

10. Committee Structure

Purpose of report

1. To seek approval to the principle of implementing a new constitution defining the role of the Authority, delegating greater responsibility to committees and merging the Audit Committee and the Standards Committee.
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Recommendations

The Audit Committee recommends that approval be given, to the adoption of a new constitution:

- (i) defining the matters of strategic importance that are reserved for decision by the full Authority;*
- (ii) delegating other matters within the remit of individual committees to those committees for decision; and*
- (iii) combining the present Audit Committee and Standards Committee into a single Audit & Standards Committee.*

Introduction and Background

The Head of Legal Services has identified two initial areas where improvements can be made, as follows:

- (a) avoiding unnecessary duplication between the work of committees and meetings of the full Authority; and
- (b) dispensing with a separate Standards Committee and combining this role with of Audit Committee instead.

Avoiding duplication

2. Certain matters of strategic or key policy decision making should be reserved to the full Authority for decision, usually on the advice of one of the committees. This would include:
 - approval of the annual budget;
 - setting the precept (this cannot be delegated);
 - approval of the Community Risk Management Plan
 - approval of any fire cover review;
 - adoption of policies and strategies but only where these are of strategic importance;

- amendments to the terms of reference of committees and changes to the constitution; and
 - confirmation of the appointment of Chief Fire Officer, Deputy Chief Fire Officer, Treasurer and Monitoring Officer.
3. Matters not reserved to the full Authority and which currently fall within the remit of one of the Authority's committees could properly be delegated to those committees for decision, without the need for those items to also be considered by the full Authority. The benefits of this approach are that it would:
- speed up decision making;
 - avoid unnecessary duplication; and
 - enable the full Authority meetings to concentrate on matters of strategic importance.

Potential to Merge Audit Committee and Standards Committee

4. The introduction of the Local Government Act 2000, required the Authority to appoint a Standards Committee to promote and maintain high standards of conduct and ethical governance by Members and co-opted Members of the Authority.
5. Under the Localism Act 2011, the Authority still has the duty to promote and maintain standards but there is no longer a requirement to have a separate Standards Committee. Nor is there any longer a requirement to have independent members on a Standards Committee, but they can be co-opted as non-voting members. Co-opted members cannot be the Chairman or Vice-Chairman of a Standards Committee.
6. At its meeting on 19 July 2012 the Authority re-established a Standards Committee on a politically proportionate basis, comprising five Authority Members with two seats for co-opted non-councillors without voting rights. This was seen as being best practice at the time but it was also partly done out of expediency.
7. In the light of experience since July, it is now evident that:
- the changes introduced by the Localism Act have reduced the workload for Standards Committees;
 - there is insufficient business for Standards Committee to warrant a stand alone committee; and
 - there is already some cross-over with regards to the business that is considered, for example:
 - ensuring compliance with relevant codes of conduct;
 - ethical issues such as Whistleblowing Policy, Anti-Fraud and Corruption Policy, ethical framework;
 - the Code of Corporate Governance;
 - training and awareness of governance issues; and

- external audit reports.
8. The new committee would have the responsibility for promoting standards of behaviour amongst members and overseeing training in this regard, functions that sit comfortably with the present remit of Audit Committee. Any complaints of breaches of the code of conduct would be considered by a Hearings Sub-Committee. It is proposed that the new committee would not include independent non-voting members on the committee itself but that independent members would be co-opted to sit on the Hearings Sub-Committee if and when it needed to meet.
 9. The proposed combination of Audit and Standards Committees would produce some savings in resources, Member and Officer time and would result in a reduction in the number of Committee Chairmen, thereby removing the need for one Special Responsibility Allowance. The estimated total saving in a full year would be approximately £2,000.
 10. Any such changes to would be introduced with effect from the next annual meeting in June 2013.

Conclusion/Summary

11. The changes proposed would improve the Authority's decision making processes by focussing on the strategic role of the Authority, avoiding unnecessary duplication, reducing the overall number of meetings and generating a modest saving.
12. If Members agree the proposed changes in principle the intention would be to present an amended draft constitution to committee for approval in April with a view to this then being adopted and implemented at the Fire Authority Annual Meeting in June.

Financial Considerations

Consideration	Yes/No	Reference in Report i.e paragraph no.
There are financial issues that require consideration	Yes	Paragraph 11 – potential savings

Legal Considerations

Consideration	Yes/No	Reference in Report i.e paragraph no.
There are legal issues e.g. contractual and procurement, reputational issues that require consideration	Yes	Paragraph 7 – the Authority has a duty to promote and maintain high standards of conduct amongst members

Additional Considerations

15. The table below sets out any additional issues arising from the proposals contained in this report and identifies the relevant paragraphs in the report where such issues are addressed.

Consideration	Yes/No	Reference in Report i.e paragraph no.
Resources (e.g. Assets, ICT, Human Resources, Training & Development, Sustainability).	No	
Strategic Policy Links (e.g. IRMP, Authority Plan, Equality & Diversity, Partnerships, Environmental Impact).	No	
Risk Management / Health & Safety (e.g. risk management and control measures, risk register score).	No	
Consultation with Representative Bodies	No	

Supporting Information

Background Information

- Audit Committee Terms of Reference
- Standards Committee Terms of Reference
- Fire and Rescue Authority agenda papers – 19 July 2012
- Audit Committees – Practical Guidance for Local Authorities (CIPFA, 2005)

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