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Review of the Authority's Committees' terms of reference

Report by the Clerk

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1 Summary

1.1 This report presents the outcome of the review of the terms of reference of the Hampshire Fire and Rescue Authority's committees. Each of the four committees has considered its terms of reference and is recommending the revisions as set out in the appendices to the report.

2 Recommendation

2.1 The Authority agrees the revised terms of reference for the Finance and General Purposes, the Standards and Governance and the Policy Review and Scrutiny committees.

2.2 The Authority agrees the revised terms of reference for the Human Resources committee, subject to any amendment it chooses to make regarding the two proposed sub-committees.

3 Introduction and background

3.1 The HFRA has established four committees with specific responsibilities:

- Finance and General Purposes Committee;
- Human Resources Committee;
- Performance Review and Scrutiny Committee; and
- Standards and Governance Committee.

3.2 The current terms of reference for each committee are attached as Appendix A.

3.3 The terms of reference enable the Authority to discharge its functions effectively by either delegating some decisions to committees or by asking committees to consider particular topics and make recommendations to the full Authority.

3.4 Each committee has been invited to consider its terms of reference and to recommend any proposed changes. The terms of reference being recommended by each committee are also set out in Appendix A.

4 Finance and General Purposes Committee

4.1 The terms of reference are currently focused on resource management.

- 4.2 The Committee is recommending changes to the terms of reference to:
- reflect the increasing emphasis on the Service Plan priority 'Working with Partners' and ensuring that the resource implications of these are understood. This will include the Joint Working in Hampshire project covering support services;
 - include the emerging commercial strategy of the Authority including the work of its trading company;
 - refer to the Treasury management oversight; and
 - stress the importance of establishing a medium term financial plan on behalf of the Authority.

5 Human Resources Committee

5.1 The Committee is making recommendations to reflect the developed role of the HR Committee as it has adapted to the changing environment

5.2 The most significant changes are:

- the additional responsibility to review the performance of Principal Officers and determine their locally determined pay award;
- the increased significance of Member Development as a key responsibility;
- the formal adoption of two sub-committees; one each relating to Principal Officer Pay and Member Development;
- the requirement, under the Localism Act, for Authorities to publish Annual Pay Policy Statements;
- a role to seek to influence the development of national terms and conditions of service for staff employed by the Service, and particularly those in the professional roles relating to firefighting; and
- the use of inclusion as key development in our journey to embed equality and diversity.

5.3 With regard to the proposal to adopt the two sub-committees, the Authority may also wish to consider the alternative of having task and finish groups. The advantage of a task and finish group compared with a formal sub-committee is that it would be less bureaucratic and more able to flexibly respond to matters put before it, in terms of meeting requirements and membership, whilst still retaining the original intent of enabling Member engagement.

6 Performance Review and Scrutiny Committee

6.1 The Performance Review and Scrutiny Committee is recommending changes to incorporate:

- the publication of the Fire and Rescue Services National Framework for England 2012 which has, amongst other things, placed increased emphasis on the role of Members in scrutiny and holding the Service to account. This sits alongside the important role of monitoring performance and achievement of the Authority's plans and priorities;
- reduced emphasis on programmes of best value reviews but with an ongoing need to demonstrate value for money;
- changes in the Authority's service planning process, setting priorities and aims for the next five years which need to be monitored; and

- development of the Authority's strategic assessment and an increased emphasis on the analysis of risk.

7 Standards and Governance Committee

7.1 The changes being recommended by the Standard and Governance Committee are:

- the addition of the responsibility to review the annual Operational Assurance statement. This is a requirement of the Fire and Rescue National Framework for England 2012 and is intended to demonstrate how the Service is undertaking its work;
- in view of the increasing number of partnerships with which the Authority is involved, adding a responsibility to review the various governance arrangements;
- reflecting the work undertaken by the Committee to review annually the health and safety arrangements;
- specifically referring to the work on the corporate risk management strategy which is undertaken and indeed underpins the approach to risk management; and
- making explicit the work undertaken in connection with the External Auditor each year.

8 Supporting our corporate aims and objectives

8.1 Clear lines of accountability and an effective way of discharging the Authority's work are important in demonstrating sound governance and clear strategic direction. This aligns with the HFRA Service plan 2013-18 which has the aim of making the organisation stronger and a specific priority in relation to leadership.

9 Risk analysis

9.1 An effective scheme of delegation of work and decisions enables appropriate time to be given to a range of issues facing the Authority and helps to ensure that decisions are taken appropriately. Without this governance framework there is a risk that areas are not properly examined before decisions are made and reduces the capacity of the Authority to properly scrutinise the work of the Service.

10 People Impact Assessment

10.1 The proposals in this report are considered compatible with the provisions of the equality and human rights legislation.

11 Environmental and sustainability impact assessment

11.1 None undertaken

12 Resource implications

12.1 No additional resources are required as a result of this report.

13 Consultation

13.1 Each Committee has been consulted on its terms of reference.

14 Background papers

14.1 The following documents disclose the facts or matters on which this report, or an important part of it, is based and has been relied upon to a material extent in the preparation of the report: "None"

Note: The list excludes: (1) published works; and (2) documents that disclose exempt or confidential information defined in the Act.

Current and proposed terms of reference for each of the four HFRA Committees

Finance and General Purposes Committee – Current terms of reference

- To make recommendations to the Authority as to its revenue budget and capital programme.
- To consider and determine the annual programme for the replacement of vehicles and other major capital schemes.
- To consider and advise the Authority on the financial effects of significant development strategies, plans, major acquisitions, contracts etc.
- To receive, consider and approve budget monitoring reports and a year-end report on the outturn position as set out in the Authority's final accounts and to make recommendations to the Authority on any proposal to change the budget.
- To oversee the use of land and property and other significant resources (e.g. information technology, communications, vehicles).
- To have oversight of the Service Plan priority concerning environmental management and reduction of carbon footprint.
- To have oversight of the Service Plan priority concerning the management of resources in a way that achieves efficiency savings at a level agreed by the Authority.
- To deal with any other urgent business that cannot reasonably be held over to the next full meeting of the Authority or else dealt with under the Scheme of Delegation of Standing Orders.
- To deal with such other matters of financial significance that the Authority may refer to it.

Finance and General Purposes Committee – Proposed terms of reference

Resource Planning

- To be responsible for establishing and monitoring the Authority's medium term financial plan.
- To consider and recommend the annual revenue budget and capital programme to the Authority.
- To consider and recommend the annual programme for the replacement of vehicles and other major capital schemes.
- To monitor the Authority's treasury management activities.
- To consider and advise the Authority on the financial effects of significant development strategies, plans, major acquisitions, contracts etc.

Resource monitoring

- To receive, consider and approve budget monitoring reports and a year-end report on the outturn position as set out in the Authority's final accounts and to make recommendations to the Authority on any proposal to change the budget.
- To oversee the use of land and property and other significant resources (e.g. information, technology, communications, vehicles).

Specific programmes

- To have oversight of the Authority's programme of environmental management and reduction of carbon footprint.
- To have oversight of the Service Plan priority, 'Assets and Money', concerning the management of resources.

Working with Partners

- To have an oversight of the Authority's partnership activities, particularly the resource and contractual implications. This will encompass various joint working programmes.
- To have an oversight of the Authority's commercial activities including its trading company.

Financial matters

- To deal with such other matters of financial significance that the Authority may refer to it.

Urgent business

- To deal with any other urgent business that cannot reasonably be held over to the next full meeting of the Authority or else dealt with under the Scheme of Delegation of Standing Orders.

Human Resources Committee – Current terms of reference

To advise the Authority on all matters of personnel policy in order to ensure the effective utilisation and development of the staff of the Hampshire Fire and Rescue Service. To exercise the powers and duties except where otherwise stated (e.g. in the Scheme of Delegation) in the following matters:

Establishment, Staffing Levels and Structures

Subject to consultation with other bodies as required by statute, to consider and advise the Authority on overall staffing needs and organisational structures, including:

- the overall allocation of staff to meet specific current or temporary needs;
- variation in grades, remuneration and conditions of service for individual or groups of posts in the establishment;
- periodic reviews of staffing levels and gradings.

When considering these issues, the Committee will have particular regard to the financial implications of any approvals or recommendations made.

Pay and Conditions of Service

- To receive reports on nationally negotiated variations to salary levels and conditions of service for all categories of staff and advise the authority of their implications.
- To consider, determine or advise on local variations in pay and conditions of service.
- To monitor the application of the Local Pension Scheme and Firemans' Pension Scheme.
- To monitor all retirements and dismissals made on medical grounds.

Employee Policies

- To ensure the introduction and continued application of good employee relations, procedures and practices.
- To ensure compliance with the provisions of all employment protection and related legislation.
- To act as the Authority's appeal body for appropriate categories of employees in accordance with current agreed policies or where the internal mechanisms do not allow for the matters to be heard by officers. As the appeal body, to appoint panels comprising Members of the Committee or the Authority as appropriate.
- To ensure that good recruitment and selection practices are adopted for all HFRS employees.
- To be responsible for the appointment of Chief and Deputy Chief Fire Officers posts.
- To ensure the development and implementation of training and development activities to support the future needs of the service. Furthermore to develop and establish mechanisms to support the development of Fire Authority Members.
- To promote and monitor the Authority's equal opportunities and health, safety and welfare policies.
- To scrutinise the activities and outcomes of the Service with regard to its general duty to promote equality of opportunity, good relations and positive attitudes to people of different groups, and to eliminate unfair discrimination in employee policies. Also, to scrutinise the activities and outcomes of the service with regards to its general duty to promote health, safety and welfare policies.

Human Resources Committee – Proposed terms of reference

To advise the Authority on all matters of human resource management, training and development to maximise the effectiveness of the staff of the Hampshire Fire and Rescue Service.

To exercise the powers and duties except where otherwise stated (e.g. in the Scheme of Delegation) in the following matters:

Establishment, Staffing Levels and Structures

- To consider changes made by the Chief Officer under his delegated authority within the Service affecting staffing levels and grade variation, remuneration and conditions of service for individuals or groups of posts in the establishment.
- To consider and advise the Chief Officer on structural changes he/she has made or is intending to make.

When considering these issues, the Committee will have particular regard to the financial implications of any changes being made and will advise the Chief Officer accordingly.

Pay and Conditions of Service

- To receive reports on nationally negotiated variations to salary levels and conditions of service for all categories of staff and advise the Authority of their implications.
- To consider, determine or advise on local variations in pay and conditions of service.
- To complete the processes required under the national terms and conditions of service for Principal Officers (Gold Book) for the annual review of performance and local pay award via a sub-committee of the HR Committee. To be designated as the Principal Officer (PO) Pay Sub-Committee.
- To monitor the application of the Local Government Pension Scheme (LGPS), Firefighters Pension Scheme (FPS) and New Firefighters Pension Scheme (NFPS).
- To seek to influence the national agenda on terms and conditions of service that are negotiated on behalf of fire and rescue services and in particular for those roles relating to the fire fighting profession.
- To ensure that the Service's pay policy is legally compliant, adopts best practice, meets nationally negotiated requirements and that the annual pay policy statement is suitably constructed and published as is required under the Localism Act. Once content, a recommendation will be passed to the full Authority for its publication.

Employment Policy

- To ensure the introduction and continued application of good employee relations, procedures and practices.
- To ensure compliance with the provisions of all employment legislation.
- To act as the Authority's appeal body for appropriate categories of employees in accordance with current agreed policies or where the internal mechanisms do not allow for the matters to be heard by officers. As the appeal body, to appoint panels comprising Members of the Committee or the Authority as appropriate.

Human Resources Committee – Proposed terms of reference (continued)

- To ensure that good recruitment and selection practices are adopted for all HFRS employees.
- To be responsible for the appointment of Chief and Deputy Chief Fire Officer posts.
- To ensure the development and implementation of training and development activities to support the future needs of the Service.
- To promote the Authority's work on inclusion and monitor the progress on equality, health, safety and welfare policies.
- To scrutinise the activities and outcomes of the Service with regard to its general duty to promote equality of opportunity, good relations and positive attitudes to people of different groups, and to eliminate unfair discrimination in employee policies. Also, to scrutinise the activities and outcomes of the Service with regard to its general duty to promote health, safety and welfare policies.
- To consider, determine or advise on priorities and objectives within the Service Plan relating to people and their development, including training, learning and development.

Elected Member Development

- To lead the development and establishment of mechanisms to support the development of Fire Authority Members via a sub-committee of the HR Committee.

Performance Review and Scrutiny Committee – Current terms of reference

Introduction

The Performance Review and Scrutiny Committee (PRSC) was set up in September 2001 (originally known as Performance Review Committee (PRC)) to monitor and direct performance management and review at corporate level. The PRSC receive their reports from the Performance Review Team based at Service Headquarters.

Aims of the committee:

Efficiency reviews

- To oversee and co-ordinate the preparations of the Authority for achieving best value and compliance with relevant legislative requirements.
- To participate in, determine and undertake a programme of efficiency reviews with a view to effecting continuous improvements in the way services are delivered, having regard to a combination of economy, efficiency and effectiveness.
- To appoint member(s) to individual efficiency reviews.
- To consider reports on the outcome of reviews and the relevant recommendations and to monitor their implementation on a regular basis.
- To recommend specific actions to secure best value for the Authority's services.
- To receive reports and information from officers, members, organisations and individuals as required by the Committee to further its work, and to interview members, officers, staff and comparable organisations as appropriate.
- To monitor and review policy, decisions and the service delivery issues referred by the Authority.
- To have oversight of the Service Plan priorities concerning the development of service delivery strategies
- To have oversight of the development of regional working with partner authorities to achieve service improvement and to draw to the attention of the full Authority such matters of significance as the Committee considers appropriate.
- To identify and make recommendations on any cross-cutting issues in order to optimize the use of resources and improve service delivery.

Scrutiny

- To carry out joint member/officer pre and post-implementation scrutiny of any major project, scheme, or key decision taken by the Authority or its standing committees.
- To examine the extent to which the practical outcomes achieved in service delivery accord with the policy objectives of the Authority.
- To consider how effectively the Authority is engaging with partners and other public service bodies to achieve better outcomes for local people.
- To make recommendations to the Authority on such matters as it considers appropriate arising from the scrutiny process.

Improvement planning

- To receive updated reports detailing progress in the Improvement Planning Register.

Performance Review and Scrutiny Committee – Proposed terms of reference

Review the work of the Service

- To monitor and review any policy, decision or service delivery issues referred to the Committee by the Authority.
- To commission a programme of reviews drawn from any aspects of the Service's activities.
- To consider reports on the outcome of the reviews and the relevant recommendations and to monitor their implementation on a regular basis.

Service planning

- To consider reports and updates on the strategic assessment, risk analysis and integrated risk management plan for the Service.
- To oversee the service planning of the Service.
- To have oversight of the preparation of Service Plan priorities and aims, and regularly monitor their achievement.
- To examine the extent to which the practical outcomes achieved in delivering services accord with the priorities and aims of the Authority.

Value for money

- To oversee and co-ordinate the Authority's approach to securing value for money (including compliance with relevant legislative requirements) and recommend specific actions to secure value for money for the Authority's services.
- To participate in, determine and undertake a programme of efficiency reviews to ensure continuous improvements in the way services are delivered, having regard to economy, efficiency and effectiveness.
- To identify and make recommendations on any issues to optimise the use of resources and improve the delivery of service.

Scrutiny

- To carry out joint member/ officer pre- and post-implementation scrutiny of any major project, scheme, or key decision taken by the Authority or its standing committees.
- To receive reports and information from officers, members, organisations and individuals as required by the Committee to further its work, and to interview Members, officers, staff and comparable organisations as appropriate.
- To consider how effectively the Authority is engaging with partners and other public service bodies to achieve better outcomes for local people. This will include ensuring that the decision making process is accessible to the public, and that there are opportunities for the public and their representatives to influence and improve the delivery of services.
- To make recommendations to the Authority on such matters as it considers appropriate arising from the scrutiny process.

Performance

- To monitor the Service's performance against its priorities and key targets including comparisons with other organisations.
- To consider the evaluations and outcomes of corporate projects and initiatives.

Standards and Governance Committee – Current terms of reference

Standards

- To oversee the discharge of the Authority's duty to promote and maintain high standards of conduct by Members and Co-opted Members.
- To promote training and advice to Members and Co-opted Members on the Code of Conduct, relevant protocols adopted by the Authority, and related matters to enable high standards of conduct to be maintained
- To advise the Authority on the revision or replacement of its Code of Conduct for Members and Co-opted Members, and on the review of protocols relevant to ethical standards.
- To advise the Authority on the arrangements to be applied for the investigation and determination of allegations of failure to comply with the Code of Conduct for Members and Co-opted Members, including advice on the involvement of at least one independent person in those arrangements, and to handle and determine such allegations in accordance with the approved procedures.
- To consider and determine an application by a Member or Co-opted Member for the grant of a dispensation under Section 33 Localism Act 2011, relieving the restrictions on participation in, and voting on, a matter in which the Member or Co-opted Member has a disclosable pecuniary interest.

Governance

- To adopt, review and amend the corporate governance framework for the Authority.
- To receive and consider reports from the Treasurer on internal audit strategy, planning and delivery.
- In line with its role as the body charged with responsibility for governance, to receive, consider and approve the draft of the formal Statement of Accounts (incorporating the Annual Governance Statement) in compliance with the statutory deadline.
- To receive and consider progress reports on actions taken to satisfy outcomes and recommendations from external and internal audit reports.
- To review the risk register and receive reports on risk management

Standards and Governance Committee – Proposed terms of reference

Standards

- To oversee the discharge of the Authority's duty to promote and maintain high standards of conduct by Members and co-opted Members.
- To promote training and advice to Members and co-opted Members on the Code of Conduct, relevant protocols adopted by the Authority, and related matters to enable high standards of conduct to be maintained.
- To advise the Authority on the revision or replacement of its Code of Conduct for Members and co-opted Members, and on the review of protocols relevant to ethical standards.
- To advise the Authority on the arrangements to be applied for the investigation and determination of allegations of failure to comply with the Code of Conduct for Members and co-opted Members, including advice on the involvement of at least one independent person in those arrangements, and to handle and determine such allegations in accordance with the approved procedures.
- To consider and determine an application by a Member or co-opted Member for the grant of a dispensation under Section 33 Localism Act 2011, relieving the restrictions on participation in, and voting on, a matter in which the Member or co-opted Member has a disclosable pecuniary interest.

Governance

- To adopt, review and amend the corporate governance framework for the Authority.
- To receive and consider reports from the Treasurer on internal audit strategy, planning and delivery.
- To receive, consider and approve the draft of the formal Statement of Accounts (incorporating the Annual Governance Statement) in compliance with the statutory deadline.
- To consider the External Auditors' management letter to the Authority and any reports from the External Auditor, and make recommendations to the Authority as necessary.
- To approve the annual Operational Assurance statement (part of the requirements of the National Framework for the Fire and Rescue Service 2012).
- To receive and consider progress reports on actions taken to satisfy outcomes and recommendations from external and internal audit reports.
- To approve the corporate risk management strategy, review the risk register and receive reports on risk management.
- To maintain an oversight of the governance arrangements with external partnerships / organisations.
- To receive an annual report on health and safety.