodies, including fire and rescue authorities.
- The Code of Practice on Local Authority Accounting in the United Kingdom issued by CIPFA /LASAAC, which constitutes proper practices for local government bodies, including fire and rescue authorities.
- The Public Sector Internal Audit Standards (PSIAS) issued by CIPFA as the relevant internal audit standards setter for local government and the fire and rescue service.
- Local Government Application Note for the United Kingdom Public Sector Internal Audit Standards issued by CIPFA.
- Delivering Good Governance in Local Government: Framework issued by CIPFA/SOLACE.
- Statement on the Role of the Chief Financial Officer in Public Service Organisations issued by CIPFA.
- Standing Guide to the Commissioning of Local Authority Work and Services issued by CIPFA.
- Prudential Code for Capital Finance in Local Authorities issued by CIPFA.
- Treasury Management in the Public Services: Code of Practice and Cross Sectoral Guidance Notes issued by CIPFA.
- Audit Committees: Practical Guidance for Local Authorities and Police issued by CIPFA.
- Position Statement on Audit Committees in Local Authorities and Police issued by CIPFA.
- Statutory guidance for local authorities on the framework for flexible use of capital receipts issued by the Ministry for Housing, Communities and Local Government.
- Local Authority Accounting Panel (LAAP) and CIPFA bulletins that provide topical guidance on specific issues and accounting developments.

## Annex C Fitness Principles

Fire and rescue authorities have an important role in helping to ensure their firefighters remain fit and are supported in remaining in employment. Each fire and rescue authority must:

- have a process of fitness assessment and development to ensure that operational personnel are enabled to maintain the standards of personal fitness required in order to perform their role safely;
- ensure that no individual will automatically face dismissal if they fall below the standards required and cannot be deployed operationally;
- ensure that all operational personnel will be provided with support to maintain their levels of fitness for the duration of their career;
- consider where operational personnel have fallen below the fitness standards required whether an individual is able to continue on full operational duties or should be stood down, taking into account the advice provided by the authority's occupational health provider. In making this decision, the safety and well-being of the individual will be the key issue;
- commit to providing a minimum of 6 months of development and support to enable individuals who have fallen below the required fitness standards to regain the necessary levels of fitness;
- refer an individual to occupational health where underlying medical reasons are identified that restrict/prevent someone from achieving the necessary fitness; and ensure that individual receives the necessary support to facilitate a return to operational duties; and
- fully explore opportunities to enable the individual to remain in employment including through reasonable adjustment and redeployment in role where it appears the medical condition does not allow a return to operational duties.

In those circumstances where there are no such opportunities and suitable alternative employment is either unavailable or, where available, is not agreed by the individual, then the fire and rescue authority will commence an assessment for ill-health retirement through the Independent Qualified Medical Practitioner process.

If no underlying medical issues are identified, and following a programme of development and support it becomes apparent that an individual will be unable to regain the necessary levels of fitness, then a fire and rescue authority will fully explore opportunities for reasonable adjustments and/or suitable alternative employment. In those circumstances where there are no opportunities for reasonable adjustments or suitable alternative employment, the fire and rescue authority will in the case of an employee aged at least 55, consider commencement of the authority initiated early retirement process for it to determine whether the individual should be retired with an authority initiated early retirement pension.

## **Annex D Protocol on Central Government Intervention Action for Fire and Rescue Authorities**

### **Introduction**

1. It is a requirement under section 23 of the Fire and Rescue Services Act 2004 (the 2004 Act) that an intervention protocol be prepared, and for the Secretary of State to have regard to it in the exercise of their power of intervention.
2. The Secretary of State's order-making powers under section 22 of the 2004 Act are to ensure that fire and rescue authorities act in accordance with the Fire and Rescue National Framework for England (the Framework). Intervention is by order, subject to the negative Parliamentary procedure, and can only be made if the Secretary of State considers it would promote public safety; and the economy, efficiency or effectiveness of the relevant fire and rescue authority, or the services it provides.
3. To date there has been no formal intervention in the operations of a fire and rescue authority by the Secretary of State under these powers. Use of this power is seen as a last resort. The expectation is that the political and professional leadership of the fire and rescue authority will put in place processes to ensure that sector-led support is provided to any fire and rescue authority that needs it.
4. This intervention protocol ("the protocol") broadly sets out the arrangements between the Secretary of State, the Local Government Association (LGA), the Association of Police and Crime Commissioners (APCC), Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), the National Fire Chiefs Council (NFCC) and fire and rescue authorities should formal intervention be considered necessary.
5. In this protocol the term 'intervention' is used to refer to action by the Secretary of State in exercise of their powers under section 22 of the 2004 Act. Although the Secretary of State also has other powers of intervention (for example, under section 15 of the Local Government Act 1999) this protocol does not apply to an intervention under those powers.

### **Role of partners in supporting fire and rescue authorities at risk**

6. HMICFRS will play a leading role in identifying any fire and rescue authority that is failing, or is likely to fail, in providing efficiency, effectiveness and leadership for the public. The NFCC and the LGA and/or APCC, will play an important liaison role in engaging the wider sector in supporting those authorities at risk and work collaboratively with key bodies,<sup>3</sup> identify at an early stage serious risks to performance or the requirement to act in accordance with the Framework<sup>4</sup>. The NFCC and/or Local Government Association and/or the Association of Police and Crime Commissioners will work with these bodies to prevent the escalation of those risks to avoid any risk to public safety or any negative impact on the reputation of the sector.

---

<sup>3</sup> This could refer to fire and rescue authorities, the relevant professional leadership including the National Fire Chiefs Council, other sector-owned bodies, inspection bodies and HMICFRS in particular, and/or government departments

<sup>4</sup> There is a joint initiative by the LGA and NFCC, "Sector Support", to adapt the previous process of Peer Review or Peer Challenge to create a mechanism to support FRSs to improve. This specifically includes a provision for those services/authorities that may be at risk of failing.

7. If there are specific concerns in respect of performance, or if there is evidence that indicates a fire and rescue authority is failing or is at risk of failing to act in accordance with the Framework, either through inspection by HMICFRS or through sector-led processes, the NFCC and/or the Local Government Association, and/or the Police, Fire and Crime Panel, and/or the Association of Police and Crime Commissioners will work with the authority to help them address the issues and seek improvement.

### **Circumstances leading to statutory intervention**

8. No intervention would be considered unless there was clear evidence that an authority was failing to act in accordance with the Framework and that the failure was sufficiently serious as to require Government intervention.
9. If, following a sustained and determined attempt to resolve problems through sector-led improvement an issue cannot be resolved, or if a fire and rescue authority is unwilling or unable to engage with sector-led improvement measures, the Secretary of State can, under section 28 of the Fire and Rescue Services Act 2004, commission HMICFRS to lead an investigation. Under this provision, the Secretary of State also has the power to require HMICFRS to undertake any further inspection of fire and rescue authorities in England as required for the purpose of furthering their efficiency and effectiveness. The Secretary of State may also seek advice and information from other persons/bodies (for example, the NFCC) in respect of specific identified issues.
10. The Secretary of State has a range of powers including to request information about a fire and rescue authority's functions<sup>5</sup> and conferring on a fire and rescue authority functions relating to emergencies<sup>6</sup>. Inspection powers – powers to obtain information and access premises – are also held by HMICFRS' inspectors.<sup>7</sup>

### **What happens upon statutory intervention?**

11. In the event that statutory intervention is considered necessary, the Secretary of State will consult the authority concerned and any other body or authority which is considered necessary, such as HMICFRS, the NFCC and the Local Government Association, before exercising powers of intervention under section 22 of the 2004 Act.
12. The form or extent of any formal intervention will be a matter for determination on a case by case basis, taking into account the views of the fire and rescue authority, HMICFRS, the NFCC, the Local Government Association, the Association of Police and Crime Commissioners, the Police Fire and Crime Panel and any other consultees, depending on the nature and the severity of the failure under consideration. Following such deliberations, the Secretary of State will agree a course of action, and how the required improvement will be delivered.

---

<sup>5</sup> Section 26 of the 2004 Act

<sup>6</sup> Section 9 of the 2004 Act

<sup>7</sup> Section 28 of the 2004 Act





© Crown copyright 2018

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit [http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3](#)

[nationalarchives.gov.uk/doc/opengovernment-licence/version/3](https://nationalarchives.gov.uk/doc/opengovernment-licence/version/3) or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at <https://www.gov.uk/government/publications>.

Any enquiries regarding this publication should be sent to us at [public.enquiries@homeoffice.gsi.gov.uk](mailto:public.enquiries@homeoffice.gsi.gov.uk).

This page is intentionally left blank



# County Durham and Darlington **Fire and Rescue Authority**

County Durham and Darlington Fire and Rescue Service

Fire and Rescue National Framework for England Gap Analysis and Action Plan



Key	
Green	Compliant
Yellow	Working/making progress towards compliance
Red	Not compliant

## CHAPTER 2 DELIVERY OF CORE FUNCTIONS

### Identify and assess

	Responsibility	Key	Notes	Lead
2.1 Every fire and rescue authority must assess all foreseeable fire and rescue related risks that could affect their communities, whether they are local, cross-border, multi-authority and/or national in nature from fires to terrorist attacks. Regard must be had to Community Risk Registers produced by Local Resilience Forums and any other local risk analyses as appropriate.	CFA		<p>3-year strategic plan incorporating the IRMP produced on a 3-year basis and updated annually.  <a href="https://www.ddfire.gov.uk/service-plans">https://www.ddfire.gov.uk/service-plans</a></p> <p>As a member of the <a href="#">LRF</a>, CDDFRS considers the <a href="#">Community Risk Register</a> in its assessment, planning and testing arrangements to respond to the risks identified in addition to the risk analysis tools utilised and developed by the Service. The CRR is referenced in our current strategic plan.</p> <p>At a local level each of the 5 Districts have risks identified and logged on a register based on the PESTELO assessment methodology. Each District are developing a station risk profile which will include local operational risks. Risks with organisational impacts are also logged on the Corporate Risk Register. These are reviewed regularly up to SLT level.</p> <p>The Service undertakes 7.2.d assessments and records this information.</p> <p>ORI information is contained on the MDT's on each appliance and is kept up to date.</p> <p>The Service uses a range of data sets, information sharing agreements and partner organisation referrals to identify members of the community who are at risk and target resource to intervention and prevention activity.</p>	ACFO Service Delivery

2.2 Fire and rescue authorities must put in place arrangements to prevent and mitigate these risks, either through adjusting existing provision, effective collaboration and partnership working, or building new capability. Fire and rescue authorities should work through the Strategic Resilience Board where appropriate when determining what arrangements to put in place.

**CFA**



Emergency Response Review conducted whilst ensuring resources are allocated to risk locally.

Section 13/16 agreements for cross border support.

The Service is actively involved in the training and assurance of national resilience assets and attends the National Resilience Board which feeds into the SRB.

Robust and effective business continuity resilience arrangements are in place for local, regional and national risks and these are recorded on the national resilience business continuity survey.

Resilient MTFA capability introduced into the Service in response to the increased threat of terrorism.

Robust Partnership arrangements are in place with both DCC and DBC and the Service plays a full role in various partnerships to reduce risk e.g. Safe Durham Partnership, One Darlington Partnership, AAP's and MAPS.

Expansion of partnership work and support into Health under Safe & Well and EMR.

Statement of intent in place with Durham Constabulary, Tyne and Wear Fire and Rescue Service and Northumberland Fire and Rescue Service to maximise collaboration opportunities in respect of efficiency and effectiveness.

The Service is a key player in the LRF structure both locally and regionally, chairing the Strategic Board, Tactical Business Group, Risk Assessment Group and the Warning and Informing Group.

**ACFO  
Delivery**

**Service**



The Service is an integral part of the Community Resilience Task and Finish Group and forms part of the Risk Assessment Working Group under the LRF structure; and considers the CRR during the compilation of the strategic plan.

The Service uses a range of data sets, information sharing agreements and partner organisation referrals to identify members of the community who are at risk and target resource to intervention and prevention activity.

The Service plays an active role in NFCC and the workstreams that underpin it and has a presence on the following NFCC groups;

- National Resilience – HVP, MTFA, DIM, NILO
- H&S
- Fleet
- Procurement
- RDS
- Data
- Equality, Diversity & Inclusion

The Service has a legal agreement for Fire Safety with Essex FRS and works closely on protection to support our business community.

Prevent and Protect				
<p>2.3 Fire and rescue authorities must make provision for promoting fire safety, including fire prevention, and have a locally determined risk-based inspection programme in place for enforcing compliance with the provisions of the Regulatory Reform (Fire Safety) Order 2005 in premises to which it applies.</p>	<p><b>CFA</b></p>		<p>Business Fire Safety Strategy.            FS-1-2 Fire Safety Operational Inspection Visits Policy.            FS-1-3 Fire Safety Risk Based Audit Programme.            FS-2-1 Fire Safety Operational Inspection Visits Procedure.            Business fire safety practise notes (all audited under ISO).            Fire Safety risk-based inspection programme - paper presented to SLT 24th May 2018.            Agreement with Essex FRS Legal for professional legal advice and support during enforcement and prosecution.</p>	<p><b>ACFO</b> <b>Delivery</b></p> <p><b>Service</b></p>
<p>2.4 We expect fire and rescue authorities to target their fire safety, prevention and protection resources on: those individuals or households who are at greatest risk from fire in the home; those most likely to engage in arson or deliberate fire setting; and on those non-domestic premises where the life safety risk is the greatest. Consideration could also be given to non-domestic premises which are at risk from fire in order to mitigate loss to economic wellbeing.</p>	<p><b>CFA</b></p>		<p>Community Safety Strategy.            Service analytic and targeting tools.</p> <ul style="list-style-type: none"> <li>• Ward based and LSOA risk tools</li> <li>• Webmap layers – geographic analysis of incident activity</li> <li>• Data slicer</li> <li>• Mosaic</li> <li>• Partnership referrals</li> <li>• Fire fatalities protocol with the Safe Durham Partnership</li> <li>• MOU with housing associations</li> <li>• Fire Safety risk-based inspection programme</li> </ul> <p>Fire investigation procedures.            Safe and Wellbeing Visits (Framework document).</p>	<p><b>ACFO</b> <b>Delivery</b></p> <p><b>Service</b></p>

			<p>Information sharing protocols in place include:</p> <ul style="list-style-type: none"> <li>• ISP with the Safer Durham Partnership</li> <li>• High Impact Users of Services in Darlington lead by Darlington CCG</li> <li>• Advice for County Durham</li> <li>• MOU with Livin (this is only an MOU)</li> <li>• MOU with County Durham Housing Group</li> <li>• Exeter dataset – agreed and signed on behalf of the FRS sector by the NFCC with NHS England and the Royal College of General Practitioners</li> </ul> <p>MAPS deliberate fire escalation procedure.</p> <p>Fire Safety risk-based inspection programme – reviewed annually</p>	
<p>2.5 To identify those at greatest risk from fire, we expect fire and rescue authorities to work closely with other organisations in the public and voluntary sector, as well as with the police and ambulance services. Wherever appropriate, we expect fire and rescue services to develop partnerships to support risk reduction services to those identified as vulnerable, including from exploitation or abuse, and wherever possible to share intelligence and relevant risk data.</p>	<p><b>CFA</b></p>		<p>Safe and Wellbeing Visits (Framework document).</p> <p>Fire fatality protocol with Safe Durham Partnership and partnership referrals.</p> <p>Information sharing protocols in place include:</p> <ul style="list-style-type: none"> <li>• ISP with the Safer Durham Partnership</li> <li>• High Impact Users of Services in Darlington lead by Darlington CCG</li> <li>• Advice for County Durham</li> <li>• MOU with Livin (this is only an MOU)</li> <li>• MOU with County Durham Housing Group</li> <li>• Exeter dataset – agreed and signed on behalf of the FRS sector by the NFCC with NHS England and the Royal College of General Practitioners</li> </ul> <p>Partnership register.</p>	<p><b>ACFO</b> <b>Delivery</b></p> <p><b>Service</b></p>

			<p>Police and Fire joint stagey group and collaboration delivery group.</p> <p>EMR arrangements with NEAS.</p> <p>CS-1-1 Combined Safeguarding Children and Adults Policy.</p> <p>CS-2-2 Safeguarding Children Procedure.</p> <p>CS-2-3 Safeguarding Adults Procedure.</p> <p>All staff have completed online safeguarding training packages for children and adults.</p>	
<p>2.6 In many cases, fire and rescue staff may be in a position to identify individuals' wider vulnerabilities and exposure to risks beyond fire. By working closely and collaboratively with other public and voluntary sector organisations – both nationally through the National Fire Chiefs Council (NFCC) and through local arrangements – we recognise fire and rescue authorities can make an important contribution to increasing the effectiveness and efficiency of public services and alleviating pressures on local response resources. However, this should not be at the expense of effective delivery of their statutory core fire functions.</p>	<p><b>CFA</b></p>		<p>Safe and Wellbeing Visits (Framework document).</p> <p>Fire fatality protocol with Safe Durham Partnership and partnership referrals.</p> <p>Information sharing protocols in place include:</p> <ul style="list-style-type: none"> <li>• ISP with the Safer Durham Partnership</li> <li>• High Impact Users of Services in Darlington lead by Darlington CCG</li> <li>• Advice for County Durham</li> <li>• MOU with Livin (this is only an MOU)</li> <li>• MOU with County Durham Housing Group</li> <li>• Exeter dataset – agreed and signed on behalf of the FRS sector by the NFCC with NHS England and the Royal College of General Practitioners</li> </ul> <p>Partnership register.</p> <p>CS-1-1 Combined Safeguarding Children and Adults Policy.</p> <p>CS-2-2 Safeguarding Children Procedure.</p>	<p><b>ACFO</b>      <b>Service</b> <b>Delivery</b></p>

			<p>CS-2-3 Safeguarding Adults Procedure.</p> <p>All staff have completed online safeguarding training packages for children and adults.</p>	
<p>2.7 In all their prevention and protection activities, fire and rescue authorities should assess what they are aiming to achieve through the activity, what type of intervention is most likely to achieve the aims and how best to measure and evaluate outcomes. Fire and rescue authorities should share details of their interventions to support each other to understand and improve the evidence base of what works best and what is most cost-effective.</p>	<p><b>CFA</b></p>		<p>Community Safety Strategy.</p> <p>Business Fire Safety Strategy.</p> <p>Performance and Programme Board – scrutiny.</p> <p>Performance indicators.</p> <p>Evaluation of SWVs via the Safer Stronger Overview and Scrutiny Committee and Teesside University.</p> <p>Sharing interventions</p> <ul style="list-style-type: none"> <li>• Provided information to the Arson Reduction Forum for the publication of the State of the Nation Report</li> <li>• Responses to NFCC requests for information</li> <li>• Shared information with neighbouring FRS</li> </ul> <p>The Service has demonstrated its analytical tools with other Services e.g. East Sussex and North Yorkshire.</p> <ul style="list-style-type: none"> <li>• East Sussex visited the service in October 2017 to look at what tools we use to calculate/work out risk in domestic premises and what tools we use to understand performance and produce analysis. East Sussex subsequently restructured their performance and information team and introduced a business intelligence focus.</li> <li>• North Yorkshire visited the service in May 2018 to understand and learn how we target our resources to domestic risk. What tools and data we used to</li> </ul>	<p><b>ACFO</b>      <b>Service</b> <b>Delivery</b></p>

			<p>calculate risk and how we informed crews where to go.</p> <ul style="list-style-type: none"> <li>• West Yorkshire visited to see how the service used CadCorp Workload Modeller (software for modelling station location changes, crewing and shift changes and understanding demand and impact). The subsequent purchased the tool.</li> <li>• Buckinghamshire visited the service to evaluate our 3tc Incident Recording System – at the time they were using the Home Office system. They subsequently purchased the 3tc IRS system</li> <li>• CDDFRS visited Tyne and Wear (2016) to have a demonstration of the CadCorp Web Map Layers system. CDDFRS subsequently purchased the same system.</li> </ul> <p>Graeme Lockhart chairs family group two performance group</p>	
<p>2.8 Given the wide range of roles that fire and rescue personnel undertake, including with people with complex needs and vulnerabilities, fire and rescue authorities will need to ensure that all their staff in public-facing roles have the necessary skills and training to meet such demands. They also should have appropriate safeguarding arrangements in place – including ensuring staff have appropriate vetting clearance - to provide the public with the</p>	<p><b>CFA</b></p>		<p>Training records of safeguarding training.  SWV training.  Staff DBS checks.  Additional DBS checks for EMR staff (via NEAS).  CS-1-1 Combined Safeguarding Children and Adults Policy.  CS-2-2 Safeguarding Children Procedure.  CS-2-3 Safeguarding Adults Procedure.</p>	<p><b>ACFO</b>  <b>Delivery</b>  <b>Service</b></p>

reassurance and confidence that they have every right to expect.			AM & GM CRM attend the Durham and Darlington Safeguarding Adult Boards (respectively).	
<b>Respond</b>				
2.9 Fire and rescue authorities must make provision to respond to incidents such as fires, road traffic collisions and other emergencies within their area and in other areas in line with their mutual aid agreements.	<b>CFA</b>		<p>The service currently delivers its emergency response activities from 15 fire stations across 5 administrative districts.</p> <p>27 front line response appliances and a number of specialist appliances respond to a wide range of incidents as statutorily required under the fire and rescue act 2004, including fires, RTC's, and other special services including water rescue &amp; flooding, working at height and animal rescue.</p> <p>Response activities are supported by Standard Operating Guidance developed from National Operational Guidance Programme information.</p> <p>Response activities are measured using performance indicators that cover On-Call availability and response times to dwelling fires, non-domestic property fires and road traffic collisions.</p> <p>The service plays a fundamental part in the County Durham and Darlington Local Resilience Forum (LRF) and responds as part of multi-agency arrangements to a wide range of emergencies as determined by the LRF Community Risk Register under the Multi Agency Incident Procedure.</p> <p>This response is underpinned by the JESIP principles, including supporting Joint Organisational Learning (JOL) to influence national policy and guidance.</p>	<b>ACFO Delivery</b> <b>Service</b>

<p>2.10 Fire and rescue authorities must, so far as is practicable, enter into reinforcement schemes, or mutual aid agreements, with other fire and rescue authorities for securing mutual assistance.</p>	<p><b>CFA</b></p>		<p>The service has current section 13/16 arrangements with Tyne &amp; Wear Fire &amp; Rescue Authority and Northumberland County Fire Authority and the National Mutual Aid Protocol.</p> <p>CDDFRS provide a range of mutual aid to other services and have specific mobilising instructions to areas of NYFRS, CFRS, CFB and are in the process of reviewing formal arrangements in line with the above which will be reviewed and kept current</p>	<p><b>ACFO</b> <b>Delivery</b>      <b>Service</b></p>
<p>2.11 Fire and rescue authorities must have effective business continuity arrangements in place in accordance with their duties under the Civil Contingencies Act 2004. Within these arrangements, fire and rescue authorities must make every endeavour to meet the full range of service delivery risks and national resilience duties and commitments that they face. Business continuity plans should not be developed on the basis of armed forces assistance being available.</p>	<p><b>CFA</b></p>		<p>The Service has recently reviewed its Business Continuity arrangements in line with the new guidance within the national Framework document. It will continue to utilise existing Emergency Response staff via Voluntary BC Resilience agreements to ensure it has effective and robust BC arrangements for all its identified service delivery risks and this has now been expanded to include its national resilience duties including MTFA, MDU, HVP and DIM.</p> <p>The arrangements ensure a response level that is above 25% of its business as usual levels and based on evidence when these arrangements have been tested previously, this level has been above 35% and has included the NR DIM capability for the entire region. BCR arrangements are tested annually.</p>	<p><b>ACFO</b> <b>Delivery</b>      <b>Service</b></p>
<p><b>Collaboration</b></p>				
<p>2.12 The Policing and Crime Act 2017 created a statutory duty on fire and rescue authorities, police forces, and ambulance trusts to:</p> <ul style="list-style-type: none"> <li>• keep collaboration opportunities under review;</li> </ul>	<p><b>CFA</b></p>		<p>MOU in place with Durham Constabulary, Tyne and Wear Fire and Rescue Service and Northumberland Fire and Rescue Service to maximise collaboration opportunities in respect of efficiency and effectiveness.</p>	<p><b>CFO</b></p>



<ul style="list-style-type: none"> <li>• notify other emergency services of proposed collaborations that could be in the interests of their mutual efficiency or effectiveness; and</li> <li>• give effect to a proposed collaboration where the proposed parties agree that it would be in the interests of their efficiency or effectiveness and that it does not have an adverse effect on public safety.</li> </ul>			<p>Strategic Collaboration Group and Tactical Delivery Group meeting structure in place between CDDFRS and Durham Constabulary.</p> <p>FRS Collaboration</p> <ul style="list-style-type: none"> <li>• Recruitment: examples include - ACFO, Wholetime firefighters</li> <li>• WT FF recruitment</li> <li>• Inter- Service secondee opportunities</li> <li>• Health, fitness and welfare</li> </ul> <p>Police Collaboration</p> <ul style="list-style-type: none"> <li>• Shared Estates at Barnard Castle, Newton Aycliffe</li> <li>• Shared training facilities</li> <li>• Community Safety Responders</li> <li>• Safer Homes</li> </ul> <p>NEAS Collaboration</p> <ul style="list-style-type: none"> <li>• EMR in place at some 'on call' stations</li> <li>• Shared Estate at Barnard Castle, Darlington, Crook.</li> </ul>	
<p>2.13 The duty is deliberately broad to allow for local discretion in how it is implemented and recognises that local emergency services are best placed to determine how to collaborate for the benefit of their communities. However, the duty sets a clear expectation that collaboration opportunities should be considered.</p>	<b>CFA</b>		<p>See comments in 2.12.</p>	<b>CFO</b>

<p>2.14 The duty does not preclude wider collaboration with other local partners, such as local authorities and wider health bodies. To reflect their wider role, ambulance trusts are required to consider the impact of the proposed collaboration on their wider nonemergency functions and the NHS when determining if it would be in the interests of their efficiency or effectiveness.</p>	<p><b>CFA</b></p>		<p>The Service is involved in a range of strategic partnerships with health and local authority partners including;</p> <ul style="list-style-type: none"> <li>• County Durham Partnership</li> <li>• Safer Durham partnership</li> <li>• One Darlington partnership</li> <li>• Health and Wellbeing Board</li> <li>• CONTEST</li> <li>• Organised Crime Group – Tactical and Strategic</li> </ul> <p>EMR with NEAS – currently at RDS stations and funded through the Local A&amp;E Delivery Board.</p> <p>SWV in collaboration with the LA PH and other relevant partners, which is set out in a framework document.</p> <p>We provide information to the NFCC Health Coordinating Committee – mainly on SWVs.</p> <p>We have in place a referral under Safer Homes for security regarding Crime.</p>	<p><b>ACFO Delivery</b></p> <p><b>Service</b></p>
<p>2.15 Fire and rescue authorities must collaborate with other fire and rescue authorities to deliver intraoperability (between fire and rescue authorities) and interoperability (with other responders such as other emergency services, wider Category 1 and 2 responders and Local Resilience Forums) in line with the Joint Emergency Services Interoperability Principles (JESIP). Fire and rescue authorities must collaborate with the National Resilience Lead Authority to ensure interoperability is maintained for National Resilience assets.</p>	<p><b>CFA</b></p>		<p>The Service works as part of the LRF to develop interoperability across the category 1 &amp; 2 responders and the voluntary sector to ensure a multi-agency response to a wide range of incidents in the community risk register under the JESIP principles.</p> <p>The Service maintains the following National Resilience capabilities - Detection, Identification and Monitoring (DIM) officers, Mass Decontamination Unit capability, MTFA and that are available for local, regional and national deployment. The Service HVP capability has excellent interoperability arrangements with the Environmental Agency</p>	<p><b>ACFO Delivery</b></p> <p><b>Service</b></p>

			<p>The Service is currently reviewing the Command &amp; Control room intra-operability communication channels between FRS that border the CDDFRS boundary as well as from an inter-operability perspective for Police and Ambulance services that again border the CDDFRS boundary.</p> <p>All exercises planned by CDDFRS or the LRF Training &amp; Exercising Group (TEG) contain an objective to test JESIP and the service has received positive feedback following a JESIP Assurance visit with particular reference to staff training and embedding JESIP into wider training delivery.</p> <p>The service is also represented on the NE Regional JESIP group.</p> <p>The Service continues to support the Emergency Services Mobile Communications Programme (ESMCP) that will ensure improvements to future security and intra &amp; inter-operability.</p> <p>The Service has collaborative arrangements in place with the Police at the Service Training Centre.</p> <p>The Service is committed to a tri responder scheme from Stanhope fire station and Emergency Medical Response arrangements from a number of On Call stations.</p> <p>CDDFRS has a number of co-located stations that improve interoperability and responses across the Fire, Police and Ambulance services. The Service has a strategic officer on the National Resilience Board and operating as deputy lead for the NFCC NR HVP capability.</p>	
--	--	--	--	--

## CHAPTER 3 NATIONAL RESILIENCE

<p>3.1 The Government retains responsibility for the provision of national resilience assets and capabilities managed and delivered through fire and rescue services. This responsibility extends to undertaking the National Risk Assessment which informs the requirements for fire and rescue national resilience capabilities. In meeting this responsibility, the Government has committed significant financial resource to build national resilience capabilities and to support their ongoing maintenance.</p>	<p><b>Government</b></p>		<p>The Service has the following National Resilience assets which are declared available through the National Resilience Control Centre for Local, Regional and National Deployment:</p> <ul style="list-style-type: none"> <li>• Mass Decontamination Unit</li> <li>• DIM</li> <li>• High Volume Pump</li> <li>• MTFA</li> </ul> <p>Recent work has ensured that all these assets are available at all times having been embedded into the Services BCR arrangements.</p>	<p><b>ACFO</b> <b>Delivery</b></p> <p><b>Service</b></p>
<p>3.2 The Government relies on the strategic leadership role of the NFCC to maintain fire and rescue national resilience capabilities in a high state of operational readiness through a comprehensive assurance regime delivered through lead authority arrangements.</p>	<p><b>Government</b></p>		<p>The Service has representation on the National Resilience Board at principal officer level.</p> <p>The Service is committed to maintaining National Resilience capabilities and ensures that availability is declared through the National reporting tool and National Resilience Control Centre.</p> <p>The service has excellent working relationships and welcomes representatives from the National Resilience Assurance Teams who provide feedback on capability back to the NFCC.</p> <p>The service recently organised and hosted one of the first regional MDU deployment exercises – exercise Frazer. Members of the central National Resilience Team and NRAT</p>	<p><b>ACFO</b> <b>Delivery</b></p> <p><b>Service</b></p>

			<p>were invited and attended the exercise which received national recognition.</p> <p>HVP assurance planned for 27 May.</p> <p>Emergency Response and Resilience Planning Officer attends the national DIM/HMEPO user groups and provides feedback to the region.</p> <p>The service currently has 4 Mass Decontamination Instructors whose qualification is in over and above the requirements of the new MDUI course.</p>	
<p>3.3 Fire and rescue authorities must work with the lead authority to support the national resilience assurance processes in order to ensure capabilities are maintained at a high state of operational readiness. This includes co-operation of fire and rescue authorities, as necessary, on devolved training and, where applicable, on the long term capability management arrangements.</p>	<b>CFA</b>		<p>CDDFRS attend the National Resilience Board and ACFO Brown is the deputy national lead for HVP.</p> <p>The Service is represented on a range of National Working and User Groups such as HVP, MTFA and DIM.</p> <p>The Service continues to build an excellent reputation nationally with our STC viewed as a centre of excellence for HVP training and HVPI qualifications to Environmental Agency and the private sector.</p> <p>The Service has two HVP tactical advisors who have been deployed to national incidents.</p> <p>In terms of new capability, the service has a new MTFA capability. This has been tested during the implementation and future multi agency exercises will be planned.</p> <p>The Service has the appropriate long-term capability management arrangements in place which are supported by MFRS and Babcock's.</p>	<b>ACFO Delivery Service</b>
<p>3.4 Fire and rescue services, through the NFCC's representation on the Strategic Resilience Board, must also work</p>	<b>FRS</b>		<p>The Service has representation on the National Resilience Board at principal officer level.</p>	<b>ACFO Delivery Service</b>

with Government to identify and address any national resilience capability gaps identified through ongoing analysis of the National Risk Assessment.			The service has an identified SPOC for Joint Organisational Learning to both record and influence national policy and decision making.	
<b>Gap Analysis</b>				
3.5 Fire and rescue authorities' risk assessments must include an analysis of any gaps between their existing capability and that needed to ensure national resilience (as defined above).	<b>CFA</b>		<p>Proactive engagement through the individual NR capability streams (MTFA, CBRNE, HVP, DIM) ensures that any gaps in the Services response capability are identified and addressed. Close working relationships with neighbouring Services who have additional NR capabilities (Cumbria – ELS, Tyne and Wear – USAR) ensure gaps in knowledge are also identified and addressed with training.</p> <p>The Service has ensured these NR assets are fully available with robust BCR arrangements that have been developed following the change to the national framework document.</p>	<b>ACFO Delivery Service</b>
3.6 Fire and rescue authorities are required to assess the risk of emergencies occurring and use this to inform contingency planning. To do this effectively, fire and rescue authorities are expected to assess their existing capability and identify any gaps as part of the integrated risk management planning process. This gap analysis needs to be conducted by fire and rescue authorities individually and collectively to obtain	<b>CFA</b>		<p>A full review of the Services ER provision has been carried out in 2017. This has reviewed the current ER capability and also identified future efficiency savings within this area.</p> <p>Work is ongoing to create a bespoke document from this ER Review to feed into the IRMP. In the absence of a national template the Service is working with NFCC to ensure its integrated risk management and risk assessment processes are aligned to NFCC guidance as this develops</p>	<b>ACFO Delivery Service</b>

<p>an overall picture of their ability to meet the full range of risks in their areas.</p>				
<p>3.7 As part of their analysis, fire and rescue authorities must highlight to the Home Office or the Fire and Rescue Strategic Resilience Board, any capability gaps that they believe cannot be met even when taking into account mutual aid arrangements, pooling and reconfiguration of resources and collective action.</p>	<p><b>CFA</b></p>		<p>The Service completes the NFCC ER Response Survey and Gaps in the provision have been identified and addressed.</p> <p>Section 13/16 arrangements with neighbouring FRS have been reviewed in 2017 and will be reviewed again in 2018.</p> <p>During the most recent periods of national Industrial action the service provided a regional DIM capability and also provided specialist aerial ladder platform support to a neighbouring service.</p>	<p><b>ACFO Delivery Service</b></p>
<p>3.8 The Home Office, in liaison with other government departments and the devolved administrations, will support fire and rescue authorities in considering and defining the gap between existing capability and the capability required to ensure national resilience.</p>	<p><b>Government</b></p>		<p>The Service has worked closely with the HO and NFCC NR to ensure its NR capabilities are effective and robust.</p> <p>This includes active involvement in the Assurance processes for the capabilities, attendance at the working and user groups and this has seen the successful launch of the latest NR capability, MTFA, within the Service on 18 May 2018.</p>	<p><b>ACFO Delivery Service</b></p>
<p><b>National Coordination and Advisory Framework</b></p>				
<p>3.9 The National Coordination and Advisory Framework (NCAF) has been designed to provide robust and flexible response arrangements to major emergencies that can be adapted to the nature, scale and requirements of the incident. Fire and rescue authorities must proactively engage with, and support, the NCAF</p>	<p><b>CFA</b></p>		<p>The Service Emergency Response and Resilience Planning Officer is responsible for maintaining appropriate engagement arrangements with the NCAF lead.</p>	<p><b>ACFO Delivery Service</b></p>

<p>arrangements including the NFCC's lead operational role.</p>			<p>The Service hosted a regional National Resilience day in March 2017 which was attended by Tyne &amp; Wear, Cleveland, Northumberland and Cumbria. A full range of NR capabilities were demonstrated including USAR, DIM &amp; ELS.</p> <p>The Service were presented with an NCAF update and the service are currently arranging future NCAF CPD dates with the NCAF operational lead.</p> <p>Command and Control have also received NCAF updates from the Command and Control lead Alison Carey in August 2017.</p>	
---	--	--	---	--

**Response to Terrorist Attacks or Marauding Terrorist Firearms Attacks**

<p>3.10 Fire and rescue services must be able to respond to the threat of terrorism and be ready to respond to incidents within their areas and across England. Fire and rescue services should also be interoperable to provide operational support across the UK to terrorist events as required. Government recognises the critical contribution of fire and rescue services when responding to acts of terrorism. This is an agreed function of fire and rescue services as set out in the National Joint Council for Local Authority Fire and Rescue Services Scheme of Conditions of Service ("the Grey Book") and is encompassed within the broad descriptions within the existing agreed firefighter role maps: to save and preserve endangered life, and safely resolve operational incidents.</p>	<p><b>FRS</b></p>		<p>The Service has a sufficient number of trained staff at operational and tactical level to provide a specialist response team to all areas of the service area as part of a multi-agency response which is in line with Home Office National Guidance and Joint Operating Principles.</p> <p>Representative bodies have been negotiated and consulted with during all stages of the implementation.</p> <p>The specialist response team is also available as part of a regional and national capability and declared through the National Resilience Control Centre.</p>	<p><b>ACFO Delivery</b></p> <p><b>Service</b></p>
---	-------------------	--	--	---



<p>3.11 To enhance resilience to terrorist risks, the Government has committed significant financial resources to develop a Marauding Terrorist Firearms Attack (MTFA) capability, with the support of fire and rescue services. This is aligned to the National Risk Assessment and provides a specialist response across the country. Fire and rescue authorities are responsible for maintaining the robustness of this capability.</p>	<p><b>CFA</b></p>		<p>This capability was tested during the implementation phase in a full multi agency exercise at Kynren – Exercise Root in September 2017 with Durham Constabulary and NEAS.</p>	<p><b>ACFO</b>      <b>Service</b> <b>Delivery</b></p>
<p>3.12 MTFA arrangements shall be further enhanced by putting in place an appropriate multi-agency assurance mechanism that will ensure the capability is effective and delivered to the agreed standard.</p>	<p><b>FRS</b></p>		<p>The Service will engage with any National Resilience Assurance process and follow any National requirements to ensure MTFA capabilities are maintained.</p> <p>The Service MTFA lead is responsible for maintaining sufficient testing and exercising arrangements that also link into multi agency arrangements through the LRF Training and Exercising Group (TEG).</p> <p>Both initial and maintenance training has been carried out with Durham Constabulary and NEAS HART and a LRF multi agency assurance exercise was ran in September 2017 and the lessons learned fed back into the Service.</p>	<p><b>ACFO</b>      <b>Service</b> <b>Delivery</b></p>

National Resilience Assurance				
<p>3.13 Fire and rescue authorities must continue to work collectively and with the Fire and Rescue Strategic Resilience Board and the national resilience lead authority to provide assurance to government that:</p> <ul style="list-style-type: none"> <li>existing national resilience capabilities are fit for purpose and robust; and</li> <li>risks and plans are assessed and any gaps in capability that are needed to ensure national resilience are identified.</li> </ul>	CFA		<p>Resilience capabilities are maintained and available.</p> <p>In line with the requirements of 2.11 above, the service has effective business continuity plans in place to provide National Resilience capabilities during industrial action.</p> <p>The Service plays a fundamental part in both the LRF risk assessment and Training &amp; Exercising Groups who are also responsible for ensuring appropriate plans are in place are in place aligned to the Community Risk Register.</p>	ACFO Delivery Service
<p>3.14 Fire and rescue authorities with MTFA teams must work with police forces and ambulance trusts to provide tri-service assurance of this capability.</p>	CFA		<p>Following the successful implementation of the service MTFA capability this commitment will be the responsibility of the MTFA lead and progressed through the LRF TEG.</p> <p>Currently no Tri-Service assurance programme exists but the Service has taken part in a tri-service assurance exercise, multiple tri service training events and continues to work with NEAS and Durham Constabulary to ensure the effectiveness and robustness of its capability. This will include no notice testing for Service assets and tri service control rooms.</p>	ACFO Delivery Service
CHAPTER 4 GOVERNANCE				
<p>4.1 Fire and rescue authorities operate with a range of different locally determined governance arrangements including an individual – either a police, fire and crime commissioner (PFCC) or a mayor – having sole responsibility for being</p>	CFA		<p><a href="#">CFA</a> and <a href="#">Committee Structure Constitution</a></p>	CFO

<p>the fire and rescue authority for an area. Each fire and rescue authority has a statutory duty to ensure provision of their core functions as required by the Fire and Rescue Services Act 2004.</p>				
<p>4.2 Where police and crime commissioners under the Fire and Rescue Services Act 2004 – and mayors – wish to develop a local proposal to take on governance responsibility for fire and rescue in their area, fire and rescue authorities must provide them with such information that they reasonably require to develop a proposal. The Secretary of State can only give effect to a fire governance proposal where, in their view, it appears to be in the interests of economy, efficiency and effectiveness, or in the interests of public safety. The Secretary of State cannot give effect to a proposal if, in their view, it would have an adverse effect on public safety.</p>	<p><b>PCVC</b></p>		<p>The PCC was asked if he would like to attend the CFA and has since formally written to the Authority stating that he does not intend to submit a business case to take over the governance of the Service and he does not wish to have a place on the Combined Fire Authority.</p>	<p><b>CFO</b></p>
<p><b>Managing the Fire and Rescue Service/ Chief Fire Officer</b></p>				
<p>4.4 Each fire and rescue authority will appoint an individual – commonly known as a Chief Fire Officer – who has responsibility for managing the fire and rescue service. This role does not have to be operational but includes managing the personnel, services and equipment secured by</p>	<p><b>CFA</b></p>		<p><a href="#">CFA</a> and <a href="#">Committee Structure Constitution</a></p>	<p><b>CFO</b></p>

<p>the fire and rescue authority for the purposes of carrying out functions conferred on it by the Fire and Rescue Services Act 2004, Civil Contingencies Act 2004, and other enactments. Each fire and rescue authority must hold this person to account for the exercise of their functions and the functions of persons under their direction and control.</p>			<p>The CFO receives an annual appraisal from the CFA Chair and Vice Chair, objectives are set and reviewed regularly.</p> <p>The Salary Review Group monitors and reviews the performance of the CFO, Brigade Managers and Treasurer. The Group meets on an annual basis in order to undertake the Brigade Manager Salary Review Process and will agree the level, if any, of any local pay award for Brigade Managers and the Treasurer position.</p>	
<p>4.5 The chief fire officer must, in exercising their functions, have regard to the fire and rescue authority's Integrated Risk Management Plan and any set objectives and priorities which may be outlined in a strategic plan. The fire and rescue authority should give due regard to the professional advice of the Chief Fire Officer while developing the Integrated Risk Management Plan and when making decisions affecting the fire and rescue service.</p>	<p><b>CFA</b></p>		<p><a href="#">CFA</a> and <a href="#">Committee Structure Constitution</a></p> <p>3-year strategic plan incorporating the IRMP produced on a 3-year basis and updated annually.</p> <p>(<a href="https://www.ddfire.gov.uk/service-plans">https://www.ddfire.gov.uk/service-plans</a>)</p>	<p><b>CFO</b></p>

## Documents to be prepared

4.6 Each fire and rescue authority is required to produce:

### i. Integrated Risk Management Plan

Each plan must:

- reflect up to date risk analyses including an assessment of all foreseeable fire and rescue related risks that could affect the area of the authority;
- demonstrate how prevention, protection and response activities will best be used to prevent fires and other incidents and mitigate the impact of identified risks on its communities, through authorities working either individually or collectively, in a way that makes best use of available resources;
- outline required service delivery outcomes including the allocation of resources for the mitigation of risks;
- set out its management strategy and risk-based programme for enforcing the provisions of the

**CFA**

3-year strategic plan incorporating the IRMP produced on a 3-year basis and updated annually.

(<https://www.ddfire.gov.uk/service-plans>)

**Director of Corporate Resources and Treasurer**

<p>Regulatory Reform (Fire Safety) Order 2005 in accordance with the principles of better regulation set out in the Statutory Code of Compliance for Regulators, and the Enforcement Concordat;</p> <ul style="list-style-type: none"> <li>• cover at least a three-year time span and be reviewed and revised as often as it is necessary to ensure that the authority is able to deliver the requirements set out in this Framework;</li> <li>• reflect effective consultation throughout its development and at all review stages with the community, its workforce and representative bodies and partners; and</li> <li>• be easily accessible and publicly available.</li> </ul>				
<p><b>ii. Annual statement of assurance</b></p> <p>The statement should outline the way in which the authority and its fire and rescue service has had regard – in the period covered by the document – to this National Framework, the Integrated Risk Management Plan and to any strategic plan (e.g. the Fire and Rescue Plan – see 4.10 below) prepared by the authority for that period. The authority must also</p>	<p><b>CFA</b></p>		<p>The statement of assurance was fully reviewed and rewritten in 2017. Annual statement of assurance published on website:  <a href="https://www.ddfire.gov.uk/sites/default/files/attachments/Statement%20of%20Assurance%202016-17_0.pdf">https://www.ddfire.gov.uk/sites/default/files/attachments/Statement%20of%20Assurance%202016-17_0.pdf</a></p>	<p><b>Director of Corporate Resources and Treasurer</b></p>

provide assurance to their community and to government on financial, governance and operational matters.				
<b>iii. Financial plans</b> A medium-term financial strategy, an efficiency plan and a reserves strategy. These can be combined or published separately. Please see section 5 for further details.	<b>CFA</b>		MTEP incorporating efficiency plan update and reserves strategy agreed by CFA February 2018:  <a href="https://www.ddfire.gov.uk/sites/default/files/attachments/Budget%20Report%2018-19%20v7%20-%20la%20-02-02-2018.pdf">https://www.ddfire.gov.uk/sites/default/files/attachments/Budget%20Report%2018-19%20v7%20-%20la%20-02-02-2018.pdf</a>	<b>Director of Corporate Resources and Treasurer</b>
<b>National Fire Chiefs Council</b>				
4.10 The NFCC brings together the operational leadership of the UK's fire and rescue services to provide co-ordinated professional, operational and technical leadership of the sector, advising and supporting central and local government, and other stakeholders.	<b>NFCC</b>		CDDFRS is a member of the NFCC and leads on National Fleet.  The Service plays an active role in NFCC and the workstreams that underpin it and has a presence on the following NFCC groups; <ul style="list-style-type: none"> <li>• National Resilience – HVP, MTFA, DIM, NILO</li> <li>• H&amp;S</li> <li>• Fleet</li> <li>• Procurement</li> <li>• RDS</li> <li>• Data</li> <li>• Equality, Diversity &amp; Inclusion</li> </ul>	<b>CFO</b>
4.11 The NFCC fulfils a multifaceted role that is reflected throughout this document and other national frameworks. The NFCC represents the sector in local and national structures, helping to develop national policies and strategies. The	<b>NFCC</b>		The Service links in with NCAF through the NFCC National Resilience arrangements and refresher training has been arranged for SLT.	<b>ACFO Service Delivery</b>

<p>NFCC is the first line of operational advice to central and local government during major incidents. This is outlined within the National Coordination and Advisory Framework (NCAF), which fire and rescue services must proactively engage with.</p>				
<p>4.12 The NFCC has a role to drive continuous improvement and development throughout the sector. Fire and rescue services should consult the NFCC for advice and support when developing improvement plans, particularly in response to inspections.</p>	<p><b>NFCC</b></p>		<p>The Service will consult with the NFCC for advice and support as necessary.</p>	<p><b>ACFO</b>      <b>Service</b> <b>Support</b></p>
<p>4.13 The expectation is that fire and rescue services in England engage with the NFCC and, in turn, that the NFCC works to support and represent every service.</p>	<p><b>NFCC</b></p>		<p>CDDFRS is a member of the NFCC and leads on National Fleet.</p> <p>The Service plays an active role in NFCC and the workstreams that underpin it and has a presence on the following NFCC groups;</p> <ul style="list-style-type: none"> <li>• National Resilience – HVP, MTFA, DIM, NILO</li> <li>• H&amp;S</li> <li>• Fleet</li> <li>• Procurement</li> <li>• RDS</li> <li>• Data</li> <li>• Equality, Diversity &amp; Inclusion</li> </ul>	<p><b>CFO</b></p>



## CHAPTER 5 ACHIEVING VALUE FOR MONEY

<p>5.1 Fire and rescue authorities must manage their budgets and spend money properly and appropriately and ensure the efficient and effective use of their resources, pursuing all feasible opportunities to keep costs down while discharging their core duties effectively. Fire and rescue authorities should regularly review the numbers and deployment of firefighters and other staff to ensure that their fire and rescue service has a workforce that is commensurate with the risks that they face.</p>	<p><b>CFA</b></p>		<p>Monthly budget monitoring by management and quarterly forecast of outturn reports received by SLT and F&amp;GP committee. Robust annual budget process with a focus on identification of efficiency savings in place.</p> <p>Unqualified external audit VFM conclusion: <i>‘overall the Authority has responded well to the financial pressure it has faced, at a time of unprecedented reductions in public sector spending and continues to have a strong record of delivering savings and keeping within budget’.</i></p> <p>The Service has recently undertaken a review of Emergency Response where a number of options were identified which required further exploration of the impacts of efficiency and effectiveness. Members and staff were consulted which resulted in further options being identified and trialled.</p> <p>Workforce establishment and strength are discussed at a monthly workforce planning meeting and fed back through PPB. PPB also considers any restructure needs and makes necessary recommendations to SLT.</p>	<p><b>Director of Corporate Resources and Treasurer</b></p>
<p>5.2 Fire and rescue authorities must ensure that financial decisions are taken with the advice and guidance of the chief finance officer and that decisions are taken with an emphasis on delivering value for money to the public purse. Fire and rescue authorities should ensure that management of their finances is undertaken with regard to published guidance including those set out at Annex B.</p>	<p><b>CFA</b></p>		<p>The Treasurer reports directly to the Chief Fire Officer, is a member of SLT and attends the CFA. The Authority demonstrates full compliance with published financial guidance as set out in Annex B.</p>	<p><b>Director of Corporate Resources and Treasurer</b></p>

<p>5.3 Combined and Metropolitan Fire and Rescue Authorities should produce and publish a medium term financial plan, efficiency plan and a reserves strategy (see para 5.8 below). The efficiency plan and reserves strategy can form part of the medium term financial plan and do not need to be separate documents. Where fire and rescue is part of a County Council, Unitary Authority or Mayoral Body we expect that these requirements will be included within the parent authorities' documentation.</p>	<p><b>CFA</b></p>		<p>MTFP incorporating efficiency plan update and reserves strategy agreed by CFA February 2018.</p> <p><a href="https://www.ddfire.gov.uk/sites/default/files/attachments/Budget%20Report%2018-19%20v7%20-%20la%20-02-02-2018.pdf">https://www.ddfire.gov.uk/sites/default/files/attachments/Budget%20Report%2018-19%20v7%20-%20la%20-02-02-2018.pdf</a></p>	<p><b>Director of Corporate Resources and Treasurer</b></p>
<p>5.4 The medium term financial plan should include funding and spending plans for revenue and capital. The plan should take into account multiple years, the interdependencies of revenue budgets and capital investments, the role of reserves and the consideration of risks. It should have regard to affordability and also to CIPFA's Prudential Code for Capital Finance in Local Authorities. The strategy should be aligned with the fire and rescue authority's Integrated Risk Management Plan and – if appropriate – the Fire and Rescue Plan.</p>	<p><b>CFA</b></p>		<p>MTFP is fully compliant.</p>	<p><b>Director of Corporate Resources and Treasurer</b></p>

<p>5.5 Local Authorities (including combined fire and rescue authorities) were required to produce robust, transparent and locally owned efficiency plans and publish them on their website in order to receive a four year funding settlement from 2016/17 to 2019/20. Each fire and rescue authority should publish an annual report on their progress against these efficiency plans and publish any updated efficiency plan if produced. Again, this can form part of the medium term financial plan.</p>	<p><b>CFA</b></p>		<p>Efficiency plan update incorporated into MTFP. Efficiency plan published on website. <a href="https://www.ddfire.gov.uk/sites/default/files/attachments/Efficiency%20Plan%20201617%20to%20201920_0.pdf">https://www.ddfire.gov.uk/sites/default/files/attachments/Efficiency%20Plan%20201617%20to%20201920_0.pdf</a></p>	<p><b>Director of Corporate Resources and Treasurer</b></p>
<b>Reserves</b>				
<p>5.6 Sections 31A, 32, 42A and 43 of the Local Government Finance Act 1992 requires billing and precepting authorities to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement.</p>	<p><b>CFA</b></p>		<p>General reserve of 5% of budget requirement is considered adequate to meet any unforeseen expenditure. Funds set aside in earmarked reserves to meet known or predicted liabilities.</p>	<p><b>Director of Corporate Resources and Treasurer</b></p>
<p>5.7 Fire and rescue authorities should establish a policy on reserves and provisions in consultation with their chief finance officer. General reserves should be held by the fire and rescue authority and managed to balance funding and spending priorities and to manage risks. This should be established as part of the medium-term financial planning process.</p>			<p>Part of MTFP see 5.6</p>	<p><b>Director of Corporate Resources and Treasurer</b></p>

<p>5.8 Each fire and rescue authority should publish their reserves strategy on their website, either as part of their medium term financial plan or in a separate reserves strategy document. The reserves strategy should include details of current and future planned reserve levels, setting out a total amount of reserves and the amount of each specific reserve that is held for each year. The reserves strategy should cover resource and capital reserves and provide information for the period of the medium term financial plan (and at least two years ahead).</p>	<p><b>CFA</b></p>		<p>Part of MTFP see 5.6</p>	<p><b>Director of Corporate Resources and Treasurer</b></p>
<p>5.9 Sufficient information should be provided to enable understanding of the purpose(s) for which each reserve is held and how holding each reserve supports the fire and rescue authority's medium term financial plan. The strategy should be set out in a way that is clear and understandable for members of the public, and should include:</p> <ul style="list-style-type: none"> <li>• how the level of the general reserve has been set;</li> </ul>	<p><b>CFA</b></p>		<p>Part of MTFP see 5.6</p>	<p><b>Director of Corporate Resources and Treasurer</b></p>

<ul style="list-style-type: none"> <li>• justification for holding a general reserve larger than five percent of budget; and</li> <li>• details of the activities or items to be funded from each earmarked reserve, and how these support the FRA's strategy to deliver a good quality service to the public. Where an earmarked reserve is intended to fund a number of projects or programmes (for example, a change or transformation reserve), details of each programme or project to be funded should be set out.</li> </ul>				
<p>5.10 The information on each reserve should make clear how much of the funding falls into the following three categories:</p> <ol style="list-style-type: none"> <li>Funding for planned expenditure on projects and programmes over the period of the current medium term financial plan.</li> <li>Funding for specific projects and programmes beyond the current planning period.</li> <li>As a general contingency or resource to meet other expenditure needs held in accordance with sound principles of good financial management (e.g. insurance).</li> </ol>	<p><b>CFA</b></p>		<p>Part of MTFP see 5.6</p>	<p><b>Director of Corporate Resources and Treasurer</b></p>

<b>Commercial Transformation</b>				
<p>5.11 Each fire and rescue authority must demonstrate that it is achieving value for money for the goods and services it receives. Every fire and rescue authority should look at ways to improve its commercial practices including whether they can aggregate their procurement with other fire and rescue authorities and other local services (e.g. police) to achieve efficiencies.</p>	<p><b>CFA</b></p>		<p>The Service participates in regional and national procurement where it is in our interest to do so. However, we have experienced limited success in collaborating with the Police and other FRA's on procurement.</p> <p>The Service is a member of the NFCC Strategic Commercial Board and the CFO is the NFCC national category lead for fleet. The Service has an overall policy on procuring all goods collaboratively, either locally or nationally where this drives efficiency or effectiveness. An excellent example is the collaboration for the purchase of fire appliances which was undertaken with North Yorkshire and West Yorkshire FRs.</p> <p>Following completion of the first basket of goods exercise a review was undertaken by the Service to identify efficiencies, this process will be repeated following completion of the next basket of goods exercise.</p> <p>The Service can access strategic procurement support through its SLAs with Durham County Council.</p>	<p><b>Director of Corporate Resources and Treasurer</b></p>
<p>5.12 Fire and rescue authorities must demonstrate and support national and local commercial transformation programmes where appropriate. Each fire and rescue authority should be able to demonstrate full awareness of the objectives to standardise requirements, aggregate demand and manage suppliers of products and services within their commercial arrangements.</p>	<p><b>CFA</b></p>		<p>The Service supports national and local programmes where appropriate which includes the NFCC Strategic Commercial Board. The CFO is the NFCC national category lead for fleet. A significant number of purchases are undertaken at local and regional level through access to frameworks such as NEPO.</p> <p>The Service can access strategic procurement support through its SLAs with Durham County Council.</p>	<p><b>Director of Corporate Resources and Treasurer</b></p>

<p>5.13 Fire and rescue authorities must ensure that their commercial activities, be that the placement of new contracts or the use of existing contracts, is in line with their legal obligations, including but not limited to the Public Contracts Regulations, the Public Services (Social Value) Act 2012, the Modern Slavery Act 2015 and transparency commitments.</p>	<p><b>CFA</b></p>		<p>Procedures for the placement of contracts are set out in Contract Procedure Rules – Section 11 of the Constitution. <b>(Note the constitution is currently under review and this section has been updated as part of the review.)</b></p> <p><a href="https://www.ddfire.gov.uk/sites/default/files/attachments/Constitution%20June%202016%20FINAL.pdf">https://www.ddfire.gov.uk/sites/default/files/attachments/Constitution%20June%202016%20FINAL.pdf</a></p>	<p><b>Director of Corporate Resources and Treasurer</b></p>
<p><b>Research and Development</b></p>				
<p>5.14 Fire and rescue authorities should engage with national research and development programmes, including those overseen by the NFCC, unless there is a good reason not to.</p>	<p><b>CFA</b></p>		<p>The Service contributes to, and are supporters of, the NFCC national R&amp;D programme and where relevant the Service will take part in research and development projects as required.</p> <p>Examples of supporting national projects include leading on national fleet and also supporting and advising on the development of the national operational guidance programme.</p>	<p><b>ACFO Support Service</b></p>
<p>5.15 Where fire and rescue services embark on research and development outside of any national programme, processes should be put in place to ensure it meets quality standards and, where possible and appropriate, is available to the sector to enable good practice to be shared.</p>	<p><b>FRS</b></p>		<p>For equipment and vehicle development, the Service will utilise scrutiny from the operational vehicles and equipment group [OVEG] to provide assurance of quality standards. Prior to progressing from research and development into procurement, the OVEG will give final approval and endorsement of the requirements and standards met.</p> <p>Where relevant, examples of good practice will be shared throughout the sector. For example, the development of the Service ward-based risk tool and vulnerable person profiling by the information services team.</p>	<p><b>ACFO Support Service</b></p>

<b>Trading</b>				
<p>5.16 Fire and rescue authorities have the power to trade and make a profit but they must ensure that their commercial activities are performed in accordance with the requirements of the Local Government Act 2003, the Fire and Rescue Services Act 2004 (as amended by the Localism Act 2011), the Local Government Order 2009 and the Local Authorities (Goods and Services) Act 1970. Fire and rescue authorities must also ensure that such commercial activities are exercised through a company within the meaning of Part 5 of the Local Government and Housing Act 1989.</p>	<b>CFA</b>		<p>The Authority's trading arrangements are fully compliant with legislative requirements. All commercial trading is carried out through the Authority's trading companies, County Durham &amp; Darlington Fire &amp; Rescue CIC (CIC) and Vital fire Solutions (VFS).</p> <p>The accounts of both companies are audited by the Authority's external auditor Mazars LLP</p>	<b>CIC/VFS Board</b>
<p>5.17 A trading company is a separate legal entity and elected members and officers should at all times be aware of potential conflicts of interest when carrying out their roles for their authorities, or when acting as directors of trading companies.</p>	<b>VFS/CIC Boards</b>		<p>Director and Risk training provided by an external provider to Board members in November 2015. Any new Board members will also receive the training as required.</p>	<b>CIC/VFS Board</b>
<p>5.18 Fire and rescue authorities must ensure any actions taken in respect of their trading companies are considered against the requirements of competition law. Any financial assistance – in cash or in kind – given</p>	<b>CFA</b>		<p>No financial assistance is provided to either of the Authority's trading companies (CIC or VFS). Where the companies</p>	<b>CIC/VFS Board</b>



<p>by an authority that establishes or participates in it, should be for a limited period, set against the expectation of later returns, and repaid by those returns. Any assistance should be provided under a formal agreement with the company and must be entered into for a commercial purpose. Before entering into such an agreement, the authority should satisfy itself that it will achieve its objective, and the company should satisfy itself that it will meet its objective in terms of its business plan. The parties should consider any State Aid implications and obtain their own expert advice where necessary.</p>			<p>utilise Authority staff or services they are invoiced for the full cost. State aid implications have been considered in full and the companies are also charged a fee for the use of the Authority logo and brand.</p> <p>Both companies are wholly owned by the Authority and the Authority has £15,000 of share capital in VFS.</p>	
--	--	--	--	--

**CHAPTER 6 WORKFORCE**

**People Strategy**

<p>6.1 Each fire and rescue authority should have in place a people strategy that has been designed in collaboration with the workforce. This should take into account the principles set out in the NFCC's people strategy and at a minimum cover:</p> <ul style="list-style-type: none"> <li>• continuously improving the diversity of the workforce to ensure it represents the community it serves;</li> <li>• equality, cultural values and behaviours;</li> </ul>	<p><b>CFA</b></p>		<p>Workforce Development Strategy 2017 – 2020 and Strategic Workforce Plan published which is mapped against the NFCC's people strategy principles and covers the requirements listed.</p> <p>The strategy covers 6 key areas as listed below:</p>	<p><b>ACFO Service Support</b></p>
---	-------------------	--	--	------------------------------------

<ul style="list-style-type: none"> <li>• the various routes available in terms of recruitment, retention and progression;</li> <li>• flexible working;</li> <li>• professionalism, skills and leadership;</li> <li>• training opportunities;</li> <li>• health and safety, wellbeing, disabilities and support (e.g. mental health and physical support); and</li> <li>• tackling bullying, harassment and discrimination.</li> </ul>			<ul style="list-style-type: none"> <li>• Workforce Sustainability;</li> <li>• Outstanding Leadership;</li> <li>• Talent Management and Development;</li> <li>• Wellbeing and Reward;</li> <li>• Positive Working Environment;</li> <li>• Operational Excellence.</li> </ul> <p>A workforce development interventions plan has been developed to support the delivery of the strategy some of which include:</p> <ul style="list-style-type: none"> <li>• Development of values and behaviours;</li> <li>• Appraisal system measures values and behaviours;</li> <li>• Culture survey and interventions;</li> <li>• Inclusive Leadership Programme for SLT, middle and supervisory managers;</li> <li>• I3 profiling;</li> <li>• ED&amp;I qualifications;</li> <li>• FF Apprenticeship Programme;</li> <li>• Mentoring programme;</li> <li>• NLP;</li> <li>• Innovation and creativity training;</li> <li>• HR policies and procedures;</li> <li>• Functional fitness testing and equipment;</li> <li>• Associate fitness advisors;</li> <li>• BHAWA Continuing Excellence;</li> <li>• Mental Health Working Group and First Aiders;</li> </ul>	
<p>6.2 The Home Office collects and publishes a range of workforce data which fire and rescue authorities are required to provide. This includes workforce diversity, information on new joiners, reasons for leaving and firefighter injuries.</p>	<p><b>CFA</b></p>		<p>Workforce data supplied to the Home Office on request and reported to the CFA on publication.</p>	<p><b>ACFO Service Support</b></p>

<b>Professional Standards</b>				
6.3 To enhance professionalism of fire and rescue services, a coherent and comprehensive set of professional standards across all areas of fire and rescue services' work will be developed, drawing on existing standards where appropriate. The development of new standards will be on an ongoing basis.	<b>Professional Standards Body</b>		The Service awaits the publication of the standards, however already utilises role maps, National Operational Guidance, ISO standards in Training, BFS and Health and Safety and is re-introducing IFE examinations into promotion processes.	<b>ACFO Service Support</b>
6.4 All fire and rescue authorities must implement the standards approved through this work and the inspectorate will have regard to these standards as part of their inspections.	<b>CFA</b>		A gap analysis of the standards will be undertaken once published to ensure compliance and measures taken to address any gaps.	<b>ACFO Service Support</b>
<b>Fitness Principles</b>				
6.5 Firefighting is a physically demanding occupation and it is essential that firefighters have sufficient levels of fitness to enable them to carry out their tasks as safely and effectively as possible. As such, this requires higher levels of fitness than most other occupations and therefore there is a requirement for operational personnel to maintain levels of personal fitness. It is recognised that fitness levels may decline with age and whilst this may be mitigated by fitness training, diet	<b>CFA</b>		<p>Workforce Development Strategy 2017 - 2020 and Strategic Workforce Plan published.</p> <p>Fitness Policy and Procedure in place. Annual fitness testing conducted for all operational staff.</p> <p>Health and Fitness Advisor employed by the Service.</p> <p>Health and Fitness Associates in place.</p> <p>BHAWA Continuing Excellence achieved.</p>	<b>ACFO Service Support</b>

and other lifestyle changes, it is acknowledged that there may be a general decline in fitness as a result of the ageing process.			Gym facilities and functional fitness equipment provided for all stations, HQ and Training Centre. Occupational Health and physiotherapy provision provided.	
6.6 Fire and rescue authorities have an important role in helping to ensure their firefighters remain fit and are supported in remaining in employment. Each fire and rescue authority must comply with the fitness principles set out at Annex C.	<b>CFA</b>		See comments in 6.5 above and the Service complies with all of the fitness principles set out in Annex C.	<b>ACFO Support</b> <b>Service</b>
<b>Re-engagement of Senior Officers</b>				
6.7 The re-appointment of principal fire officers to the same or similar posts within the same fire and rescue authority, a short time after they have retired, has caused concern in recent years and increases costs for taxpayers. These individuals very often receive their pension benefits on retirement (such as their tax free lump sum) and then return on favourable terms, including an increase in take-home pay through avoiding paying employee pension contributions.	<b>CFA</b>		The CFA has not re-appointed any principal officers following retirement. Principal Officers in the Framework refers to those officers at Brigade or Area Manager level, and above, or those with comparable responsibilities to those roles.  The Authority's Pay Policy Statements states:  <i>In accordance with the requirements of the draft 2018 Fire and Rescue Framework for England the Authority has a policy of not re-appointing principal fire officers (Brigade Managers) after retirement to their previous, or a similar, post except for in exceptional circumstances when such a decision is necessary in the interests of public safety.</i>	<b>CFO</b>
6.8 Fire and rescue authorities must not re-appoint principal fire officers after retirement to their previous, or a similar, post save for in exceptional circumstances when such a decision is necessary in the interests of public safety. Any such appointment must	<b>CFA</b>		See comments in 6.7 above.	<b>CFO</b>

<p>be transparent, justifiable and time limited.</p>				
<p>6.9 In the exceptional circumstance that a re-appointment is necessary in the interests of public safety, this decision should be subject to agreement by a public vote of the elected members of the fire and rescue authority, or a publicised decision by the appropriate elected representative of the fire and rescue authority, taking into account the legislative requirements of PCC FRA Chief Fire Officer appointment procedures. The reason why the re-appointment was necessary in the interests of public safety, and alternative approaches were deemed not appropriate, must be published and the principal fire officer's pension must be abated until they cease to be employed by a fire and rescue authority.</p>	<p><b>CFA</b></p>		<p>In the exceptional circumstance that this was to occur, the CFA will comply with the requirements of the National Framework for England.</p>	<p><b>CFO</b></p>
<p>6.10 To ensure greater fairness and the exchange of talent and ideas, all principal fire officer posts must be open to competition nationally, and fire and rescue authorities must take account of this in their workforce planning.</p>	<p><b>CFA</b></p>		<p>ACFO posts were advertised nationally and in collaboration with TWFRS.</p>	<p><b>ACFO Support</b>      <b>Service</b></p>

			<p>Temporary AM posts were advertised in collaboration with TWFRS.</p> <p>Future Principal Officer posts will be advertised nationally in accordance with the framework. Principal Officers in the Framework refers to those officers at Brigade or Area Manager level, and above, or those with comparable responsibilities to those roles.</p>	
6.11 While the above requirements only extend to principal fire officers, we expect fire and rescue authorities to have regard to this principle when re-appointing at any level.	<b>CFA</b>		<p>In addition to comments in 6.10, temporary GM posts were advertised in collaboration with TWFRS.</p> <p>For future vacancies, regard will be given to advertising both regionally and nationally.</p>	<b>ACFO Support</b> <b>Service</b>
<b>7. INSPECTION, INTERVENTION AND ACCOUNTABILITY</b>				
<b>Inspection</b>				
7.1 Independent inspection of fire and rescue authorities in England – and the fire and rescue service they oversee - is delivered by Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS). The chief fire and rescue inspector and inspectors of fire and rescue authorities in England have powers of inspection given to them by the Fire and Rescue Services Act 2004, as amended by the Policing and Crime Act 2017.	<b>HMICFRS</b>		<p>This is an element to enable the HMICFRS to lead and conduct the inspection of the fire and rescue service.</p>	<b>ACFO Support</b> <b>Service</b>

<p>7.2 The inspectorate will provide a crucial assurance function to consider how effective and efficient fire and rescue authorities are, how well they manage their people and whether they are fulfilling their statutory obligations. The inspectorate will also highlight good practice and identify areas where improvement is needed so that remedial or constructive action can be taken. Alongside the inspectorate, other mechanisms exist for fire and rescue authorities to seek assurance or views on how they operate and/or the service they deliver, for example the Local Government Association's sector improvement support. The Government's expectation is that these mechanisms should complement inspection rather than duplicate or hinder it.</p>	<p><b>HMICFRS</b></p>	<p>This section details the reason and purpose of the HMICFRS inspection and that these compliment other assurance mechanisms and emphasises that this inspection does not replace them.</p> <p>Other areas of assurance for the service include external ISO 9001 and 18001 accreditation, Skills for Justice accreditation and local authority audits.</p>	<p><b>ACFO Support</b></p> <p><b>Service</b></p>
<p>7.3 The Policing and Crime Act 2017 requires the chief fire and rescue inspector for England to publish an inspection programme setting out what inspections of fire and rescue authorities in England they propose to carry out, and an inspection framework setting out the manner in which inspections will be carried out, including the matters that will be inspected. The inspection framework and programme applies to every fire and rescue authority in England. The 2017 Act also requires the chief fire</p>	<p><b>HMICFRS</b></p>	<p>This section details the responsibility of the chief fire and rescue inspector to publish an inspection programme, inspection framework and also an annual report.</p>	<p><b>ACFO Support</b></p> <p><b>Service</b></p>

<p>and rescue inspector for England to submit an annual report to the Secretary of State providing an assessment of the efficiency and effectiveness of fire and rescue authorities in England for the period in respect of which the report is prepared.</p>				
<p>7.4 All fire and rescue authorities must cooperate with the inspectorate and its inspectors to enable them to deliver their statutory function. This includes providing relevant data and information to inform inspections. The Home Office and HMICFRS will work together to align data and information collections where possible to avoid duplication.</p>	<p><b>CFA</b></p>		<p>The Service has already provided data to the HMICFRS and will continue to support their requirements moving forward. Details of requested information have been indicated and the service will be able to provide this when required.</p> <p>CDDFRS has one member of staff seconded to the HMICFRS.</p>	<p><b>ACFO Support</b>      <b>Service</b></p>
<p>7.5 Fire and rescue authorities must give due regard to reports and recommendations made by HMICFRS and – if recommendations are made – prepare, update and regularly publish an action plan detailing how the recommendations are being actioned. If the fire and rescue authority does not propose to undertake any action as a result of a recommendation, reasons for this should be given. When forming an action plan, the fire and rescue authority could seek advice and support from other organisations, for example, the National Fire Chiefs Council and the Local Government</p>	<p><b>CFA</b></p>		<p>This section details the requirement to take due regard to any reports and recommendations made by the HMICFRS following an inspection.</p> <p>Currently this service is scheduled for inspection as part of tranche three (Spring 2019) and therefore does not have any reports or recommendations to action at this time.</p>	<p><b>ACFO Support</b>      <b>Service</b></p>



<p>Association; and, for those areas where a PFCC has responsibility for fire governance, the Association of Police and Crime Commissioners.</p>				
--	--	--	--	--

<b>Intervention</b>				
---------------------	--	--	--	--

<p>7.6 Section 22 of the Fire and Rescue Services Act 2004 gives powers to the Secretary of State to intervene should a fire and rescue authority fail, or be likely to fail, to act in accordance with this Framework. The Secretary of State is required to prepare a protocol about the exercise of these powers and to have regard to it when exercising the section 22 powers.</p>	<p style="text-align: center;"><b>Secretary of State</b></p>		<p style="text-align: center;">CDDFRA will act in accordance with this Framework.</p>	<p style="text-align: center;"><b>CFO</b></p>
---	--	--	---	---

<p>7.7 The 2004 Act allows the Secretary of State, by order, to require the fire and rescue authority to do something; to stop doing something; or not to do something in order to ensure the fire and rescue authority acts in accordance with this Framework. An order could be made if the Secretary of State considers it would promote public safety or the economy, efficiency and effectiveness of the relevant fire and rescue authority. Before any such order is made the Secretary of State must give the authority an opportunity to make representations about the order proposed.</p>	<p style="text-align: center;"><b>Secretary of State</b></p>		<p style="text-align: center;">CDDFRA will act in accordance with this Framework.</p>	<p style="text-align: center;"><b>CFO</b></p>
---	--	--	---	---

<p>7.8 Use of this power is a last resort and intervention would only be considered if there was clear evidence that an authority was failing to act in accordance with the Framework, and that the failure was sufficiently serious as to warrant Government intervention. The expectation is that the fire and rescue authority should put in place remedial measures to overcome any concerns, seeking sector-led support as appropriate.</p>	<p><b>Secretary of State</b></p>		<p>CDDFRA will act in accordance with this Framework, however if intervention took place, the Fire Authority would put in place remedial measures to address the concerns identified.</p>	<p><b>CFO</b></p>
<p>7.9 The Secretary of State also has other powers of intervention (for example, under section 15 of the Local Government Act 1999) but the Protocol on Central Government Intervention Action for Fire and Rescue Authorities relates solely to ensuring fire and rescue authorities act in accordance with the National Framework.</p>	<p><b>Secretary of State</b></p>		<p>CDDFRA will act in accordance with this Framework.</p>	<p><b>CFO</b></p>

<b>Accountability</b>				
7.10 Fire and rescue authorities are expected to have governance and accountability arrangements in place covering issues such as financial management and transparency, complaints and discipline arrangements, and compliance with the seven principles of public life.	<b>CFA</b>		<a href="#">CFA</a> and <a href="#">Committee Structure Constitution</a>	<b>CFO</b>
7.11 Each fire and rescue authority must hold the individual who has responsibility for managing the fire and rescue service – an operational or non-operational Chief Fire Officer – to account for the delivery of the fire and rescue service and the functions of persons under their direction and control.	<b>CFA</b>		<a href="#">CFA</a> and <a href="#">Committee Structure Constitution</a>  The CFO receives an annual appraisal from the CFA Chair and Vice Chair, objectives are set and reviewed regularly.  The Salary Review Group monitors and reviews the performance of the CFO, Brigade Managers and Treasurer. The group meets on an annual basis in order to undertake the Brigade Manager Salary Review Process and will agree the level, if any, of any local pay award for Brigade Managers and the Treasurer position.	<b>CFO</b>
7.12 In demonstrating their accountability to communities for the service they provide, fire and rescue authorities need to: <ul style="list-style-type: none"> <li>• be transparent and accountable to their communities for their decisions and actions;</li> <li>• provide the opportunity for communities to help to plan their local</li> </ul>	<b>CFA</b>		<a href="#">CFA</a> and <a href="#">Committee Structure Constitution</a>  Safer and Stronger Communities Overview and Scrutiny Panel, <a href="#">Transparency Data</a> , AAP engagement, <a href="#">Meeting agenda and minutes</a> , Durham Partnership Arrangements, Darlington Partnership Arrangements, performance data on website.	<b>CFO</b>

<p>service through effective consultation and involvement; and</p> <ul style="list-style-type: none"> <li>• have scrutiny arrangements in place that reflect the high standard communities expect for an important public safety service.</li> </ul>				
--	--	--	--	--

<b>Transparency</b>				
---------------------	--	--	--	--

<p>7.14 Each fire and rescue authority must comply with their statutory transparency requirements. The nature of the requirements is dependent on the legal basis of the authority; for example, combined fire and rescue authorities would be subject to the Local Authority Transparency Code 2015 while PCC FRAs must comply with requirements under section 11 of the Police Reform and Social Responsibility Act 2011 and the Elected Local Policing Bodies (Specified Information) Order 2011. All fire and rescue authorities should therefore publish certain information, including: senior salaries; register of interests; staffing; income and expenditure; property; rights and liabilities; and decisions of significant public interest. Fire and rescue authorities must make their communities aware of how they can access data and information on their performance.</p>	<b>CFA</b>		<p>Transparency information published on website.</p> <p><a href="https://www.ddfire.gov.uk/transparency">https://www.ddfire.gov.uk/transparency</a></p> <p>Information provided on council tax leaflet and in Statement of Assurance on how to access performance information.</p> <p><a href="https://www.ddfire.gov.uk/sites/default/files/attachments/Council%20tax%20leaflet%202018-19_web.pdf">https://www.ddfire.gov.uk/sites/default/files/attachments/Council%20tax%20leaflet%202018-19_web.pdf</a></p> <p>Quick links to performance and transparency information on website homepage.</p>	<b>Director of Corporate Resources and Treasurer</b>
---	------------	--	--	--

<p>7.15 Furthermore, section 26 of the Fire and Rescue Services Act 2004 states that a fire and rescue authority must: a) submit to the Secretary of State any reports and returns that are required; and b) give the Secretary of State any information with respect to its functions that are required.</p>	<p><b>CFA</b></p>		<p>Returns are submitted as required.</p>	<p><b>Director of Corporate Resources and Treasurer</b></p>
<p>7.16 Fire and rescue authorities also have a responsibility to provide regular data to the Home Office as stipulated by MHCLG's Single Data List process. The data supplied are the source for the official and national statistics published by the Home Office and are used for the purposes of policy development across a range of organisations including Government as well as providing a publicly available national overview of activity by fire and rescue services.</p>	<p><b>CFA</b></p>		<p>The single gateway data list consists of data from IRS and the Home Office Operational Statistics return (incorporating community and fire safety data, HR data and accident data). CDDFRS submits IRS data on a regular basis and is one of the most productive FRS in doing this. Incident reports are expected to be completed within two days of the incident. Uploads to the national IRS are completed every month. CDDFRS also completes the annual Home Office Operational Statistics return as per the specified deadlines.</p>	<p><b>ACFO Service Delivery</b></p>

**COMBINED FIRE AUTHORITY**

**11 JUNE 2018**

**EMERGENCY SERVICES MOBILE  
COMMUNICATIONS PROGRAMME UPDATE**



---

**REPORT OF DEPUTY CHIEF FIRE OFFICER**

---

**PURPOSE OF REPORT**

1. This report provides members with an update on the Emergency Services Mobile Communications Programme (ESMCP).

**BACKGROUND**

2. Members have received previous reports explaining how the ESMCP will replace the existing communications service delivered by Airwave with a new national mobile communication service for the three emergency services and the other organisations that currently use Airwave.
3. The new system will be called the Emergency Services Network (ESN) and it will take advantage of the latest mobile technologies to provide national critical voice and broadband data services. It is a cross-government programme hosted by the Home Office (HO).
4. Whilst there is an expectation that the Service will move onto the ESN, as there is no alternative option available that could provide the interoperability or resilience required; the Authority has not yet entered into a final legal agreement to use the network. However, the Authority has agreed the Services 'intent' to move to the ESN and as a result appropriate funding has been received from government to progress local project management arrangements and preliminary information communication technology (ICT) upgrade/development work.
5. Under the original project plan fire and rescue services (FRS) were grouped into regions that would transition onto the ESN sequentially with the target date for all emergency services in the UK to have transitioned onto the network being December 2019. The north east region was initially expected to have completed transition by late 2018; however, the Authority were informed, through the last update report, that transition for all regions was to be delayed by at least nine months.
6. Since the last Authority update there has been some significant changes within the programmes expectations regarding timescales and transition capability. This paper details the current position and the implications for the Authority.

**CURRENT POSITION OF THE ESMCP**

7. The cost of the ESMCP and the delays in implementing it have been subject to scrutiny by the Parliamentary Public Accounts Committee. The committee have been particularly concerned with the contingency arrangements the programme has in place as the delays to transition (detailed in section 5 above) will result in the existing Airwave contract expiring prior to the 'go-live' date for ESN. If this situation were to occur, it would leave the UK emergency services without a resilient communication system.

8. Motorola, who now provide the Airwave communication system, have been in discussions with the government for some time over extending the Airwave contract. Whilst they are confident that, with the appropriate upgrades, the current Airwave system can be extended, Motorola will need sufficient notice to upgrade the network/equipment prior to March 2020 when essential elements of the Airwave network reach their end-of-life.
9. As a result, the ESMCP is going through a 're-set' period; a new Programme Director has been appointed, Bryan Clarke, and he has asked for four options for future programme delivery to be considered. These are:
  - **Option A** to deliver all the technology at once and transition sequentially (current plan);
  - **Option B** an incremental approach with customers adopting ESN technologies when they are delivered and when the customer is ready for them;
  - **Option C** realising the benefits of a data only solution on ESN and look to source an alternative option to deliver mission critical voice services; and
  - **Option D** close down the ESMCP and extend the Airwave contract.
10. It is acknowledged that option A will be challenging to implement and impossible to deliver within the original timescales; therefore, an extension of the existing Airwave service contract will be required. Negotiations with Motorola over the length of the extension are on-going with potentially a 6-10 years extension being required. With an extension to the Airwave system it is felt that adopting an incremental or evolutionary approach (Option B) will be a more realistic option and is therefore the preferred choice. With Option B the ultimate aim would be for Services to use both data and critical voice services over the ESN.
11. After consideration, Option C was not seen as offering any significant advantages over option B, particularly with a 6-10 years extension of Airwave services.
12. Work is now being undertaken to fully explore the feasibility of Option B. This work will identify the appetite of the emergency services to adopt elements of the ESN; such as mobile data whilst still maintaining Airwave. Consideration will also be given to the associated resourcing and financial factors required to implement Option B.
13. It is anticipated that the work described in section 12 above will take approximately two months. The outcomes from this will be presented to the Home Office Permanent Secretary for a decision on whether to progress this option.
14. If the decision is to progress Option B, the re-planning work, the financial information and the Airwave extension costs will be included in a revised ESMCP business case which would go for ministerial approval in late autumn 2018.
15. Option D does remain a possible option dependant on the outcomes of the feasibility work that will be undertaken on Option B and the full programme costs identified in the revised business case.

#### **IMPLICATIONS FOR COUNTY DURHAM AND DARLINGTON FIRE & RESCUE SERVICE (CDDFRS)**

16. The delay in the implementation of ESN has a potential impact in four specific areas:
  - Funding for CDDFRS staff employed within the Service on the ESN project;
  - Funding for ICT upgrades required by the Service to implement ESN on an incremental basis;
  - Funding for the Service's use of the current Airwave network; and

- Funding for the Service's Airwave equipment (radios etc) that are coming to their end-of-life.
17. Government have provided an agreed level of funding to each individual Service to cover project management costs up to the end of March 2018; however, it is not anticipated that any further funding will be received for this purpose until the revised business case is approved in autumn 2018. This is not a concern for the Service as it has allocated the funding received in a very effective and efficient manner, utilising existing specialist staff (IT, command and control etc) on an ad-hoc basis with only one individual specifically allocated to the project team. Therefore, the Service will be able to sustain this post with no detrimental effect on the Service's budget until further funding is allocated from the programme in the autumn.
  18. The Service have identified the upgrades required for various ICT systems to enable transition onto ESN and funding has been received for this from the programme. This funding, along with the remaining project management funding is held as part of the Authority's earmarked reserves.
  19. The Service currently receives a Section 31 Airwave grant to cover the usage of the current Airwave network, with the 2018/19 grant received in April 2018. The letter that accompanied the grant indicated that the grant will continue in 2019/20; however, the National Fire Chiefs Council (NFCC) are in discussions with the HO to confirm that any potential changes to future arrangements do not financially disadvantage FRS when an extension of this service is agreed with Motorola.
  20. Work is also being undertaken by the NFCC ESMCP team regarding the refresh of the end-of-life Airwave equipment (radios etc) and the relevant support contracts for these.

#### **NORTH EAST FRS GOVERNANCE ARRANGEMENTS**

21. In 2014 a Regional ESMCP Project Board was established with a representative from each of the four north-east (NE) FRS. The Deputy Chief Fire Officer (DCFO) of County Durham and Darlington FRS (CDDFRS), as a member of the national working group for the ESMCP, has chaired the regional board since its establishment. CDDFRS are deemed the lead authority within the region; therefore, CDDFRS receive the regional funding provided by the programme and it is for the Board to determine how this funding should be spent/distributed.
22. With the imminent retirement of the DCFO a new regional representative for the national working group was required and this role will now be taken by the regional board member from Tyne and Wear FRS; who will also chair the regional board. However, CDDFRS will remain as the lead authority.
23. Keith Lazzari, CDDFRS' Head of Corporate Services has been appointed as CDDFRS representative on the regional board and will act as substitute for the new regional chair and represent the NE region at the national working group as and when required.

#### **RECOMMENDATIONS**

24. Members are requested to **note** the contents of the report.

DCFO Colin Bage

Tel: 0191 3755585



This page is intentionally left blank

**COMBINED FIRE AUTHORITY**

**11 JUNE 2018**

County Durham and Darlington  
**Fire and Rescue Authority**



**DONATION OF EQUIPMENT TO OPERATION FLORIAN**

---

**REPORT OF AREA MANAGER TRAINING, ASSETS AND ASSURANCE**

---

**PURPOSE OF THE REPORT**

1. To brief members on a proposal to make a donation to the charity, namely Operation Florian of decommissioned Light Portable Pumps (LPPs) and Positive Pressure Ventilation (PPVs) fans.

**BACKGROUND**

2. During the Operational Vehicle and Equipment Group (OVEG) meeting of April 2018, a number of items of equipment were described as being beyond their operational life and a proposal was made to decommission them through a donation to Operation Florian.
3. Operation Florian was established as a charity in 1995 (Charity Number 1054657). It is a UK Fire Service Humanitarian Charity working to promote the protection of life amongst communities in need, worldwide, by the provision of equipment and training to improve firefighting and rescue capabilities. The Service has previously supported the charity with the donation of old fleet and equipment.

**PROPOSED DONATION**

4. The Service currently has six LPPs and six PPVs that have minimal residual value and because of the specialised nature of the plant would prove difficult to sell through auctions.
5. The approximate purchase cost of a PPV fan is £600 and an LPP is approximately £400. Residual values of the PPV fans would be approximately £20 each in their current state and age, with the approximate residual values of the LPPs being £50 each. The maximum estimated total residual value of the PPV fans and LPPs is approximately £420.
6. A cost effective method of disposal is to offer the plant to Operation Florian, who would collect from Service premises and provide a transfer of ownership disclaimer to ensure there was no liability held by the Service on the future use of the equipment.
7. The donation of the old plant provides an opportunity to publicise the support of Operation Florian and overseas fire service communities through both internal and external communications channels.

## RECOMMENDATIONS

8. Members are asked to:
  - (a) **Note** the report;
  - (b) **Agree** to support the charity, Operation Florian.

