DORSET & WILTSHIRE FIRE AND RESCUE AUTHORITY

Members' Handbook

PASSIONATE ABOUT CHANGING & SAVING LIVES

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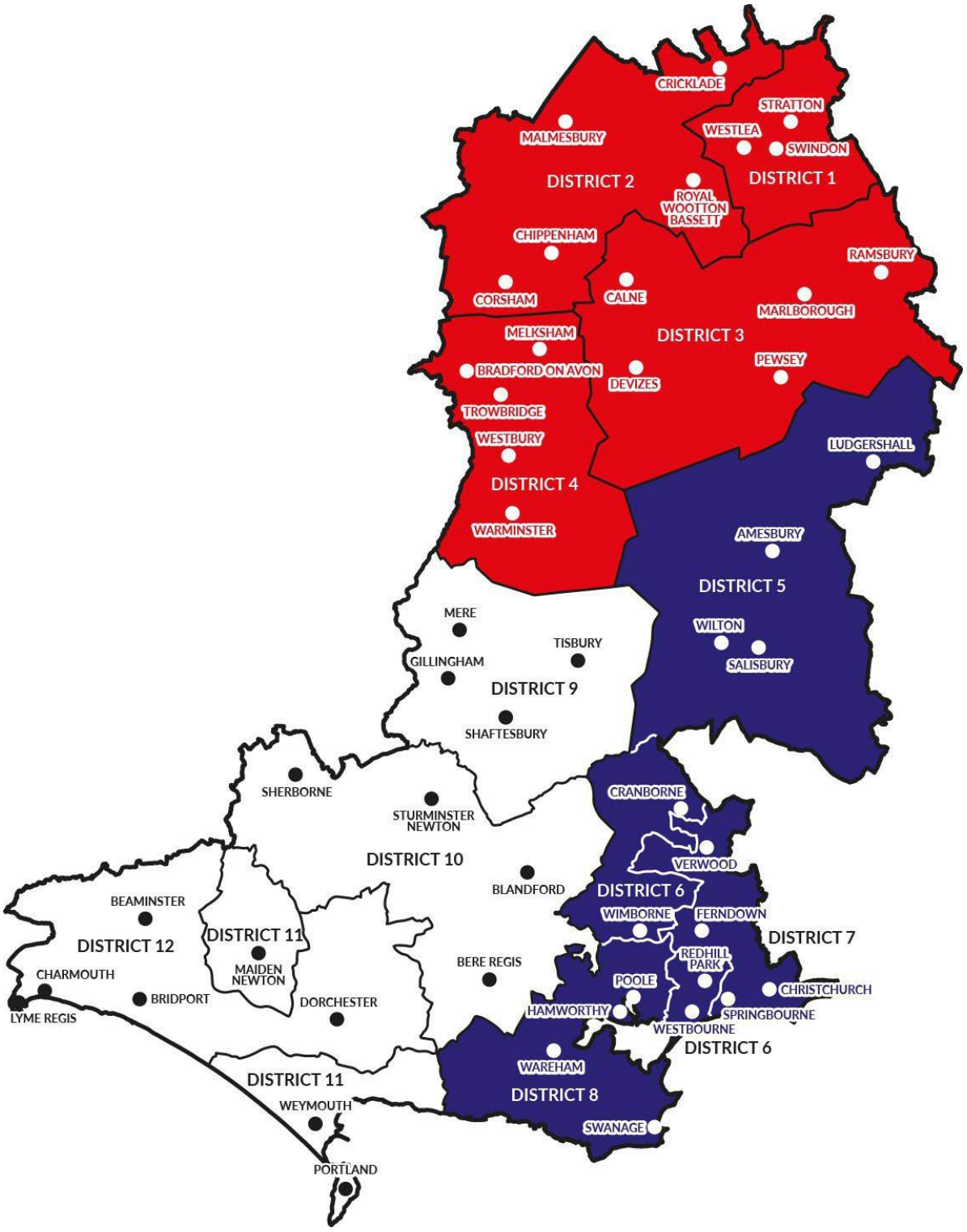
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About Dorset Wiltshire Fire and Rescue Service

DWFRS is one of the largest stand-alone fire and rescue services in England. It delivers a range of prevention, protection and response services to over 1.45 million residents across Bournemouth, Christchurch and Poole, Dorset, Swindon and Wiltshire using the following resources:

- 50 fire stations
- Over 1,000 wholetime and on-call firefighters
- Over 65 fire engines and numerous specialist vehicles which are equipped to deal with a wide range of emergencies
- Around 300 corporate staff helping to provide our essential front-line services to both residents and local businesses.


CRICKLADE
STRATTON
WESTLEA
SWINDON
MALMESBURY
DISTRICT 2
DISTRICT 1
ROYAL WOOTTON BASSETT
CHIPPENHAM
RAMSBURY
CORSHAM
CALNE
MARLBOROUGH
MELKSHAM
DISTRICT 3
PEWSEY
BRADFORD ON AVON
DEVIZES
TROWBRIDGE
WESTBURY
LUDGERSHALL
DISTRICT 4
WARMINSTER
AMESBURY
DISTRICT 5
MERE
TISBURY
WILTON
GILLINGHAM
SALISBURY
DISTRICT 9
SHAFTESBURY
SHERBORNE
CRANBORNE
STURMINSTER NEWTON
VERWOOD
DISTRICT 10
BLANDFORD
DISTRICT 6
BEAMINSTER
WIMBORNE
FERNDOWN
DISTRICT 7
DISTRICT 12
DISTRICT 11
REDHILL PARK
BERE REGIS
MAIDEN NEWTON
CHARMOUTH
POOLE
CHRISTCHURCH
BRIDPORT
DORCHESTER
HAMWORTHY
SPRINGBOURNE
LYME REGIS
WESTBOURNE
DISTRICT 6
WAREHAM
DISTRICT 11
DISTRICT 8
WEYMOUTH
SWANAGE
PORTLAND

DEMOCRATIC SERVICES - Democratic.services@dwfire.org.uk

Clerk – Vikki Shearing
Direct Dial: 01722 691082
Mobile: 07880 712319
Email: vikki.shearing@dwfire.org.uk

Monitoring Officer – Lisa Kirkman
Mobile: 07468698977
Email: lkirkman@vwv.co.uk

Democratic Services Manager – Alex Cooper
Direct Dial: TBC
Email: Alexander.Cooper@dwfire.org.uk

1.2 STRATEGIC LEADERSHIP TEAM

Profiles for the Strategic Leadership Team are set out on the DWFRS website, linked as follows: Profiles for the Strategic Leadership Team

Chief Fire Officer and Head of Paid Service – Andy Cole
Direct Dial: 01722 691067/07786 174221
Email: andy.cole@dwfire.org.uk



The Chief Fire Officer is the Head of Paid Service responsible for operational leadership of the Fire and Rescue Service; and is also the Fire and Rescue Authority's professional adviser on all matters which are not the responsibility of either the Treasurer or the Clerk or the Monitoring Officer.

Assistant Chief Fire Officer - Director of Response – Darren Langdown
Direct Dial: 01722 691235/07825 423651
Email: darren.langdown@dwfire.org.uk



Darren is responsible for the emergency response and resilience across all Area Commands covering BCP, Wiltshire, Swindon and Dorset. He is also responsible for the Service Control Centre, Resourcing, On-call development, collaboration and operational communications which includes incident ground technology.

Darren is the strategic lead for the Networked Fire Services Partnership (NFSP).

Darren is the strategic lead for the Fire Pride Network

Assistant Chief Officer - Director of People Services - Jenny Long
Direct Dial: 01722 691311/07796 183826
Email: jenny.long@dwfire.org.uk



Jenny is responsible for Operational Training and Learning & Development which includes operational competency framework, leadership development and apprenticeships; Human Resources including health and wellbeing support, payroll and pensions, recruitment and retention, workforce planning and support with performance and absence management; and Equality, Diversity and Inclusion.

Jenny is the strategic lead for the Operational Women's Network

Assistant Chief Officer - Director of Service Support – Jill McCrae
Direct Dial: 01722 691073/07799 075059
Email: Jill.McCrae@dwfire.org.uk



Jill is responsible for Assets which includes supplies, hydrants, fleet and equipment, and estates; Service Improvement which includes corporate governance, risk and assurance, strategic planning, performance management and projects and programmes; and Resilience & Risk and the Civil Contingencies Secretariat.

Jill is the strategic lead for the Neurodiversity Network

Assistant Chief Fire Officer – Director of Safety and Compliance – David Waters
Mobile: 07500 066143
Email: david.waters@dwfire.org.uk



Dave is responsible for, Prevention, Protection, Health and Safety, Safeguarding and Compliance. This includes delivering statutory and non-statutory safety education, technical fire safety advice under the Regulatory Reform (fire safety) Order and corporate investigations and compliance.

Dave is strategic lead for the ME network

Assistant Chief Officer – Director of Finance and Treasurer - Ryan Maslen
Direct Dial: 01722 691109/07500 669442
Email: Ryan.Maslen@dwfire.org.uk



Ryan is responsible for the finance and procurement functions which includes strategic financial planning, budget monitoring and reporting, accountancy and treasury management.

Ryan is the strategic lead for the Men's Network

As the Treasurer, Ryan is the Fire and Rescue Authority's professional adviser on all financial matters.

Assistant Chief Officer – Director of Corporate Services and Clerk - Vikki Shearing
Direct Dial: 01722 691082
Mobile: 07880 712319
Email: vikki.shearing@dwfire.org.uk



Vikki is responsible for Information Governance and Cyber Security, Corporate Data and Analytics, Corporate Communications and Engagement, Executive Support, Democratic Services and ICT including Digital Transformation.

As the Clerk, Vikki ensures the governance of the fire and rescue authority, and that the functions and decision making of the Authority operate lawfully within codes of practice.

Vikki is the strategic lead for the Women's Network

Head of Corporate Communications and Engagement – Emily Cheeseman
Mobile: 07785 307272
Email: emily.cheeseman@dwfire.org.uk
pressoffice@dwfire.org.uk

Website: www.dwfire.org.uk

Twitter: @DWFireRescue

Facebook: www.facebook.com/DWFire

1.3 TELEPHONE NUMBERS

General Switchboard	Office hours, 9.00 - 17.00 (Monday -Thursday) 9.00 - 16.30 (Friday)	01722 691000

Fire station or workplace	**Duty**	**Phone number**
Amesbury Fire Station	Day crewed	01722 691000
Beaminster Fire Station	On-call	01722 691000
Bere Regis Fire Station	On-call	01722 691000
Blandford Fire Station	On-call	01722 691000
Bradford upon Avon Fire Station	On-call	01722 691000
Bridport Fire Station	On-call	01722 691000
Calne Fire Station	On-call	01722 691000
Charmouth Fire Station	On-call	01722 691000
Chippenham Fire Station	Wholetime day crewed + On-call	01722 691000
Christchurch Fire Station	Day crewed	01722 691000
Corsham Fire Station	On-call	01722 691000
Cranborne Fire Station	On-call	01722 691000
Cricklade Fire Station	On-call	01722 691000
Devizes Fire Station	On-call	01722 691000
Dorchester Fire Station	Day crewed	01722 691000
Ferndown Fire Station	Day crewed weekdays + On-call nights and weekends	01722 691000
Gillingham Fire Station	On-call	01722 691000

Hamworthy Fire Station	On-call	01722 691000
Headquarters - Five Rivers in Salisbury	Office hours, 9.00 - 17.00 (Monday -Thursday) 9.00 - 16.30 (Friday)	01722 691000
Ludgershall Fire Station	On-call	01722 691000
Lyme Regis Fire Station	On-call	01722 691000
Maiden Newton Fire Station	On-call	01722 691000
Malmesbury Fire Station	On-call	01722 691000
Marlborough Fire Station	On-call	01722 691000
Melksham Fire Station	On-call	01722 691000
Mere Fire Station	On-call	01722 691000
Pewsey Fire Station	On-call	01722 691000
Poole Fire Station	Wholetime + On-call	01722 691000
Portland Fire Station	On-call	01722 691000
Potterne	Fire control + corporate staff	01722 691000
Ramsbury Fire Station	On-call	01722 691000
Redhill Park Fire Station	Wholetime	01722 691000
Royal Wootton Bassett Fire Station	On-call	01722 691000
Salisbury Fire Station	Wholetime + On-call	01722 691000
Shaftesbury Fire Station	On-call	01722 691000
Sherborne Fire Station	On-call	01722 691000
Springbourne Fire Station	Wholetime	01722 691000
Stratton St Margaret Fire Station	Wholetime + On-call	01722 691000

Sturminster Fire Station	On-call	01722 691000
Swanage Fire Station	On-call	01722 691000
Swindon Fire Station	Wholetime + On-call	01722 691000
Tisbury Fire Station	On-call	01722 691000
Training Centre - Devizes	Wholetime + corporate staff	01722 691000
Training Centre - West Moors	Wholetime + corporate	01722 691000
Trowbridge Fire Station	Wholetime day crew + On call	01722 691000
Verwood Fire Station	On-call	01722 691000
Wareham Fire Station	On-call	01722 691000
Warminster Fire Station	On-call	01722 691000
Westbourne Fire Station	Wholetime	01722 691000
Westbury Fire Station	On-call	01722 691000
Westlea Fire Station	Wholetime day crew + same crew overnight	01722 691000
Weymouth Fire Station	Wholetime + On-call	01722 691000
Wilton Fire Station	On-call	01722 691000
Wimborne Fire Station	On-call	01722 691000
Workshops - Bowerhill	Corporate staff	01722 691000
Workshops – Charminster	Corporate staff	01722 691000

Dorset & Wiltshire Fire and Rescue Authority

Authority Meetings Dates 2026- 2027

1.4

All meetings

Date	Day and time	Meeting or Committee
30 June 2026	Tues 1000-12000 hrs	Fire and Rescue Authority (Annual Meeting)
22 July 2026	Weds 1000-1200 hrs	Finance & Audit Committee
19 August 2026	Weds 1000-1200 hrs	Local Performance & Scrutiny - BCP
20 August 2026	Thurs 1000-1200 hrs	Local Performance & Scrutiny - Dorset
26 August 2026	Weds 1000-1200 hrs	Local Performance & Scrutiny - Swindon
27 August 2026	Thurs 1000-1200 hrs	Local Performance & Scrutiny - Wiltshire
9 September 2026	Weds 1000-1200 hrs	Finance & Audit Committee
29 September 2026	Tues 1000-12000 hrs	Fire and Rescue Authority
18 November 2026	Weds 1000-1200 hrs	Local Performance & Scrutiny - BCP
19 November 2026	Thurs 1000-1200 hrs	Local Performance & Scrutiny - Dorset
25 November 2026	Weds 1000-1200 hrs	Local Performance & Scrutiny - Swindon
26 November 2026	Thurs 1000-1200 hrs	Local Performance & Scrutiny - Wiltshire
2 December 2026	Weds 1000-1200 hrs	Finance & Audit Committee
8 December 2026	Tues 1000-12000 hrs	Fire and Rescue Authority
11 February 2027	Thurs 1000-12000 hrs	Fire and Rescue Authority

Dorset & Wiltshire Fire and Rescue Authority

Authority Meetings Dates 2026- 2027

17 February 2027	Weds 1000-1200 hrs	Local Performance & Scrutiny - BCP
18 February 2027	Thurs 1000-1200 hrs	Local Performance & Scrutiny - Dorset
24 February 2027	Weds 1000-1200 hrs	Local Performance & Scrutiny - Swindon
25 February 2027	Thurs 1000-1200 hrs	Local Performance & Scrutiny - Wiltshire
4 March 2027	Thurs 1000-1200 hrs	Finance & Audit Committee
15 June 2027	Tues 1000-12000 hrs	Fire and Rescue Authority (Annual Meeting)
21 July 2027	Weds 1000-1200 hrs	Finance & Audit Committee

1.5 Acronyms and mnemonics (prompts):

Abbreviation	Full meaning
A/AOR	Accident/Adverse Occurrence Report (form)
ACAS	Advisory, Conciliation and Arbitration Service
ACFO	Assistant Chief Fire Officer
ACO	Assistant Chief Officer
ADC	Assessment and Development Centre
ADF	Accidental Dwelling Fire
AFA	Automatic Fire Alarm
AFD	Automatic Fire Detection
AHIS	Additional Hazard or Information Sheet
AM	Area Manager
AMT	Area Management Team
ALP	Aerial Ladder Platform
ALT	Area Leadership Team
AONB	Area of Outstanding Natural Beauty
AOR	Adverse Occurrence Report
APL	Accredited Prior Learning
ARA	Additional Responsibility Allowance
ARA	Analytical Risk Assessment
ARTA	Animal Rescue Tactical Advisor
ASB	Anti-Social Behaviour
ARP	Ambulance Response Programme
AQA	Assessment and Qualification Alliance
BA	Breathing Apparatus
BACS	Banks automated clearing system

1.5 Acronyms and mnemonics (prompts):

Abbreviation	Full meaning
BASU	Breathing Apparatus Support Unit
BAFSA	British Automatic Fire Sprinkler Association
BBfA	Better Business for All
BCP	Bournemouth, Christchurch and Poole
BCI	Business Continuity Institute
BCP	Business Continuity Plan
BEM	British Empire Medal
BID	Business Improvement District
BLITZ	Dorset Police Safer Schools Teams project
BM	Brigade Manager
BLPD	Blue Light Procurement Database
BOSS	Browser of Operational System Status
BPSAB	Bournemouth and Poole Safeguarding Adults' Board
BPWAC	Business Practice Workplace Assessment Course
BPPE	Ballistic Personal Protective Equipment
BRR	Basic Retained Recruits (course)
BSCP	British Standard Code of Practice
BSI	British Standards Institution
BTEC	Business and Technology Education Council
CAFFS	Compressed Air Firefighting Foam System
CBE	Commander of the Most Excellent Order of the British Empire
CBRN	Chemical, Biological, Radiological, or Nuclear Incident
CBRN	Chemical, Biological, Radiological, or Nuclear Incident
CCG	Clinical Commissioning Group

1.5 Acronyms and mnemonics (prompts):

Abbreviation	Full meaning
CCS	Crown Commercial Service
CCU	Civil Contingencies Unit
CDA	Crime and Disorder Act 1998
CEO	Chief Executive Officer
CFBT	Compartment Fire Behaviour Training
CFRMIS	Community Fire Risk Management Information System
CFO	Chief Fire Officer
CFOA	Chief Fire Officers' Association
CFSR	Community Fire Safety Resources
CHAPS	Clearing House Automated Payment Scheme
CHARLIE	CHARLIECare and support needs, Hoarding and mental health issues, Alcohol and medication, Reduced mobility, Lives alone, Inappropriate smoking and Elderly
Chemdata	Chemical hazards database
CIPD	Chartered Institute of Personnel Development
CM	Crew Manager
CMHT	Community Mental Health Team
CMT	Community Map Technology
CMT	Crisis Management Team (Business Continuity)
CoC	Code of Conduct
COMAH	Control of Major Accident Hazards Regulation
ConOP	Concept of Operation
CONTEST	Counter Terrorism Strategy
COSHH	Control of Substances Hazardous to Health
CPD	Continued Personal Development

1.5 Acronyms and mnemonics (prompts):

Abbreviation	Full meaning
CQC	Care Quality Commission
CSE	Child Sexual Exploitation
CSP	Community Safety Plan
CSR	Comprehensive Spending Review
CSU	Command Support Unit
CV	Community Volunteer
DACO	Deputy Assistant Chief Officer
DBS	Disclosure and Barring Service
DBE	Dame Commander of the Most Excellent Order of the British Empire
DCFO	Deputy Chief Fire Officer
DCLG	Department for Communities and Local Government
DDA	Disability Discrimination Act (2005)
DEFRA	Department for Environment, Food and Rural Affairs
DESPI	Dorset Emergency Services Partnership Initiative
DFRMO	Defence Fire Risk Management Organisation
DIM	Detection, Investigation and Monitoring
DFSO	Duty Fire Safety Officer
DLUCH	Department for Levelling Up, Housing and Communities
DORIC	Deputy Operational Risk Information Contact
DOSE	Dictionary of Substances and their Effects
DPA	Data Protection Act
DRA	Dynamic Risk Assessment
DSE	Display Screen Equipment
DTC	Devizes Training Centre

1.5 Acronyms and mnemonics (prompts):

Abbreviation	Full meaning
DWFRA	Dorset & Wiltshire Fire and Rescue Authority
DWFRS	Dorset & Wiltshire Fire and Rescue Service
EA	Environment Agency
EDI	Equality, Diversity and Inclusion
EFAD	Emergency Fire Appliance Driving
EIP	Equal Instalment of Principal
ERD	Emergency Response Driver / Driving
ESMCP	Emergency Service Mobile Communication programme
ESN	Emergency Services Network
ESPO	Eastern Shires Purchasing Organisation
ET	Employment Tribunal
FRA	Fire and Rescue Authority
FACS	Fire and Ambulance Clinical Support Programme
FBT	Fire Behaviour Training
FBU	Fire Brigades Union
FDS	Flexi Duty System (relates to officers)
FEMIS	Fleet and Management Information System
FESS	Fire and Emergency Support Service
FF	Firefighter
FFC	Fire Fighters Charity
FFN	Fire Finance Network
FI	Fire Investigation
FINDS	Fire Information National Data Service
FOA	Fire Officers Association

1.5 Acronyms and mnemonics (prompts):

Abbreviation	Full meaning
FOI	Freedom of Information
FRA	Fire and Rescue Authority
FRS	Fire and Rescue Service
FRS	Financial Reporting Standards
FRSA	Fire and Rescue Services Association (formally Retained Firefighters Union)
FRSEF	Fire and Rescue Service Equality Framework
FS	Fire Safety
FSC	Fire Service College
FSEC	Fire Service Emergency Cover
FSMC	Fire Services Management Committee (LGA)
FSO	Fire Safety Officer
GAD	Government Actuary's Department
GARTAN	Staff availability and attendance software
GDPR	General Data Protection Regulation
GIS	Geographical Information System
GM	Group Manager
GROW	Grow eLearning package
GPS	Global Positioning System
GWH	Great Western Hospital
H&S (E)	Health and Safety (Executive)
HMEPA	Hazardous Material Environmental Protection Advisor
HMICFRS	His Majesty's Inspectorate of Constabularies and Fire & Rescue Services
HMTD	How's My Team Doing

1.5 Acronyms and mnemonics (prompts):

Abbreviation	Full meaning
HoD	Head of Department
HOMR	Home Office Model Response
HVP	High-Volume Pump
IAO	Information Asset Owner
ICT	Information and Communication Technology
ICU	Incident Command Unit
IFAMP	Integrated fleet asset management plan
IFE	Institution of Fire Engineers
IGG	Information Governance Group
IPAMP	Integrated property asset management plan
IPCO	Investigatory Powers Commissioner's Office
IRMP	Integrated risk management plan
ISO	International Standards Organisation
ISU	Incident Support Unit
ITEL	Information Technology Infrastructure Library
ITHC	Information Technology Health Check
JESIP	Joint Emergency Services Interoperability Programme
JCT	Joint Contract Tribunal
KLOE	Key Lines of Enquiry
KBE	Knight Commander of the Most Excellent Order of the British Empire
KFSM	King's Fire Service medal
KPI	Key Performance Indicator
KPM	King's Police Medal
KSI	Killed or Seriously Injured – used in Road Traffic Incident

1.5 Acronyms and mnemonics (prompts):

Abbreviation	Full meaning
	statistics
LABC	Local Authority Building Control
LADO	Local Authority Designated Lead (safeguarding)
LGA	Local Government Association
LGPS	Local Government Pension Scheme
LPS	Local Performance & Scrutiny
LRF	Local Resilience Forums
LSARC	Local Search and Rescue Committee
LSCB	Local Safeguarding Children Board
MAGIC	Multi Agency Gold Incident Command
MAST	Multi Agency Strategic Training
MATT	Multi-agency Tactical Training
MARMM	Multi Agency Risk Management Meeting
MARAC	Multi-agency Risk Assessment Committee
MBE	Member of the Most Excellent Order of the British Empire
MBLC	Mind Blue Light Champions
MDT	Mobile Data Terminals
MEAT	Most Economically Advantageous Tender
METHANE	Common method for passing incident information between services and their control rooms
MISA	Multi-agency Integrated Services Analytical Hub
MOAT	Multi Agency Operational Training
MOSAIC	Demographics analysis tool (database)
MoU	Memorandum of Understanding
MPC	Monetary Policy Committee

1.5 Acronyms and mnemonics (prompts):

Abbreviation	Full meaning
MTFA	Marauding Terrorist Firearms Attack
MTFP	Medium Term Financial Plan
NCAF	National Coordination and Advisory Framework
NEET	Not in education, employment or training
NFDC	National Fire Chiefs Council
NPPC	National Police Chiefs Council
NFSP	Networked Fire Services Partnership
NILO	National Inter-agency Liaison Officer
NJC	National Joint Council
NTE	Night time economy (pubs, clubs and fast food outlets)
NOG	National Occupational Guidance
OBE	Officer of the Most Excellent Order of the British Empire
OCSO	On-call Support Officer
OED	Operational Effectiveness Database
OiC	Officer in Charge
OHSAS	Occupational Health and Safety Assessment Series
OJEU	Official Journal of the European Union (contracts)
OPE	One Public Estate
PAS	Primary Authority Scheme
P&P	Policy & Procedures
PCC (O)	Police & Crime Commissioner’s (Office)
PFCSO	Police Fire Community Support Officer
PCG	PCGPartnership Co-ordinating Groups
PCP	Police & Crime Panels

1.5 Acronyms and mnemonics (prompts):

Abbreviation	Full meaning
PESTEL	Political, Economic, Social, Technological, Environmental, Legal (analysis)
PFI	Private Finance Initiative
PHE	Public Health England
Pinpoint	Computer modelling software
PISA	Personal Information Sharing Agreement
PO	Principal Officers
PORIS	Provision of operational risk information system
PPE	Personal protective equipment
PREVENT	Key element of the counter terrorism strategy
PRINCE	Projects In Controlled Environment (project methodology)
PSAA	Public Sector Audit Appointments
WPLB	Public Works Loan Board
QFSM	Queens Fire Service Medal
QPM	Queens Police Medal
RBIP	Risk based inspection programme
RDOP	Road Death Overview Panel
RDS	Retained Duty System (now On Call)
RESA	Regulatory & Emergency Sanctions Act
RFID	Radio Frequency Identification
RIBA	Royal Institute of British Architects
RICS	Royal Institution of Chartered Surveyors
RIDDOR	Reporting of Incidents, Diseases and Dangerous Occurrences Regulations (1995)
RIPA	Regulation of Investigative Powers Act 2000

1.5 Acronyms and mnemonics (prompts):

Abbreviation	Full meaning
RNLI	Royal National Lifeboat Institution
RRO	Regulatory Reform (Fire safety) Order 2005
RSG	Revenue Support Grant
RTC	Road Traffic Collision
Saas	Systems as a Service (ie: O365)
SAIL	Safe and Independent Living
SAR	Safeguarding Adults Review
SAR	Subject Access Request (GDPR)
SARB	Safeguarding Adults Review Board
S&W	Safe & Well
SBC	Swindon Borough Council
SCG	Strategic Coordinating Group
SCC	Service Control Centre
SEND	Special Educational Needs & Disabilities
SDSA	Safe Drive – Stay Alive
SDP	Service Delivery Plan
SDT	Service Delivery Team
SIRO	Senior Information Risk Owner
SLT	Strategic Leadership Team
SLRF	Swindon Local Resilience Forum
SMS	Station Manager
SME	Subject Matter Expert
SMG	Science Museum Group
SOLACE	Society of Local Authority Chief Executives and Senior Managers

1.5 Acronyms and mnemonics (prompts):

Abbreviation	Full meaning
SPOC	Senior Point of Contact (safeguarding)
SRA	Special Responsibility Allowance (Members)
SSRI	Site Specific Risk Information
STAC	Scientific and Technical Advisory Cell
STP	Sustainability and Transformation Partnership
SWASFT	South Western Ambulance Service Foundation Trust
SWESCP	South West Emergency Services Collaborative Partnership
TCG	Tactical Coordinating Group
TFS	Technical Fire Safety
ToR	Terms of Reference
TRCG	Training and Response Coordination Group
TRiM	Trauma risk intervention management
TUPE	Transfer of Undertakings (Protection of Employment) Regulations 2006
UIN	Unique Indicator Number
UPS	Uninterruptable Power Supply
VFM	Value for Money
WDS	Wholetime Duty System
WILSAR	Wiltshire Search & Rescue
WIM	Water Incident Manager
WM	Watch Manager
WMTC	West Moors Training Centre
WSCB	Wiltshire Safeguarding Children Board
WSRSG	Wiltshire Safeguarding Review Sub Group

1.5 Acronyms and mnemonics (prompts):

Abbreviation	Full meaning
WT	Wholetime
7.2.d	Fire & Rescue Services Act 2004 (7.2.d) visits

About the Authority

The Dorset & Wiltshire Fire and Rescue Authority (the Authority) is constituted in accordance with The Dorset & Wiltshire Fire and Rescue Authority (Combination Scheme) Order 2015 (Statutory Instrument No 435). The membership of the Authority was varied (with effect from 6 June 2018) by the Fire and Rescue Authority (Membership) Order 2017 (Statutory Instrument 1165).

The Authority consists of 18 Members:

- Bournemouth, Christchurch and Poole Council 5 Members
- Dorset Council 4 Members
- Swindon Borough Council 3 Members
- Wiltshire Council 6 Members

The Authority has three statutory officers:

- Head of Paid Service - Chief Fire Officer, Andy Cole
- Chief Finance Officer – Assistant Chief Officer & Treasurer, Ryan Maslen
- Monitoring Officer – Lisa Kirkman who works closely with the Clerk to the Authority, Vikki Shearing

Full Fire Authority meetings will normally be held in June (the annual meeting) September, December and February each year and will be convened by the Clerk to the Authority.

The Authority has delegated a number of its functions to committees and to statutory officers, but the following have **not** been delegated:

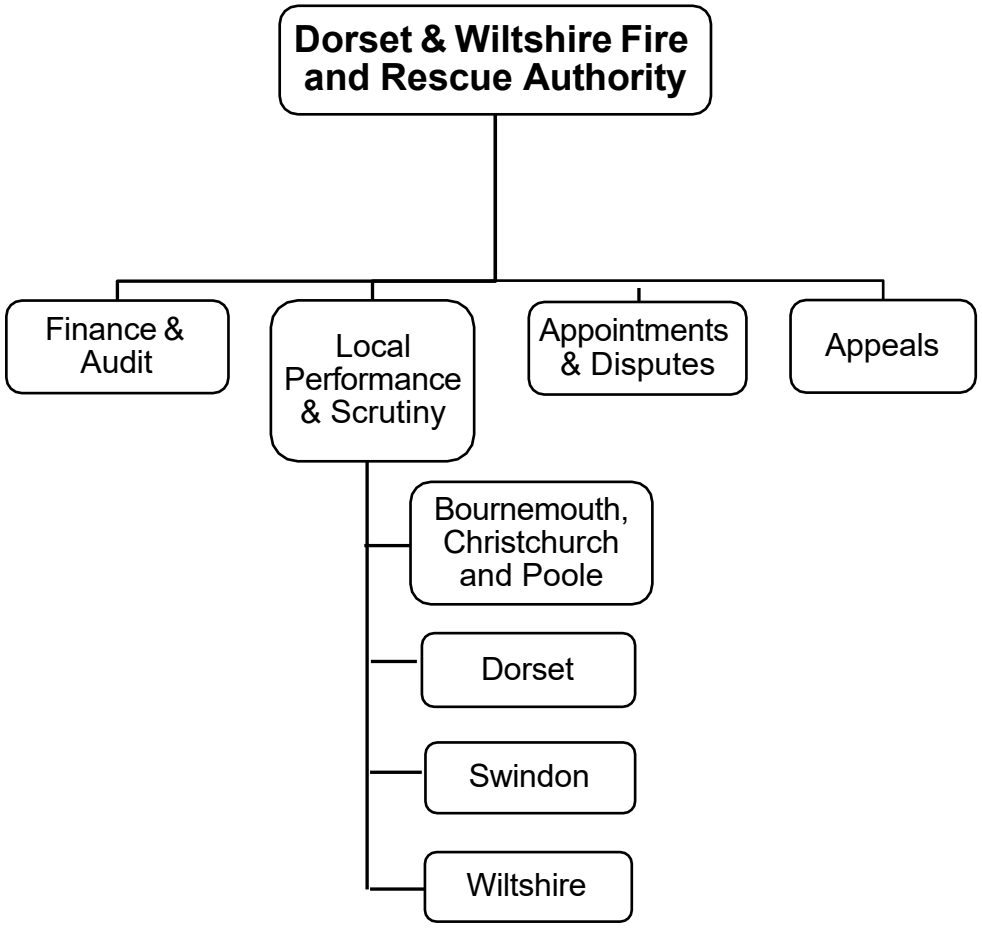
1. Establish and maintain high standards and arrangements to support good governance including approving the annual Statement of Assurance
2. Approve and maintain the Members handbook including scheme of standing orders and financial regulations
3. Approve the Community Safety Plan
4. Approve associated policies and significant changes to service delivery that have policy implications
5. Approve the annual budget and fire precept
6. Approve the Medium-Term Finance Plan
7. Approve significant changes to the agreed revenue and capital programme

8. Approve and monitor the Treasury Management Policy

9. Establish and maintain a comprehensive performance management system to ensure that the Authority's objectives are being met

The Authority has established the following committees:

- Finance & Audit Committee
- Local Performance and Scrutiny Committees (x4)
- Appointments and Disputes Committee
- Appeals Committee



Further information is available from Democratic Services.

Dorset & Wiltshire Fire and Rescue Authority

Members' Contact Details

Name	Contact Details	Political Group	Nominating Council & Constituency
Boaz Barry 	An address in the area of the Authority withheld from publication with the agreement of the Monitoring Officer. **Email:** boaz.barry@wiltshire.gov.uk **Tel:** 07597926111	Reform UK	**Wiltshire** Westbury North
Laura Beddow 	c/o County Hall Colliton Park Dorchester Dorset DT1 1XJ **Email:** cllrlaura.beddow@dorsetcouncil.gov.uk **Tel:** 07814 569563	Conservative	**Dorset** West Purbeck
Richard Biggs 	An address in the area of the Authority withheld from publication with the agreement of the Monitoring Officer. **Email:** cllrrichard.biggs@dorsetcouncil.gov.uk **Tel:** 01305 260156, 07810 503457	Liberal Democrats	**Dorset** Dorchester Poundbury
Matt Bragg 	An address in the area of the Authority withheld from publication with the agreement of the Monitoring Officer. **Email:** matt.bragg@wiltshire.gov.uk **Tel:** 07983428806	Liberal Democrats	**Wiltshire** Chippenham Cepen Park & Hunters Moon

Dorset & Wiltshire Fire and Rescue Authority

Members' Contact Details

Name	Contact Details	Political Group	Nominating Council & Constituency
Olivia Brown 	c/o BCP Council Civic Centre Bourne Avenue Bournemouth BH2 6DY **Email:** olivia.brown4@bcpcouncil.gov.uk **Tel:** 01202 123561	Liberal Democrats	**BCP** Wallisdown & Winton West
Matthew Courtliff 	An address in the area of the Authority withheld from publication with the agreement of the Monitoring Officer. **Email:** mcourtliff2@swindon.gov.uk **Tel:** 07770 787458	Conservative	**Swindon** Wroughton & Wichelstowe
Brian Dalton 	An address in the area of the Authority withheld from publication with the agreement of the Monitoring Officer. **Email:** brian.dalton@wiltshire.gov.uk **Tel:** 01722323801	Liberal Democrats	**Wiltshire** Salisbury Harnham West
Andrew Davis 	An address in the area of the Authority withheld from publication with the agreement of the Monitoring Officer. **Email:** andrew.davis@wiltshire.gov.uk **Tel:** 07703 163716	Conservative	**Wiltshire** Warminster East

Dorset & Wiltshire Fire and Rescue Authority

Members' Contact Details

Name	Contact Details	Political Group	Nominating Council & Constituency
Michelle Dower 	c/o BCP Council Civic Centre Bourne Avenue Bournemouth BH2 6DY **Email:** michelledower@bcpcouncil.gov.uk **Tel:** N/A	BCP Independent Group	**BCP** Kinson
Paul Hilliard 	c/o BCP Council Civic Centre Bourne Avenue Bournemouth BH2 6DY **Email:** paul.hilliard@bcpcouncil.gov.uk **Tel:** 01425 271322	Independent (Christchurch independents Group)	**BCP** Mudeford, Stanpit & West Highcliffe
Peter Miles 	c/o BCP Council Civic Centre Bourne Avenue Bournemouth BH2 6DY **Email:** Peter.Miles@bcpcouncil.gov.uk **Tel:** 07843613802	Poole People – Independent & Local	**BCP** Oakdale
Paul Oatway 	c/o Democratic Services Wiltshire Council County Hall Trowbridge Wiltshire BA14 8JN **Email:** paul.oatway@wiltshire.gov.uk **Tel:** N/A	Conservative	**Wiltshire** Pewsey Vale West

Dorset & Wiltshire Fire and Rescue Authority

Members' Contact Details

Name	Contact Details	Political Group	Nominating Council & Constituency
Mike Parkes 	c/o County Hall Colliton Park Dorchester Dorset DT1 1XJ **Email:** cllrmike.parkes@dorsetcouncil.gov.uk **Tel:** 01202 805857	Conservative	**Dorset** Ferndown North
Paul Sample 	An address in the area of the Authority withheld from publication with the agreement of the Monitoring Officer. **Email:** paul.sample@wiltshire.gov.uk **Tel:** 07718 185039	Liberal Democrats	**Wiltshire** Salisbury St Edmund's
Gordon Slade 	c/o Swindon Borough Council Euclid Street Swindon SN1 2JH **Email:** GSlade2@swindon.gov.uk **Tel:** N/A	Reform UK	**Swindon** Upper Stratton
Kevin Small 	An address in the area of the Authority withheld from publication with the agreement of the Monitoring Officer. **Email:** ksmall@swindon.gov.uk **Tel:** 01793 495220, 07979 770130	Labour & Co-operative	**Swindon** Rodbourne & Ferndale

Dorset & Wiltshire Fire and Rescue Authority

Members' Contact Details

Name	Contact Details	Political Group	Nominating Council & Constituency
Duncan Sowry-House 	c/o County Hall Colliton Park Dorchester Dorset DT1 1XJ **Email:** cllrdash@dorsetcouncil.gov.uk **Tel:** 07968 140586	Liberal Democrats	**Dorset** Corfe Mullen
Clare Weight 	c/o BCP Council Civic Centre Bourne Avenue Bournemouth BH2 6DY **Email:** clare.weight@bcpcouncil.gov.uk **Tel:** 01202127548	Liberal Democrats	**BCP** Canford Heath

1. The Legislative Framework

1.1 Like all public-sector bodies, fire and rescue authorities (FRAs) and the fire and rescue services (FRSs) for which they are responsible, are required to operate in accordance with a wide range of legislation. Much of the legislation in question applies across all public services, but there are some aspects of the legislative landscape that are particularly relevant to the fire and rescue service.

2. The Fire and Rescue Services Act 2004

2.1 This is the main piece of legislation under which fire and rescue services operate. The 2004 Act (amended in 2018) provides the legal basis establishing fire and rescue authorities, the political bodies responsible for overseeing the work of fire and rescue services. It also sets out details of the statutory community safety-orientated duties that fire authorities have. These are referred to as 'core functions' and can be summarised as follows:

- Promoting fire safety
- Extinguishing fires, and protecting life and property when fires do occur
- Minimising damage to property arising from firefighting operations
- Rescuing people involved in road traffic collisions
- Dealing with other types of emergencies, as specified by the Secretary of State in Statutory Instruments (Orders). Currently, a single Order has been issued, requiring fire authorities to make provision to attend the following types of incidents:
  - Chemical, biological, radiological or nuclear emergencies
  - Emergencies involving the collapse of a building or other structure
  - Emergencies involving trains, trams or aircraft
- Ensuring the provision of the resources necessary to meet all normal requirements (the 2004 Act does not define what constitutes 'normal', it is a matter for local determination)
- Ensuring necessary training for firefighters
- Ensuring that (999) calls for assistance can be dealt with effectively
- Obtaining information needed to respond safely and effectively to emergencies

2.2 As well as the duties outlined above, the 2004 Act provides FRAs with a power to exercise their discretion in responding to other emergencies that constitute a risk to life and/or the environment. It is under this power, for example, that fire and rescue services respond to flooding emergencies.

2.3 Beyond legislating for the duties and powers of fire and rescue authorities, the 2004 Act also introduced the Fire and Rescue National Framework. This framework sets out Government's expectations and requirements for FRAs in England. The Secretary of State must keep the document under review, and reports to parliament every two years on the extent to which it is being complied with.

2.4 Whilst there is no absolute legal requirement to adhere to the contents of the framework, the legislation states that FRAs 'must have regard' to it in carrying out their functions. In practice, this means that a compelling case would need to be made to justify any departure from the requirements laid out in the framework.

The priorities specified for FRAs in the current version of the national framework are 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.*

2.5 In terms of how FRAs are expected to address these priorities, there are two mechanisms incorporated in the national framework that are central to the process of their doing so. The first is integrated risk management planning (IRMP), and the second involves the preparation of an annual Statement of Assurance.

3. Integrated Risk Management Planning

3.1 Integrated risk management planning is a cyclical process that involves assessing community risk; deciding on steps that need to be taken to manage it efficiently and effectively; implementing the steps in question; and then reviewing their impact before commencing the cycle again. Details associated with each element of this process are required to be published by FRAs in an Integrated Risk Management Plan. Our plan is called the Community Safety Plan.

3.2 The term 'integrated' is used to reflect the fact that community risk is managed by balancing service delivery interventions across three disciplines.

- **Prevention** - the practice of trying to prevent emergencies from happening in the first place
- **Protection** - the practice of ensuring that fire safety standards in buildings are appropriate
- **Response** - the practice of minimising the impact of emergencies through well-trained, well-equipped firefighters responding to them quickly and effectively.

3.3 Where the IRMP process leads FRAs to contemplate making material changes to prevention, protection and/or response service provision, there is a requirement to undertake a public consultation on options. FRA members must then 'conscientiously consider' consultation responses before deciding on any changes that will be made.

4. Statements of Assurance

4.1 Statements of Assurance are produced annually by FRAs and published after having been subject to the authority's scrutiny arrangements. In accordance with the national framework, the statements "…must provide assurance [to government, members of the public and other stakeholders] on financial, governance and operational matters."

5. The Regulatory Reform (Fire Safety) Order 2005

5.1 The Regulatory Reform (Fire Safety) Order 2005 (RRO) is the legislation under which fire safety standards in almost all buildings are controlled. 'Single private dwellings,' i.e., people's homes, are specifically excluded, although the common areas (access corridors, staircases, etc) in blocks of flats do fall within the scope of the RRO.

5.2 The RRO replaced previous legislative fire safety requirements with a 'self-compliant' regime. This is based on the principle that those responsible for the day-to-day management of buildings should also be responsible for ensuring that necessary fire safety arrangements are in place. The 'responsible person' is required to undertake a fire risk assessment. They must then use the findings from the assessment to decide on the steps necessary to manage fire risk down to a reasonable level.

5.3 FRAs are responsible for enforcing the RRO and do so by undertaking risk-based inspection programmes. These involve carrying out audits of fire safety arrangements in premises that fire officers consider to present the greatest risk.

6. The Civil Contingencies Act 2004

6.1 The Civil Contingencies Act (CCA) was introduced to establish a coherent framework within which organisations would work together to plan for dealing effectively with major emergencies.

6.2 Under the CCA, fire and rescue authorities are designated as 'category 1 responders'. As such, they are members of multi-agency groups known as Local Resilience Forums (LRF). These LRFs - which cover geographical areas matching the boundaries of police forces - are required to collaborate in undertaking a range of functions:

- Assessing the risk of emergencies occurring, and using this risk assessment to compile a community risk register, and inform contingency planning activity
- Putting in place emergency plans
- Putting in place business continuity management arrangements
- Putting in place arrangements to make information available to the public about civil protection matters, and maintain arrangements to warn, inform and advise the public in the event of an emergency
- Sharing information with other local responders to enhance co-ordination
- Co-operating with other local responders to enhance co-ordination and efficiency
- Providing advice and assistance to businesses and voluntary organisations about business continuity management (this applies to local authorities only).

7. The Crime and Disorder Act 1998 (CDA)

7.1 Fire and rescue authorities are designated as 'responsible authorities' under the CDA. This means that they are required to work alongside other responsible authorities (police, local authorities, the probation service and clinical commissioning groups) on community safety partnerships (CSP). CSPs are defined as "an alliance of organisations which generate strategies and policies, and implement actions and interventions concerning crime and disorder within their partnership area." In this capacity, they hold a collective, statutory responsibility for reducing crime and disorder, substance misuse and re-offending in each local authority area.

7.2 In exercising their functions under the CDA, responsible authorities must have regard to the police and crime objectives set out in the police and crime plan for the police area which comprises, or includes, that local government area.

8. The Policing and Crime Act 2017

8.1 The Policing and Crime Act 2017 sets out a number of provisions that will impact on the way in which FRSs operate and are governed. The 2017 Act introduced a statutory requirement for fire, police and ambulance services to collaborate if it is in the interests of each of their efficiency and effectiveness to do so. Where a collaboration agreement would negatively impact efficiency, effectiveness or public safety, the duty to enter into it is set aside.

8.2 The Policing and Crime Act also established distinct routes by which Police and Crime Commissioners (PCC) can become directly involved in the governance of FRS:

a) By making a business case demonstrating that it would be in the interests of economy, efficiency and effectiveness, or public safety, for a PCC to replace an existing fire and rescue authority as a 'PCC-style FRA'. These PCC-style FRAs can be constituted using either a 'governance model' (where employment responsibility for FRS and police employees remains separate), or a 'single employer model' (where employment responsibility for all employees is combined). Such changes in governance require approval of the Home Secretary and would lead to PCCs being re-designated as Police, Fire and Crime Commissioners.

b) By PCCs being appointed as voting members of existing fire and rescue authorities. Such appointments will be subject to agreement by FRA Members, in response to a formal request from a PCC.

Governance & funding arrangements

9. Fire and Rescue Authority Structures

9.1 There are currently 45 FRAs in England.

9.2 Where fire and rescue services share a boundary with a single upper tier council, the council is the authority. In this scenario, the FRS is an integral part of that council, alongside other services such as social care, education, public health and highways. There are currently 15 FRAs of this type in England (13 county councils, the unitary authority in Cornwall and the Council of the Isles of Scilly).

9.3 In non-metropolitan areas where the FRS's boundary incorporates more than one upper tier council, a stand-alone combined fire authority (CFA) is responsible for its governance. CFAs are comprised elected councillors appointed by the leaders of each constituent council, with the number of members from each being based on relative electorate population size. The requirement to reflect this, and the need to achieve political balance, informs a

calculation on the overall size of CFAs, with the largest having around 25 members. There are currently 23 CFAs in England.

9.4 In metropolitan areas (with the exception of London and Manchester), arrangements are similar to those in areas where CFAs exist, with members being appointed from constituent metropolitan councils. Five FRAs of this type currently exist in England.

9.5 London has a unique governance structure in comparison to other fire and rescue authorities. The London Fire Commissioner is a corporation sole and the fire and rescue authority for London. It is a functional body of the Greater London Authority. The Mayor of London sets its budget, approves the London Safety Plan, and can direct it to act. There is a Deputy Mayor for Fire and Resilience.

9.6 Greater Manchester fire service also now comes under the control of a mayor, although unlike in London the mayor is the fire and rescue authority. The mayor is responsible for discharging the duties of the fire and rescue authority, and is supported in this role by a Fire Committee, comprising 15 members – all of whom are appointed from the ten local authorities in the Greater Manchester area.

10. The Governance Role of Fire and Rescue Authorities

10.1 The governance role of FRAs generally reflects that found in local authorities. Essentially, FRA members are responsible for determining the policy direction of their FRS; setting a budget to fund delivery of that policy direction; and undertaking scrutiny to ensure that intended outcomes are being achieved economically, efficiently, effectively and in accordance with statutory requirements. This is with the professional support and advice from their officer colleagues.

10.2 In contrast to the police service, where both chief constables and PCCs can be responsible for employing staff, FRAs are employing authorities that employ all FRS staff – both uniformed (operational staff) and non-uniformed (support staff).

10.3 In practice, many of the FRAs' legal responsibilities and other functions are assigned to sub-committees of the authority, or to officers via formal schemes of delegation.

10.4 FRAs must appoint the following statutory officers who, in combination, are required to ensure that the authority conducts its affairs appropriately:

A head of paid service, who is responsible for:

- Overall corporate management and operational activity of the FRS
- Provision of professional advice to the FRA and its committees

- Ensuring a system for recording and reporting FRA decisions, together with the Clerk.

A Chief Finance Officer, who is responsible for:

- Establishing a framework for the proper administration of the FRA's financial affairs
- Setting and monitoring compliance with financial management standards
- Establishing an adequate and effective system of internal audit
- Advising on the corporate financial position, and key controls necessary for sound financial management
- Giving accurate, impartial advice and information on financial issues to the FRA, and the FRS's senior management team.

A Monitoring Officer who is responsible for:

- Ensuring that no action of the FRA contravenes any legislation or code of practice, or may lead to a charge of maladministration.
- Preparing a formal report for the FRA, after consultation with the Head of Paid Service, Chief Finance Officer and Clerk where they consider that any proposal, decision or omission will give rise to unlawfulness or maladministration.
- Appointment of a Deputy Monitoring Officer

In addition to the above statutory roles the Clerk to the FRA is responsible for:

- Standards of conduct for members of the FRA in conjunction with the Monitoring Officer
- Maintaining the FRA's handbook which contains the FRA Standing Orders
- Ensuring a system for recording and reporting FRA decisions, together with the head of paid service
- Together with the Chief Finance Officer and in consultation with the Monitoring Officer, if needed, advising the FRA when their decisions are not in accordance with the policy and budget framework

10.5 Where PCC-style FRAs are formed in the future, in accordance with provisions contained in the Policing and Crime Act 2017, PCCs will also be required to appoint individuals into each of the above statutory roles; however, they can be shared between the PCC style FRA and PCC's office.

11. Handling of Complaints

11.1 The Localism Act 2011 places a statutory duty on relevant Authorities to maintain high standards of conduct by Members. The expected standards are outlined in the code of conduct in section 2.6. A process for dealing with complaints related to Members' conduct is detailed in Appendix A.

12. National Leadership and Representation for Fire and Rescue Authorities

12.1 The Local Government Association (LGA) plays a central role in co-ordinating the efforts of, and providing representation for, FRAs in England. The LGA's Fire Commission provides a forum to discuss and develop policy positions on matters of common interest and concern to FRAs. The Fire Commission has a Fire Services Management Committee (FSMC) which acts on behalf of the commission.

12.2 Members of the FSMC also represent their Fire Commission colleagues on a recently formed Fire Reform Board (England). This board brings these political leaders from the LGA together with representatives from the Home Office and the National Fire Chiefs Council (formerly known as the Chief Fire Officers' Association) to collectively and strategically shape the national FRS reform agenda.

13. Funding Arrangements

13.1 The vast majority of the financial resources available to FRAs are provided by a combination of council tax and funding from central government. Government funding is provided through the local government finance settlement in the form of revenue support grant (a general grant to meet revenue costs) and business rate retention. Other ring-fenced grants are also provided for specific purposes. Beyond these main sources of funding, FRAs raise funds through charging for some non-emergency services, and a number also generate income from commercial trading activities.

Dorset & Wiltshire Fire and Rescue Authority

Terms of Reference

The Authority - Main purpose

The main purpose of the Dorset & Wiltshire Fire and Rescue Authority (the Authority) is to oversee the policy and service delivery of the Dorset & Wiltshire Fire and Rescue Service (the Service). The Authority consists of elected members from each of the four constituent Authorities and collectively they ensure the Service supports communities, local partners and comply with a range of statutory requirements and frameworks including:

- Civil Contingencies Act 2004
- Fire and Rescue Services Act 2004
- Fire and Rescue National Framework for England (May 2018)
- Health and Safety at Work Act 1974 and associated regulations
- Policing and Crime Act 2017
- Regulatory Reform (Fire Safety) Order 2005
- The Fire and Rescue Services ((Emergencies) (England) Order 2007)
- The Equality Act 2010
- Climate Change Act 2008
- Data Protection Legislation including:
    - Freedom of Information Act 2000
    - Data Protection Act 2018 and associated regulations

The Authority is the statutory body constituted in accordance with The Dorset & Wiltshire Fire and Rescue Authority (Combination Scheme) Order 2015 (Statutory Instrument No 435). The membership of the Authority was varied (with effect from 6 June 2018) by the Fire and Rescue Authority (Membership) Order 2017 (Statutory Instrument 1165).

The Authority has agreed to establish the following committees:

- Finance & Audit Committee
- Local Performance and Scrutiny Committee (x4)
- Appointments and Disputes Committee
- Appeals Committee

Terms of Reference

The Authority has delegated a number of its functions to committees and to statutory officers, but the following have **not** been delegated:

1. Establish and maintain high standards and arrangements to support good governance including approving the annual Statement of Assurance

2. Approve and maintain the Members handbook which contains the standing orders and financial regulations

3. Approve the Community Safety Plan

4. Approve associated policies and significant changes to service delivery that have policy implications

5. Approve the annual budget and fire precept

6. Approve the Medium-Term Finance Plan

7. Approve significant changes to the agreed revenue and capital programme

8. Approve and monitor the Treasury Management Policy

9. Establish and maintain a comprehensive performance management system to ensure that the Authority's objectives are being met

The Authority has appointed three statutory officers (Chief Fire Officer, Monitoring Officer and Treasurer) as well as the Clerk to the Authority. Specific delegations have also been given by the Authority to each of these officers.

Membership: 18

Bournemouth, Christchurch and Poole Council (5), Dorset Council (4), Swindon Borough Council (3), Wiltshire Council (6)

Quorum: **6**

Chair: To be elected annually at the June meeting of the Authority.

Meetings: June (annual meeting), September, December and February.

Where urgent decisions are required an extraordinary meeting of the Authority will be called.

Dorset & Wiltshire Fire and Rescue Authority

Terms of Reference

Finance & Audit Committee

Main purpose

The main purpose of the Committee can be broadly defined in four key areas:

1. ensuring that sound systems of internal control are in place including establishing, developing and overseeing audit programmes and the delivery of key findings

2. providing an oversight of current Service performance in relation to all aspects of Priority 4: Making every penny count and Priority 5: Supporting and developing our people of the Community Safety Plan (CSP) as well as scrutinising any matters referred to it by the Authority

3. ensuring sound day to day financial management arrangements are in place and overseeing financial expenditure

4. ensuring sound risk and business continuity management arrangements are in place

Terms of Reference

1. to oversee the internal and external audit arrangements and to approve the audit plans, strategy, programmes and annual letters/reports, and to secure effective co-ordination between internal and external audit, in consultation with the relevant officers

2. to review proposals made in relation to the appointment of external auditors and internal audit services and to make recommendations as to their appointment

3. to receive the reports of internal and external audit and to ensure that their recommendations and findings are adequately addressed and implemented by the Authority and its officers

4. to consider reports from internal auditors on the internal audit's performance during the year in accordance with public sector internal audit standards

5. to monitor financial spend against budget

6. to oversee financial monitoring and reprogramming of the agreed budget

7. to keep under review, the effectiveness of the internal financial control systems of the Authority. This should include the adequacy of financial policies and practices to ensure compliance with relevant statutes, guidance, policies, standards and codes of corporate governance

8. to consider procedural issues relating to the Accounts and Audit Regulations

9. to monitor the anti-fraud and corruption strategy, bribery policy, actions and resources

10. to scrutinise and approve the Authority's Statement of Accounts, including the Annual Governance Statement required under the National Fire and Rescue Service Framework. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Authority

11. to consider the Authority's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements

12. to consider and recommend to the Authority the annual programme for Member seminars

13. to monitor the risk management and business continuity arrangements and make recommendations to the full Authority as necessary.

14. to monitor the oversight of the future training centre project.

Membership: 8

Quorum: 3

Chair: To be elected annually

Meetings: July, September, December, and March

Reporting arrangements: To the Authority

Dorset & Wiltshire Fire and Rescue Authority

Terms of Reference

Local Performance and Scrutiny Committees

Main purpose

The main purpose of the area-based committees is to reduce community and firefighter risks by developing, overseeing and assuring the delivery of activities associated with prevention, and response. The key focus of the committee is to scrutinise performance and improvement at a local level against the priorities 1, 2 and 3 set out in the Authority's Community Safety Plan and to make any recommendations to the Authority.

There are four committees associated with the administrative areas of the following Constituent Authorities: Bournemouth, Christchurch and Poole Council, Dorset Council, Swindon Borough Council and Wiltshire Council.

Terms of reference

1. To monitor the effectiveness and use of local information to best target prevention, protection and response activities and resources to the needs of local communities

2. to monitor the effectiveness and improvement of local response emergency arrangements appropriate to its area

3. to monitor the effectiveness of the discharge of fire safety statutory duties and wider fire protection initiatives appropriate to the build environment

4. to monitor and periodically review the effectiveness of the approach and initiatives associated with fire safety education and prevention

5 to monitor the outcomes of partnership working and the effectiveness of engagement with local partners

6. to monitor the effectiveness of planning, preparedness and local community resilience plans appropriate to their area, developed by the Local Resilience Forum

7. to monitor and scrutinise performance reports in respect of the key statutory duties within the administrative area overseen by the Committee

8. to recommend to the Authority proposals for the whole Authority performance monitoring or scrutiny.

Dorset & Wiltshire Fire and Rescue Authority

Terms of Reference

Membership: Varies and aligned to the four administrative areas. See below.

Bournemouth, Christchurch and Poole LPS: 5

Dorset LPS: 4

Swindon LPS: 3

Wiltshire LPS: 6

In addition, any member of a Local Performance and Scrutiny (LPS) Committee may arrange, after consultation with the Chair of that LPS Committee, for a member of another LPS Committee to attend in their place as a substitute. Any substitute's attendance shall count towards achieving quorum for the meeting and they shall be entitled to speak and vote as if they were a full member of the committee.

The majority of those in attendance at the meeting must be Members for the administrative area of that LPS Committee.

Quorum: 3

Chair: A chair for each LPS administrative area is elected at the first LPS committee meeting to be convened after the Authority annual meeting.

Meetings: August or September, November, February or March

Reporting arrangements: To the Authority

Appointments and Disputes Committee

Terms of Reference

1. To make the appointments of the Chief Fire Officer/Deputy Chief Fire Officer to determine the terms and conditions on which they hold office, including remuneration, and to deal with any related issues concerning their employment.

2. To deal with the investigation of complaints against the Chief Fire Officer/Deputy Chief Fire Officer and to take action on behalf of the Fire and Rescue Authority (the Authority) under the appropriate discipline regulations prescribed for those officers.

3. To consider and decide on disputes referred to the Authority when there is a recorded 'failure to agree' between the Chief Fire Officer/Deputy Chief Fire Officer and a nationally recognised representative body.

4. To consider and decide on grievances between an employee and the Chief Fire Officer/Deputy Chief Fire Officer.

5. To consider code of conduct complaints, referred to by the Monitoring Officer where an informal resolution is not appropriate or cannot be achieved. To decide at a Summary Hearing whether the Member has failed to comply with the code of conduct and if so whether to take any action in respect of the Member or alternatively if the complaint is not suitable for Summary Hearing, to direct that a Formal Investigation takes place.

6. To consider the investigation report of any formal investigation relating to the potential breach of a code of conduct by a Member. Where the panel finds that a Member has failed to comply with the code of conduct, the panel has delegated powers to take action in respect of individual Members as may be necessary to promote high standards of conduct.

7. To consider a complaint where the complainant is not satisfied that the complaint has been dealt with satisfactorily.

8. To authorise, following their retirement, the re-appointment of any Brigade Manager or Area Manager to their previous or a similar post, only in exceptional circumstances; when this is necessary in the interests of public safety, having regard to openness, justification and duration of the re-appointment.

Membership: Number of Members: any four members appointed on a politically proportionate basis and where appropriate and possible is gender balanced. The Appointments and Disputes Committee has no standing membership. Instead, members will be appointed from amongst the whole membership of the Authority as the need to meet arises.

Quorum: 3

Chair: To be appointed on each occasion from amongst the membership of the

Committee

Meetings: No standing meetings

Reporting arrangements: To the Authority where needed

Appeals Committee

Terms of Reference

Where the policies of the Authority provide for any member of staff conditioned to the Grey Book or the Green book, to appeal to elected members against dismissal or termination, the role of the Appeals Committee is to hear and determine the appeal whether the dismissal or termination is for a disciplinary matter, ill health, redundancy, or some other substantial reason.

Note: Issues related to the employment of the Chief Fire Officer/Deputy Chief Fire Officer. If an employee (covered by the Gold Book) has the right under the Authority's policies to appeal a disciplinary or grievance decision to elected Members — including decisions made by the Appointments and Disputes Committee — that appeal must be made to the Appeals Committee.

Membership: Number of Members: any four members appointed on a politically proportionate basis and where appropriate and possible is gender balanced. The Appeals Committee has no standing membership. Instead, members will be appointed from amongst the whole membership of the Authority as the need to meet arises.

Quorum: 3

Chair: To be appointed on each occasion from amongst the membership of the Committee

Meetings: No standing meetings

Reporting arrangements: To the Authority where needed

Members' Allowances Scheme

1. General

1.1 The payment of allowances to elected Members of local authorities is governed by the Local Government (Members' Allowances England) Regulations 2003 (the Regulations).

1.2 Following consideration of recommendations made by the local independent remuneration panel, Dorset & Wiltshire Fire and Rescue Authority (the Authority) at their meeting on 14 June 2023 approved the making of a Members' Allowances Scheme, which came into effect on 14 June 2023.

1.3 This revised scheme is for the financial years 2023-27.

2. Entitlement to Allowances

2.1 This scheme provides for the payment of:

- a basic flat rate allowance, payable to each elected Member
- special responsibility allowances, payable to specified office holders with additional significant responsibilities
- travel allowances for duties undertaken within the areas of the four constituent councils
- a dependent carers' allowance
- travel and subsistence allowances for duties undertaken outside the counties of Dorset and Wiltshire.

3. Basic Allowance

3.1 The basic allowance (£4,305) is payable in monthly instalments. The Basic Allowance will be increased annually, from 2024, by reference to the annual pay award to Green Book conditioned staff. It is intended to recognise the time devoted by Members to carry out their work as members of the Authority, including preparation for and attendance at meetings. It is also intended to cover incidental costs such as subsistence and use of Members' homes and ICT devices, including telephones.

3.2 Where a Member is suspended or partially suspended from their duties as a Member, the part of their basic allowance, any special responsibility allowance and any other allowance or reimbursement otherwise payable to them in respect of the period for which they may be suspended or partially suspended shall be withheld. Similarly, if as a result of a decision of a Member's constituent council they cease to be a member of the Authority, then the payment of all allowances shall cease from the date of that decision.

4. Special Responsibility Allowances (SRA) (NOTE: No Member may receive more than one SRA)

4.1 SRAs are payable in addition to the basic allowance and are also paid in equal monthly instalments.

4.2 The Authority has authorised the payment of SRAs as follows:

Chair of the Authority	£13,400@14 June 2026
Vice-Chair of the Authority	£6700@14 June 2026
Chair of the Finance & Audit Committee	£7,500
Chair of Local Performance and Scrutiny Committees (4 x Committee Chairs)	£1,600

Notes:

Chair of the Authority – The SRA was increased by equal instalments of £500 on each anniversary of the Commencement Date (14 June 2023) until 2026 when it was fixed at £13,400.

Vice-Chair of the Authority – The SRA was increased by equal instalments of £250 on each anniversary of the Commencement Date (14 June 2023) until 2026 when it was fixed at £6,700.

5. Travelling and Subsistence Allowances

5.1 Members may claim a single-rate travelling allowance of 55p per mile for undertaking approved duties (in future the rate will be adjusted automatically in line with the HMRC approved minimum).

5.2 The rates for travelling and subsistence allowances are set out on the reverse of the Members' claim forms, a copy of which is available from Democratic Services or can be found on our website under the useful information section in the Members' Handbook.

5.3 Travelling allowance (and subsistence allowances for out of the Authority area duties) is claimable for the following duties:

a) Attendance at meetings of the Authority, and of those committees, sub-committees, panels and working groups of which the claimant is a member, or has a right to attend, under the Authority's Standing Orders

b) Attendance at committees, sub committees, panels and working groups of which the claimant is not a Member, but if expressly invited to attend by the Clerk
c) Duties undertaken by Members appointed by the Authority to serve on outside bodies
d) Attendance at authorised conferences, seminars and training events
e) Attendance at briefing meetings and other events for Members convened by the Chief Fire Officer, the Clerk or the Monitoring Officer
f) Exhibitions, official openings and visits to premises, or similar events, to which Members have been invited by the Chief Fire Officer or the Clerk
g) Attendance at consultation meetings with the public or other organisations arranged by the Chief Fire Officer, or the Clerk.

5.4 Travelling allowances may not be claimed for political group meetings.

5.5 If any Member is in any doubt about a particular duty, please check with Democratic Services.

5.6 Members who claim subsistence allowances for out of the Authority's area duties are required to certify that the amounts claimed (up to the permitted maximum) have actually been incurred. A declaration to this effect is included on the bottom of the claim form.

6. Dependent Carer's Allowance

6.1 A Dependent Carers' Allowance will be paid for care of dependents, whether children, elderly people or people with disabilities, while a Member is on the Authority's business and where travelling allowances are payable. The allowance will not be payable to a member of the claimant's own household. Members who claim a carers' allowance are required to certify that the amounts claimed (up to the permitted maximum) have actually been incurred by signing the declaration on the reverse of the claim form.

6.2 The rate of the Dependents' Carer's Allowance is the actual cost expended, subject to the hourly rate not exceeding £30.00 per hour and no allowance is payable to a connected person unless providing care through a Care Quality Commission approved third party entity.

Councillor Code of Conduct

Definitions

For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who

a) is a member of any committee or sub-committee of the authority, or;
b) is a member of, and represents the authority on, any joint committee or joint sub- committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

For the purposes of this Code of Conduct, "local authority" includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public

services, including ministers, civil servants, councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from either your Clerk or Monitoring Officer on any matters that may relate to the Code of Conduct.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. **Respect As a councillor:**

   1.1 I treat other councillors and members of the public with respect.

   1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and employees, where concerns should be raised in line with the local authority's members officer protocol.

2. Bullying, harassment and discrimination as a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council as a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the fire and rescue service.

Officers work for the fire and rescue service as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information as a councillor:

4.1 I do not disclose information:

- **a. given to me in confidence by anyone**
- **b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
  - **i. I have received the consent of a person authorised to give it;**
  - **ii. I am required by law to do so;**
  - **iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
  - **iv. the disclosure is:**
    1. **reasonable and in the public interest; and**
    2. **made in good faith and in compliance with the reasonable requirements of the local authority; and**
    3. **I have consulted the Clerk prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

We must work openly and transparently, and our proceedings andprinted materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by us must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute as a councillor:

5.1 I do not bring my role or fire and rescue Authority (FRA) or Service (FRS) into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your FRA/FRS and may lower the public's confidence in your or FRA/FRS's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your FRA/FRS into disrepute.

You are able to hold the FRA/FRS and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position as a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the FRA provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of FRA/FRS resources and facilities as a councillor:

7.1 I do not misuse FRA/FRS resources.

7.2 I will, when using the resources of the FRA/FRS or authorising their use by others:

a. act in accordance with the FRA/FRS's requirements; and

b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the FRS or of the office to which I have been elected or appointed.

You may be provided with resources and facilities by the FRA/FRS to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the FRSs own policies regarding their use.

8. Complying with the Code of Conduct as a Councillor:

8.1 I undertake Code of Conduct training provided by my FRS.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the FRA/FRS or its governance. If you do not understand or are concerned about the these processes in handling a complaint you should raise this with your Clerk or Monitoring Officer.

Protecting your reputation and the reputation of the FRA/FRS

9. Interests as a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires a register of interests to be maintained of members of the FRA.

You need to register your interests so that the public, employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Clerk or Monitoring Officer.

10. Gifts and hospitality as a councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the FRA/FRS or from persons who may apply to the FRA/FRS for any permission, licence or other significant advantage.

10.2 I register with the Clerk any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

10.3 I register with the Clerk any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the FRA/FRS, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Clerk for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs

Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Clerk the interests which fall within the categories set out in **Table 1** (**Disclosable Pecuniary Interests**) which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2** (**Other Registerable Interests**).

"**Disclosable Pecuniary Interest"** means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Clerk.

2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.

3. Where you have a 'sensitive interest' you must notify the Clerk with the reasons why you believe it is a sensitive interest. If the Clerk agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

Disclosure of Other Registerable Interests

5. Where a matter arises at a meeting which ***directly relates*** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

6. Where a matter arises at a meeting which ***directly relates*** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

7. Where a matter arises at a meeting which ***affects*** –
    a. your own financial interest or well-being;
    b. a financial interest or well-being of a relative or close associate; or
    c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2**

    you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

8. Where a matter (referred to in paragraph 8 above*)* ***affects*** the financial interest or well-being:
    a. to a greater extent than it affects the financial interests of the

majority of inhabitants of the ward affected by the decision and;

b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner or an incorporated body of which such person is a director or a body that such person has a beneficial interest in the securities of*) and the FRA. (a) under which goods or services are to be provided or works are to be excuted and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the Authority. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the FRA for a month or longer

Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the FRA/FRS and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i)) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councilor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society

Table 2: Other Registrable Interests

You must register as an Other Registerable Interest :

a) any unpaid directorships

b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority

c) any body
- (i) exercising functions of a public nature
- (ii) directed to charitable purposes or
- (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

Member Development

1 Introduction

1.1 The Authority's Member Development arrangements provide opportunities to further support Members in their fundamental role in shaping and delivering fire and rescue services across the area covered by the Authority.

1.2 It is a personalised opportunity for individual Members to raise any specific areas of clarity; additional support; or thoughts about strengthening the workings of the Authority.

1.3 The arrangements are complementary to Member roles in respective local Authorities and will be both an individual and collective experience.

1.4 Where appropriate, development will be individually targeted to Members who have so requested, but where it is beneficial to do so, these needs may influence the content of wider seminars or training events.

2 Member Induction

2.1 All new Members to the Authority will be offered core induction development specific to their role. Thereafter induction is tailored according to the committees and groups on which they serve. The induction will include the following:

- Duties under the Fire and Rescue Service Act 2004
- Composition, powers and duties of committees
- Standing Orders, procurement rules, financial regulations & delegations
- Member/Officer protocol
- Code of conduct

3 Member development meetings

3.1 Every two years all Members should attend a development meeting, held on an individual basis.

3.2 Member development meetings are not aligned to any form of appraisal or performance process and is not a test.

3.3 Member development meetings are an informal conversation, providing an opportunity for Members to meet individually and in confidence, with the Members Group Leader or the Chair and a representative of the Strategic Leadership Team to raise any issues of concern; areas where further clarity might be discussed; or areas of personal development.

3.4 The conversation at the meeting may be framed by questions aligned to the Chartered Institute of Public Finance and Accountancy (CIPFA) Good Governance Standard for Public Services, which the Authority has agreed to follow.

3.5 Typical questions to help guide the informal conversation might include:

Are there specific areas where you would like to provide more information; or have better support; or an improved approach towards:

- *what the Service is trying to achieve or the values that it has adopted*
- *the workings of the Authority or role and responsibilities of Members and Senior Officers*
- *the code of conduct and the Member/Officer protocol*
- *the sufficiency of information provided to enable Members to make informed decisions and manage risk*
- *the effectiveness of communications with Members and with the public*
- *support in partnership working*
- *the value of seminars and learning events provided and suggestions for future seminars*
- *any other particular areas of frustration or improvement to support your role*
- *any personal development ambitions*

3.6 In order to capture the key points and actions, a brief note will be agreed with each Member and kept confidential. This note will be used to reflect development needs and ensure progress has been made for addressing these needs.

3.7 The Clerk will develop a consolidated action plan and seminar schedule that seeks to address common themes, which will be formally discussed at the Finance & Audit Committee. In this way a more efficient process of Authority wide learning may take place.

4 Additional Member Development Opportunities

4.1 From time to time Members are encouraged to attend and observe the other committees and working groups that ordinarily they are not members of.

4.2 ***Specific training or awareness***

4.2.1 Committee Chairs will consider the development needs of new and existing Members and, where appropriate, hold specific training events for the

committees for which they are responsible to steer, providing Members with training specific to their role.

4.2.2 These events will be put on by the Service or their constituent Authorities through external meetings, seminar and conference attendance. In some cases this is a requirement of the Authority (e.g. Appeals) and in other cases, is a demonstration of good governance.

4.2.3 Where role appropriate conferences/seminars are identified, Members can request attendance via the Democratic Services Manager who, in consultation with the Chair will confirm approval.

4.3 ***Seminars and workshops***

4.3.1 In certain circumstances, it is necessary to include items of specific interest within the annual seminar schedule. These may be in response to changing pressures or expectations and can include:

- National policy changes specific to public services
- Local issues associated to key partners
- Legislative change specifically aimed at the Fire and Rescue Service
- Awareness raising of key consultation issues
- Emerging issues identified within the strategic assessment

4.3.2 Where appropriate, relevant partners are invited and encouraged to attend development seminars to both learn from and contribute to the discussions.

5 Training and Development records

5.1 The Service's Democratic Services Manager will capture, and hold centrally, a record of training and development undertaken individually for each Member of the Authority.

Member - Officer Protocol

1. Introduction

1.1 An effective and professional relationship between Members and Officers in which both understand the other's role is essential to the success of the Dorset & Wiltshire Fire and Rescue Authority (the Authority). The purpose of this Protocol is to assist by giving guidance on that relationship so as to ensure the smooth running of the Authority.

1.2 The Protocol has been approved by the Authority which will review it as part of a wider review of governance arrangements.

1.3 This Protocol is not prescriptive, and it does not cover every situation. The intention is to give guidance on some of the issues which most commonly arise. It is hoped that the approach adopted will serve as a guide to dealing with other issues and will be a useful reference point in maintaining and promoting high standards of conduct.

1.4 Members and Officers must at all times observe this Protocol.

1.5 There are approved codes of conduct for both Members and Officers. The Members' code requires Members to have regard to the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Breaches of this protocol by a Member may result in a complaint if it appears the Members' code of conduct has also been breached. Breaches by an Officer may lead to disciplinary action.

2. Definitions

2.1 Unless the context indicates otherwise, references to the term *Authority* include committees, panels and joint committees.

2.2 The terms *Member* and *Members* include co-opted members, unless the context indicates otherwise.

2.3 *Officers* and *staff* mean all persons in the employment of the Authority and the Dorset & Wiltshire Fire and Rescue Service (the Service).

2.4 *Senior Officer* means the Chief Fire Officer, the Clerk and the Monitoring Officer, Treasurer, together with those Officers comprising the Strategic Leadership Team.

2.5 The term *constituent authorities* mean the local authorities which have the right to appoint members to the Authority.

3. The Role of Members and Officers

3.1 This Protocol seeks to reflect the principles underlying the respective codes of conduct which apply to Members and Officers. The shared objective of these codes is to enhance and maintain the integrity of local government and they therefore demand very high standards of personal conduct.

3.2 The conduct of Members and Officers should be such as to instill mutual confidence, trust and respect. Dealings between Members and Officers should observe high standards of courtesy. Neither party should seek to take unfair advantage of their position. Members should not do anything which compromises, or is likely to compromise, the impartiality of Officers.

3.3 Whilst Members and Officers are indispensable to one another, their responsibilities are distinct. Through their membership of the constituent authorities, Members are accountable to the electorate and can serve only as long as their term of office lasts in their constituent authority. The role of Members includes developing and setting policies that will then be implemented by Officers and monitor how those policies are implemented.

3.4 Officers are responsible for giving advice to Members to enable them to fulfil their roles. In doing so, Officers will take into account all available relevant factors. Informal and collaborative two-way contact between Members and Officers is encouraged but close personal familiarity can damage the relationship, as might a family or business connection.

3.5 Members and Officers should inform the Clerk of any relationship which might be seen as unduly influencing their work in their respective roles.

3.6 It is not enough to avoid actual impropriety. Members and Officers should always be open about their relationships to avoid any reason for suspicion and any appearance of improper conduct. Where a close personal relationship has been disclosed, those concerned should avoid a situation where conflict could be perceived. Specifically, a Member should not sit on a body or participate in any decision which directly affects the Officer on a personal basis.

3.7 Officers serve the Authority as a whole. They have a duty to advise Members collectively and individually and implement the properly authorised decisions of the Authority. Senior Officers in particular will be responsible for instructing staff to implement the Authority's decisions.

3.8 Officers taking decisions under their delegated powers must consider the advisability of informing the Authority of their intentions in advance when the matter to which the decisions relates is likely to be sensitive or contentious or has wider policy implications.

3.9 In any event, Senior Officers will establish regular informal contact at mutually convenient times with the Chair and Vice-Chair and with the workstreams as a means of Officers briefing Members on sensitive or otherwise important issues, and vice versa.

3.10 Officers work to the instructions of their Senior Officers, not individual Members. It follows that, whilst such Officers will always seek to assist a Member, they must not be asked to exceed the bounds of authority they have been given by their managers. Except when the purpose of an enquiry is purely to seek factual information, Members should normally direct their requests and concerns to a Senior Officer, at least in the first instance.

3.11 At a meeting of the Authority, a resolution may be passed which authorises a named Officer to take action between meetings in consultation with the Chair. In these circumstances it is the Officer, not the Chair, who takes the action and is responsible for it. The Chair has no legal power to take decisions on behalf of the Authority.

3.12 Members and Officers should respect each other's free (i.e., non-Authority) time.

4. Dual Role

4.1 As councillors, Members may express the values and aspirations of the party political groups to which they belong, recognising that in their role as Members they have a duty always to act in the public interest.

4.2 Similarly, Members may express the values and aspirations of the constituent authorities, though they are not delegates and cannot be mandated by those authorities.

4.3 Members have a number of roles: collectively, they are the ultimate policy-makers determining the core values of the Authority and approving its budget and strategic plans. They also monitor service delivery against approved plans and targets.

4.4 Members represent their community and promote the social, economic and environmental well-being of the community often in partnership with other agencies.

4.5 Members concerned about a possible conflict of interest should always take advice from the Clerk.

5. The Authority as an Employer

5.1 Officers are employed by the Authority as a whole.

5.2 Members' roles in relation to the Authority as an employer are limited to:

- the appointment of specified senior posts
- determining human resources policies and conditions of employment, and
- hearing and determining appeals.

Members shall not act outside these roles.

5.3 If participating in the appointment of Officers, Members should:

- remember that the sole criterion is merit
- never canvass support for a particular candidate
- not take part where one of the candidates is a close friend or relative
- not be influenced by personal preferences, and
- not favour a candidate by giving them information not available to the other candidates.

5.4 A Member should not sit on an appeal hearing if the appellant is a friend, a relative, or an Officer with whom the Member has had a close working relationship.

6. Officer/Chair/Lead Member Relationships

6.1 The Chief Fire Officer, Treasurer, Monitoring Officer and Clerk will always be fully responsible for the contents of any report submitted in their names. Even if the Chair or Lead Member is unhappy with its contents, a report should never be amended other than with the approval of the relevant responsible Officer.

6.2 It is important to remember that the law only allows for decisions on Fire & Rescue Authority business to be taken by the Authority itself, a Committee or an Officer with delegated powers. The law does not allow for decisions to be taken by individual members of the Authority or party groups.

6.3 Members must not take any actions which are unlawful, financially improper or likely to give rise to maladministration.

6.4 Members are not authorised to initiate or certify financial transactions, or to enter into a contract on behalf of the Authority.

6.5 Members are not authorised to instruct Officers other than:

- through the formal decision-making process
- to request the provision of consumable resources provided by the Authority for Members' use; or
- where staff have been specifically allocated to give support to a Member or group of Members.

6.6 Within the approved plans and policies of the Authority (including as appropriate, the committees, panels and joint committees), Officers manage and provide the services for which the Authority has a statutory duty within the framework of responsibilities delegated to them. Specifically, the Chief Fire Officer is responsible for all operational issues and for the management of all resources including staff.

6.7 Officers have a duty to implement decisions of the Authority which are lawful, and which have been properly approved in accordance with the requirements of the law and the Authority's Standing Orders, Financial Regulations, etc, and duly minuted.

6.8 Officers have a contractual and legal duty to be impartial. They must not allow their professional judgement and advice to be influenced by their own personal views.

6.9 Officers must be alert to issues which are, or are likely to be, contentious or politically sensitive, and be aware of the implications for Members, the media or other sections of the public.

7. Officer Advice to Party Groups

7.1 It must be recognised that Officers serve the whole Authority and not exclusively any one political group, combination of groups or individual Member.

7.2 Party group meetings are not empowered to make decisions on behalf of the Authority, and conclusions reached at such meetings do not rank as formal decisions. The presence of an Officer confers no formal status on such meetings in terms of Authority business and must not be interpreted as doing so.

7.3 In their dealings with party groups, Officers must treat each group in a fair and even handed manner. Senior Officers may properly be asked to contribute to deliberations of matters concerning Authority business by party groups, whether meeting separately or jointly.

7.4 Officers have the right to refuse such requests and will normally not attend a meeting of a party group where some of those attending are not members of the Authority.

7.5 An Officer, who is not a Senior Officer, shall not be invited to attend a party group meeting, but a Senior Officer may nominate another Officer to attend on their behalf.

7.6 An Officer should be given the opportunity of verifying comments and advice attributed to them in any written record of a party group meeting.

7.7 Certain key points must be clearly understood by Members and Officers when advice is being given to a political group:

- Officers must not be involved in advising on party business
- Party group meetings are not empowered to make decisions on behalf of the Authority
- Advising a group meeting is not a substitute for providing all necessary information and advice to the Authority or relevant committee
- Officers must not attend group meetings where those involved include persons who are not members of the Authority (such persons are not bound by the Member code of conduct, in particular as to confidentiality)
- Officers must respect party group confidentiality and not repeat the content of any discussion to any other party group.

7.8 Any particular cases of difficulty or uncertainty in relation to this part of the protocol should be raised with the Clerk and the relevant party group leader.

8. Resources for Members

8.1 The only basis upon which the Authority may lawfully provide resources by way of support services (e.g., stationery and photocopying) to Members is to assist them in discharging their role as Members of the Authority, as set out in any Member Role Profile or Job Description. Such support should not be used to support Members in their roles as Members of other authorities and bodies. They should never be used in connection with party political or campaigning activity, or for private purposes.

8.2 Members should ensure they understand and comply with the Authority's own rules about the use of such resources, particularly:

- in relation to any locally agreed arrangements, e.g., payment for private photocopying; and
- regarding ICT security.

9. Members' Access to Information

9.1 Members are free to approach the Authority to provide them with such information, explanation and advice as they may reasonably need to assist them in discharging their role as Members of the Authority. Such approaches should normally be directed to the appropriate Senior Officer or, in cases of doubt, to the Chief Fire Officer. Members should not put undue pressure on Officers to release information and documents to which they are not entitled to have access.

9.2 Where information is requested on behalf of a third party, it will only be provided if:

- it is in the public domain, and
- it is not barred by the General Data Protection Regulation or the Freedom of Information Act 2000 from being given.

9.3 Every Member of a committee, panel or joint committee has a right to inspect documents about the business of that committee, panel or joint committee. A Member who is not a Member of a specific committee, panel or joint committee, may have access to any document about the business of that specific part of the Authority provided:

- they can demonstrate a reasonable need to see the documents in order to carry out their role as a Member (the "need to know" principle), and
- the documents do not contain "confidential" or "exempt" information as defined by the law.

9.4 Disputes as to the validity of a Member's request to see a document on a need to know basis will be determined by the Clerk. Officers should seek their advice if in any doubt about the reasonableness of a Member's request.

9.5 A Member should obtain advice from the Clerk in circumstances where their wishes to have access to documents or information:

- where to do so is likely to be in breach of the General Data Protection Regulation or
- where the subject matter is one in which they have a disclosable pecuniary or other interest as defined in the Members' Code of Conduct.

10. Access to Premises

10.1 Officers have the right to enter Authority land and premises to carry out their work. Some Officers have the legal power to enter property in the ownership of others.

10.2 Members have a right of access to Authority land and premises to fulfil their duties.

10.3 When making visits as individual Members, Members should:

- whenever practicable, notify and make advance arrangements with the appropriate manager or Officer in charge
- comply with health and safety, security and other workplace rules; and
- not interfere with the services or activities being provided at the time of the visit.

11. Correspondence

11.1 Correspondence between an individual Member and an Officer should not be copied to another Member unless the author expressly intends and states that this is the case or consents. Where correspondence is copied, this should always be made explicit, i.e., there should be no 'blind' copies.

11.2 Official letters written on behalf of the Authority should normally be in the name of the relevant Officer, however, the Chair may initiate correspondence in their own name.

11.3 Letters which convene meetings, create obligations or give instructions on behalf of the Authority should never be sent in the name of a Member.

12. Public Relations and Press Releases

12.1 All formal relations with the media must be conducted in accordance with the Authority's agreed procedures and the law on local authority publicity.

12.2. Press releases or statements made by Officers must promote or give information on Authority policy or services. They will be factual and consistent with Authority policy. They cannot be used to promote a party group.

12.3 Officers will keep relevant Members informed of media interest in the Authority's activities, especially regarding strategic or contentious matters.

12.4 Before responding to enquiries from the media, Officers shall ensure they are authorised to do so.

12.5 If a Member is contacted by, or contacts, the media on an issue, they should:

- indicate in what capacity they are speaking (e.g., in a personal capacity, on behalf of the Authority, or on behalf of a party group)
- be sure of what they want to say or not to say
- consider the likely consequences for the Authority of their statement (e.g., commitment to a particular course of action, image, allegations of jumping to conclusions)
- notify the press office of any press engagement
- never give a commitment in relation to matters which may be subject to claims from third parties and/or are likely to be an insurance matter
- consider whether to consult other relevant members; and
- take particular care in what they say in the run-up to local or national elections to avoid giving the impression of electioneering, unless they have been contacted as an election candidate or political party activist.

13. Adherence to this Protocol

13.1 The key elements of this protocol are recognition of and a respect for each other's roles and responsibilities. These should be reflected in the behaviour and attitude of each to the other, both publicly and privately.

13.2 A Member who is unhappy about the actions taken by, or conduct of, an Officer should:

- avoid personal attacks on, or abuse of, the Officer at all times
- ensure that any criticism is well founded and constructive
- never make a criticism in public, and
- take up the concern with the Officer privately.

13.3 If direct discussion with the Officer is inappropriate (e.g., because of the seriousness of the concern) or fails to resolve the matter, the Member should raise the issue with the Officer's manager or the relevant Senior Officer.

13.4 Members or Officers with questions about the implementation or interpretation of any part of this protocol should seek the guidance of the Clerk.

13.5 An Officer who believes a Member may have acted other than in accordance with this protocol should raise their concern with the Clerk. The Clerk is the Officer responsible for the operation of this protocol and they will consider how the complaint or allegation should be dealt with by the Clerk or the Monitoring Officer as necessary.

13.6 Officers with complaints of alleged unethical conduct by Members should, through their line manager, refer such matters to the Chief Fire Officer. The Chief Fire Officer will raise such matters with the Clerk.

2.9 Role of Clerk

The Clerk is appointed by and is accountable to the Dorset & Wiltshire Fire and Rescue Authority (the Authority). As designated Clerk, the post-holder has a duty to ensure that the Authority and the Dorset & Wiltshire Fire and Rescue Service (the Service) act in accordance with procedures. As Clerk, the post-holder also has responsibilities under the Localism Act to assist the Authority in promoting high standards of conduct amongst Members. They hold further responsibilities as proper officer in relation to the Authority's governance arrangements.

Main Responsibilities

1. Assist the Monitoring Officer in their duty to manage, oversee and be involved in the decision-making processes to assist the Members and Officers to discharge the Authority's strategic and operational responsibilities and ensuring good corporate governance that attains lawfulness and the highest standards of ethical behaviour, probity and propriety.

2. Ensure the production of the Annual Governance Statement and the Authority's Statement of Assurance through the Treasurer and Director of Service Support.

3. Procure timely and reliable legal advice as required by the Chief Fire Officer in preparation for negotiation meetings with representative bodies.

4. Provide assurance that the Authority carry out functions and address issues lawfully within codes of practice, dealing with standards and code of conduct issues including any learning and development needs.

5. Liaise with the Chief Fire Officer, Treasurer and Directors to ensure they are kept up to date with matters relating to governance, public service policy and operation of the Service and that any areas of concern are reported.

6. Report to the Authority if at any time the Ombudsman investigates a complaint of maladministration or failure to provide a service or failure in a service, which it is the Authority's function to provide.

7. Ensure, in agreement with the Chief Fire Officer, the required resources to support the Monitoring Officer functions including nomination of a Deputy when the post-holder is unable to fulfil the role due to conflict of interest or planned absence.

8. Advise the Independent Remuneration Panel/s and implement the agreed scheme of Members' allowances.

2.10 Role of Monitoring Officer

The Monitoring Officer is appointed by and is accountable to the Dorset & Wiltshire Fire and Rescue Authority (the Authority).

As legal advisor, the designated Monitoring Officer, under section 5 of the 1989 Act, has a duty to ensure that the Authority and the Dorset & Wiltshire Fire and Rescue Service (the Service) act within and through the law. They have a duty to intervene if they become aware that any act or omission would result in the Authority or the Service acting unlawfully or being likely to act unlawfully.

As Legal Advisor to the Authority and to the Service the post-holder is responsible for providing or for arranging for the provision of independent, timely and reliable legal advice which includes guidance on corporate governance, public service policy and procedural matters relating to the Authority and the Service. This is in addition to specialised legal service and advice in relation to employment and workforce, commercial contracts and procurement, property, health and safety, data protection and freedom of information and other relevant areas of law.

Main responsibilities

1. Manage, oversee and be involved in the decision-making processes to assist the Members and Officers to discharge the Authority's strategic and operational responsibilities and ensuring good corporate governance that attains lawfulness and the highest standards of ethical behaviour, probity and propriety.

2. Be responsible for the production, maintenance, approval and monitoring of key corporate constitution and legal documents in association with the Authority, Chief Fire Officer and Directors.

3. Act as the designated Monitoring Officer providing assurance that the Authority carry out functions and address issues lawfully within codes of practice, dealing with standards and code of conduct issues including any learning and development needs.

4. Advise the Authority on duties, powers and procedures giving independent, timely and reliable information on matters which are not the responsibility of the Chief Fire Officer, Treasurer or Directors.

5. Deliver horizon scanning and research critically interpreting relevant legislation and associated documents preparing reports on the potential impact, possible legal consequences and appropriate reflection in policies and plans.

6. Provide independent, timely and reliable legal guidance on matters relating to corporate governance, employment and workforce, commercial, contracts and procurement, property and estates, health and safety, and other areas such as data protection and freedom of information.

7. Advise on formation of contracts and post contracts issues as directed by the Chief Fire Officer liaising with other appropriate senior officers.

8. Advise and deal with the conveyance of freehold and leasehold land as directed by the Authority and the Chief Fire Officer.

9. Prepare for and attend meetings as the Legal Advisor/ Monitoring Officer to provide advice, undertake matters, oversee procedures and take follow up action as required by the Authority and Chief Fire Officer.

10. Provide legal direction and procedural corporate and ethical advice on which the Authority/Service can base strategic plans and focus on key priorities within the resources available; in line with the vision, aims and values.

11. Ensure the Authority has appropriate representation in court, at public inquiries, hearing, arbitrations, medical panels and employment tribunals, etc. that represents good value for money whilst protecting the interests of the Authority

12. Authorise the prosecution and defence of both civil and criminal litigation in liaison with the Authority, the Clerk and the Chief Fire Officer.

13. Commission work, negotiate and agree terms of employment of counsel and external solicitors when required to do so by the Chief Fire Officer acting as an interface between the Service and external providers.

14. Act as the legal representative for the Authority on national, regional and local bodies as appropriate and as agreed with the Chief Fire Officer.

15. Report to the Authority if at any time there is a likelihood or contravention of any law by a proposal, decision or omission by the Authority or by any person employed by them

Policies

The Dorset & Wiltshire Fire and Rescue Authority's high level policies are listed below.

These are not included in this handbook, however, they can be found in the electronic Members' Handbook on our website via https://www.dwfire.org.uk/about-us/who-we- are/service-plans-and-policies/

1. Asset Management Policy
2. Corporate Governance Policy
3. Financial Management Policy
4. Health and Safety Policy
5. People Policy
6. Prevention Policy
7. Protection Policy
8. Response and resilience Policy

Standing Orders

(including extracts from legislation printed in italics)

1. Definitions

1.1 In these Standing Orders:

"**Dorset & Wiltshire Fire and Rescue Authority**", hereinafter referred to as "the Authority", is a fire authority constituted in accordance with Statutory Instrument 2015 No. 435, The Dorset and Wiltshire Fire and Rescue Authority (Combination Scheme) Order. Membership of the Authority was varied (with effect from 6 June 2018) by the Fire and Rescue Authority (Membership) Order 2017 (Statutory Instrument 1165).

"**Constituent authorities**" shall mean Bournemouth, Christchurch and Poole Council, Dorset Council, Swindon Borough Council and Wiltshire Council.

"**Elected Member**" shall mean a councillor from the constituent authorities serving on the Authority.

"**Chief Fire Officer and Chief Executive**" hereafter known as the Chief Fire Officer shall mean the person duly appointed by the Authority with responsibility for the command and general administration of the Dorset & Wiltshire Fire and Rescue Service and shall include such officers of the Dorset & Wiltshire Fire and Rescue Service as the Chief Fire Officer specifically authorises for the purposes of these Standing Orders.

"**Monitoring Officer**" shall mean the designated officer responsible for performing the duties imposed by Section 5 of the Local Government and Housing Act 1989, the Localism Act 2011 and related legislation and with responsibility for the proper conduct of the Authority.

"**Treasurer**" shall mean the person duly appointed by the Authority with responsibility for the administration of the Authority's financial affairs. Treasurer shall include such persons as the Treasurer specifically authorises for the purpose of these Standing Orders.

"**Officer**" shall mean all employees of the Authority, including uniformed and non-uniformed staff.

"**Chair**" shall mean the person elected annually from amongst the Members to chair Authority meetings.

"Clerk" shall mean the person duly appointed by the Authority with responsibility for the conduct of the Authority and ensuring the Authority ensuring the Authority acts in accordance with procedures and policy.

Meetings of the Dorset & Wiltshire Fire and Rescue Authority

2. Annual meeting

2.1 Subject to the provisos in Standing Order 3, the annual meeting of the Authority shall normally be held in June.

3. Meetings

3.1 The remaining meetings of the Authority shall normally be held in September, December, February, and June.

3.2 Provided that:

3.2.1 Meetings shall not take place on the date of the quadrennial elections of any of the constituent authorities.

3.2.2 In the event of severe weather conditions or some other unforeseen circumstance, which in the Chair's opinion warrants the postponement of the meeting, the Chair may postpone for a period of not more than 14 days the date fixed for a meeting of the Authority.

4. Place of meetings

4.1 The Authority will meet at such venues as the Authority may provide.

5. Quorum

5.1 The quorum shall be one third of the total number of Members of the Authority, or such greater number of Members as the Authority may determine.

6. Adjournment - no quorum

6.1 If, during any meeting of the Authority, the Chair, after counting the numbers present, declares that there is not a quorum, the meeting shall be adjourned.

6.2 The consideration of any business not transacted shall be adjourned to a date and time fixed by the Chair at the time the meeting is adjourned or, if they do not fix a date and a time, to the next ordinary general meeting of the Authority.

7. Cancellation of meeting - no quorum

7.1 If at the expiration of 30 minutes from the time at which the meeting has been appointed to be held a quorum is not present, the meeting shall not take place, and consideration of any business on the agenda for the meeting shall be adjourned to a date and time fixed by the Chair or, if they do not fix a date and time, to the next ordinary meeting of the Authority.

8. Notice of meeting

8.1 In accordance with the Access to Information Rules and, at least five clear days before any meeting of the Authority, notice of its time and place, signed by the Clerk or the Chief Fire Officer, shall be published at the venue of the meeting and at the offices of the constituent authorities.

8.2 When the meeting is called for by Members, the notice shall specify the business proposed to be transacted.

8.3 Meetings of the Authority shall be called by the Clerk who shall be responsible for the preparation of the agenda and the order of the business thereon.

8.4 An extraordinary meeting of the Authority (to be called by the Clerk) may be required by:

The Authority by resolution
The Chair of the Authority
The Monitoring Officer
Any six Members of the Authority if they have signed a requisition presented to the Chair of the Authority and he or she has refused to call a meeting or has failed to call a meeting within seven days of presentation of the requisition.

9. Delivery of summons

9.1 At least five clear days (eight calendar days) before any meeting of the Authority, a summons to attend specifying the business to be transacted and signed by the Clerk or the Chief Fire Officer shall be sent to the secure email address provided by the Member.

9.2 PROVIDED that want of service of the summons or agenda on any Member shall not affect the validity of the meeting.

10. Papers to accompany summons

10.1 Minutes of the last meeting of the Authority, together with reports of committees and any other reports for Members, unless already forwarded to Members, shall accompany the summons referred to in Standing Order 8.

10.2 This Standing Order shall only apply to the meetings prescribed by Standing Orders 2 and 3 above.

11. Record of attendances

11.1 The names of the Members present at a meeting shall be recorded in the minutes.

12. Chair and Vice-Chair

12.1 The Dorset and Wiltshire Fire and Rescue Authority (Combination Scheme) Order 2015, Schedule:

"Paragraph 13:

(1) The Authority shall elect a Chair, and may elect a Vice-Chair, from among the Members of the Authority.

(2) If a Vice-Chair is elected, that Vice-Chair must not be from the same constituent authority as the Chair.

(3) The Chair, and Vice-Chair if elected shall, subject to paragraphs 8 to 11, hold office for a period not exceeding one year as the Authority shall determine and shall remain in office until a successor becomes entitled to act as Chair or Vice-Chair, as the case may be.

(4) Sub-paragraph (3) above shall not prevent a person who holds or has held office as Chair or Vice-Chair, as the case may be, from being elected or re-elected to either of those offices.

(5) On a casual vacancy occurring in the office of Chair or the Vice-Chair, the Authority shall elect from its members a person to replace the Chair and may elect a person to replace the Vice-Chair.

(6) The election of a Chair under sub-paragraph (5) shall take place not later than the next ordinary meeting of the Authority following the occurrence of the casual vacancy."

13. Chair of meeting

13.1 At a meeting of the Authority the Chair, if present, shall preside.

- If the Chair is absent from a meeting of the Authority, then the Vice-Chair of the Authority, if present, shall preside
- If both the Chair and Vice-Chair are absent from a meeting of the Authority, then another Member of the Authority chosen by the Members of the Authority shall preside.

14. Powers and duties of Chair

14.1 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.

15. Order of business

15.1 The order of business at every meeting of the Authority shall be:

15.1.1 to choose a person to preside if the Chair and Vice-Chair are absent.

15.1.2 to receive any apologies for absence.

15.1.3 to deal with any business required by statute to be done before any other business.

15.1.4 to approve as a correct record and sign the minutes of the last meeting of the Authority

15.1.5 to receive declarations by Members of pecuniary interest from Members.

15.1.6 to deal with any business expressly required by statute to be done.

15.1.7 to deal with any correspondence, communications or other business brought forward by direction of the Chair.

15.1.8 to dispose of business (if any) remaining from the last meeting.

15.1.9 to receive and consider reports by committees and to answer questions under Standing Order 15 and 16.

15.1.10 to receive and consider reports by officers.

15.1.11 to answer questions under Standing Order 15.

15.1.12 other business, if any, specified in the summons.

15.2 Business falling under 13.1.1 to 13.1.5 of paragraph 13.1 shall not be displaced but subject thereto the order of business may be varied:

15.2.1 by the Chair at the Chair's discretion; or

15.2.2 by a resolution passed on a motion (which need not be in writing) duly moved and seconded, which shall be moved and put without discussion.

16. Presentations of reports to committees

16.1 On a report of a committee being presented the Chair, Vice-Chair or some other Member of the Committee shall move its adoption.

17. Question arising on report of committee

17.1 A Member may ask the Chair of a committee any question upon any matter before the Authority, or relevant to the functions of the Authority, provided that the decision of the Chair as to the relevance of the method of dealing with such questions shall be final.

17.2 PROVIDED that, in respect of matters which have been determined under delegated powers, the question has been given in writing to the Clerk not later than 10.00 am on the working day before the meeting of the Authority.

18. Questions on any business

18.1 A Member present at the meeting may, if the question has been given to the Clerk in writing by 10.00 am three working days before the meeting of the Authority, ask the Chair of the Authority or the Chair of any committee any question on any matter in relation to which the Authority has powers or duties or which relates to the business of the Authority.

18.2 Members who have submitted written questions may ask relevant supplementary oral questions, subject to a limit of two such questions.

19. No discussion on questions asked

19.1 Every question shall be put and answered without discussion.

20. Minutes

Local Government Act 1972

Schedule 12: part V1

(1) Minutes of the proceedings of a meeting of a local authority shall, subject to sub paragraph (2) below, be drawn up and entered in a book kept for that purpose and shall be signed at the same time or next suitable meeting of the authority by the person presiding thereat, and any minute purporting to be signed shall be received in evidence without further proof.

(2) Notwithstanding anything in any enactment or rule of law to the contrary, the minutes of the proceedings of meeting of a local authority may be recorded on loose leaves consecutively numbered, the minutes of the proceedings of any meeting being signed, and each leaf comprising those minutes being initialled, at the same or next suitable meeting of the Authority, by the person presiding thereat, and any minutes purporting to be so signed shall be received in evidence without further proof.

(3) Until the contrary is proved, a meeting of a local authority a minute of whose proceedings has been made and signed in accordance with this paragraph shall be deemed to have been duly convened and held, and all the members present at the meeting shall be deemed to have been duly qualified.

(4) For the purpose of sub-paragraphs (1) and (2) above the next suitable meeting of a local authority is their next following meeting or, where standing orders made by the Authority in accordance with regulations under section 20 of the Local Government and Housing Act 1989 provide for another meeting of the Authority to be regarded as suitable, either the next following meeting or that other meeting.

21. Signing of minutes

21.1 As soon as the minutes of the Authority have been read, or taken as read, the Chair shall put the question that the minutes be signed as a correct record.

22. Signing of minutes - extraordinary meetings

22.1 Where in relation to any meeting of the Authority the next such meeting is a meeting called under paragraph 3 (extraordinary meetings) of schedule 12 to the Local Government Act 1972, the next following meeting of the Authority (being a meeting called otherwise than under that paragraph) shall be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) (signing minutes) of that Schedule.

23. Accuracy of minutes

23.1 Minutes will contain all motions and amendments in the exact form and order the Chair put them. No motion or discussion shall take place upon the minutes, except upon their accuracy, and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Chair shall sign the minutes.

Rules of debate

24. Motions and amendments which may be moved without notice

24.1 The following motions may be moved without notice:

24.1.1 appointment of a Chair of the meeting at which the motion is moved.

24.1.2 accuracy of the minutes.

24.1.3 the question be now put:

- the debate be now adjourned
- the Authority do now adjourn
- the Authority proceed to the next business.

24.1.4 reference to a committee

24.1.5 adoption of reports and recommendations of committees or officers and any consequent resolutions

24.1.6 leave to withdraw a motion

24.1.7 amendment to a motion

24.1.8 extension of time limit for speeches

24.1.9 precedence for an item of business specified in the summons

24.1.10 suspension of a Standing Order in accordance with the provision of Standing Order 59

24.1.11 a Member named under Standing Order 43 be not further heard or do leave the meeting

24.1.12 giving consent of the Authority where required by these Standing Orders

24.1.13 exclusion of the public and press in accordance with the Access to Information rules.

25. Motions and amendments

25.1 A motion or amendment shall not be discussed unless it has been proposed and seconded. Unless notice has already been given in accordance with Standing Order 22, it shall, if required by the Chair, be put in writing, and handed to the Chair before it is further discussed or put to the meeting.

26. Limit to number of speeches

26.1 A Member shall be entitled to speak once on any motion, but shall not be entitled to speak more than once except:

- To speak once on an amendment moved by another Member

- If the motion has been amended since he last spoke, to move a further amendment.
- In exercise of a right of reply given by Standing Order 29
- On a point of order
- By way of personal explanation
- To ask a question.

27. Seconder of motion reserving speech

27.1 A Member when seconding a motion or amendment may, if they then declare the intention to do so, reserve their speech until later in the debate.

28. Withdrawal of motion or amendment

28.1 A motion or amendment may be withdrawn or amended by the mover with the consent of his seconder and of the Authority, which shall be signified without discussion. No Member may speak upon it after the mover has asked permission for its withdrawal unless permission has been refused.

29. Amendments to motions

29.1 An amendment shall be relevant to the motion and shall be either:

- to leave out words;
- to leave out words and insert or add others;
- to insert or add words.

29.2 An amendment shall not be admitted if it has the effect of negating the motion before the Authority.

30. Order in which amendments to be taken

30.1 Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been dealt with.

30.2 If an amendment is lost, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

31. Right of reply

31.1 The mover of a motion has a right of reply at the close of the debate on the motion, immediately before it is put to the vote. In their reply they shall strictly confine themselves to answer previous speakers and shall not introduce any new matter into the debate.

31.2. 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. The mover of the amendment shall have no right of reply to the debate on their amendment.

31.3 A Member may, however:

explain any material part of his speech which they believe to have been misunderstood

- if the Member is the Chair or other Member who has presented the report of a committee, they may, with the Chair's consent, make a statement of the facts at the outset of the debate and also reply generally to the debate; and
- if they are the mover of a motion, speak with the leave of the Chair on the motion or on any amendment thereto at any time during the debate.

32. Right to speak on a point of order

32.1 A Member may speak on a point of order or in personal explanation and shall be entitled to be heard forthwith.

32.2 A point of order shall only relate to an alleged breach of 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.

32.3 A personal explanation shall be confined to some material part of the speech which they consider have been misunderstood.

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

33. Motions which may be moved during debate

33.1 When a motion is under debate no other motion shall be moved except:

- to amend the motion
- to postpone consideration of the motion
- to adjourn the meeting
- to adjourn the debate
- to proceed to the next business
- that the question be now put
- that a Member be not further heard
- that a Member do leave the meeting
- that the subject of debate be referred back to a committee
- to extend the time limit for speeches
- to suspend Standing Orders under Standing Order 59.

34. Closure motions

34.1 A Member who has not spoken in the debate may move without comment at the conclusion of a speech by another Member:

- "That the Authority proceed to the next business"
- "That the question be now put"
- "That the debate now be adjourned"
- "That the Authority do now adjourn".

on the seconding of which the Chair shall proceed as follows:

34.2 **On a motion to proceed to next business**

34.2.1 Unless in the Chair's opinion the matter before the meeting has been insufficiently discussed, they shall first give the mover of the original motion a right to reply, and then put to the vote the motion to proceed to the next business.

34.3 **On a motion that the question be now put**

34.3.1 Unless in the Chair's opinion the matter before the meeting has been insufficiently discussed, they 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 their right of reply before putting the matter before the meeting to vote.

34.4 **On a motion to adjourn the debate or meeting**

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

34.5 A second motion that "the Authority proceed to the next business" or "the Authority do now adjourn" shall not be made within a period of one hour unless moved by the Chair.

35. Rescission of preceding Authority resolution

35.1 No motion to rescind any resolution passed by the Authority within the preceding six months, and no motion or amendment to the same effect as one which has been defeated within the preceding six months, shall be moved unless notice thereof signed by at least five Members of the Authority, is delivered to the office of the Clerk at least ten days before the meeting at which it is to be considered.

35.2 When any such motion has been disposed of by the Authority, no Member shall move a similar motion within a further period of six months.

35.3 This order shall not apply to motions moved in or in respect of the report or recommendation of a committee.

36. Review of decisions made under delegated powers

36.1 The Authority, at its annual meeting will agree the delegations as set out in the Members' Handbook.

36.2 Where a matter before the Authority is the subject of a decision taken in the exercise of delegated powers any motion, relating either to the matter or to the decision, to be moved at a meeting of the Authority or of the committee at which such powers were delegated, shall be in writing, shall be signed by at least five Members of the Authority, and shall be delivered to the office of the Clerk not later than 10.00 am three working days before the meeting of the Authority at which it is to be considered. The Chair of the relevant committee shall move the proposal for the review of the decision by the Authority.

36.3 No motion shall be admitted for consideration by the Authority for the review or the rescission of a decision taken under delegated powers:

- where an officer or committee has taken the decision after hearing representation from persons other than Members of the Authority; and those
- where the decision concerns the appointment, grading, discipline, or dismissal of a member of the Authority's staff.

37. Respect for Chair to include conduct at meetings

37.1 Whenever the Chair speaks during a debate, a Member then speaking, and the Authority or committee, shall be silent.

38. Addressing the meeting

38.1 A Member when speaking shall address the Chair. If two or more Members speak simultaneously the Chair shall call on one to speak and the others shall then remain silent. While a Member is speaking the other Members shall remain silent, unless speaking on a point of order or in personal explanation.

39. Relevance and time limit

39.1 A Member shall direct his speech to the question under discussion or to a personal explanation or to a point of order. Except in the case of a Chair or Member of a committee in either case presenting a report, no speech shall exceed five minutes without the consent of the Authority.

39.2 Provided that a:

- Member moving a motion may speak for up to ten minutes;
- Member moving an amendment may speak for up to seven minutes.

40. Admission of the public and press to meetings

40.1 Meetings of the Fire Authority and any of its Committees or Sub-Committees shall be open to the public except to the extent that they are excluded (whether during the whole or part of the proceedings) under section 100A and part II of schedule 12A Local Government Act 1972 during the consideration of confidential items of business.

40.2 An item of business shall only be considered at a public meeting:

- where a copy of the agenda or part of the agenda, including the item, has been available for inspection by the public for at least five clear days before the meeting; or
- where the meeting is convened at shorter notice a copy of the agenda including the item has been available for inspection by the public from the time that the meeting was convened.

40.3 A copy of the agenda and every report for a public meeting shall be available for inspection by the public at the offices of the Authority and at the offices of each of the constituent authorities.

40.4 If the Monitoring Officer as proper officer thinks fit, there may be excluded from the copy of any report made available in accordance with paragraph 38.3 above the whole or any part of the report which relates only to the transaction of business during which, in the opinion of the Monitoring Officer, the meeting is likely not to be open to the public.

40.5 Any document which is required to be available for inspection by the public shall be available for inspection at least five clear working days before the meeting except that:

- where the meeting if convened on shorter notice a copy of the agenda and associated reports shall be available for inspection at the time when the meeting is convened.

- where an item which would be available for inspection is added to the agenda (as an item of urgency) a copy of the revised agenda and of any report relating to that item shall be available for inspection by the public when the item is added to the agenda.

40.6 Nothing in these standing orders shall require a copy of the agenda, any item or report to be available for inspection by the public until a copy has been made available to Members of the Authority.

40.7 Where the whole or any part of a report is not to be available for inspection by the public every copy of the whole report or where relevant any part thereof shall be marked "not for publication" and that it contains confidential information by reference to the descriptions of one or more categories of exempt information contained in Part II of schedule 12A Local Government Act 1972.

40.8 Except during any part of a meeting during which the public are excluded the Authority shall make available for the use of members of the public present at the meeting a reasonable number of copies of the agenda and reports.

41. Matters affecting staff employed by the Authority

41.1 If any question arises at a meeting of the Authority as to the appointment, promotion, dismissal, salary, superannuation or conditions of service or as to the conduct of any person employed or formerly employed by the Authority, a motion to exclude the public (including the press) from the meeting shall be made forthwith by the Chair under Standing Order 22.1.13, identifying the description of exempt information giving rise to the exclusion of the public (under Schedule 12 (A) of the Local Government Act 1972).

42. Public Participation

42.1 Questions from members of the public and deputations wishing to be received by the Authority, a Committee or Sub-Committee shall submit a request in writing to the Clerk three clear working days prior to the meeting. It should be no more than 450 words.

42.2 A deputation invited to a meeting shall not exceed five in number and only two of its members shall be at liberty to address the meeting. At any one meeting no person or organisation may present or participate in more than one deputation.

42.3 The time allowed to all questions or deputations to the Authority, Committee or Sub-Committee shall not exceed 15 minutes in total unless the Chair agrees a longer period.

42.4 At any one meeting, no person or organisation may ask more than two questions in total during public participation time.

42.5 The Chair will consult with the Clerk to decide the most appropriate Member and meeting to reply to any public question or deputation.

Disorderly Conduct

43. Disorderly conduct by Members

43.1 If at a meeting any Member of the Authority, in the opinion of the Chair notified to the Authority, misconducts themselves by persistently disregarding the Chair's ruling, by continuous irrelevance or tedious repetition, or by behaving irregularly, improperly or offensively, or by wilfully obstructing the business of the Authority, the Chair or any other Member may move "That the Member named be not further heard", and the motion if seconded shall be put and determined without discussion.

43.2 If the Member named continues their misconduct after a motion under the foregoing paragraph has been carried, the Chair shall:

either (a) move "That the Member named do leave the meeting" (in which case the motion shall be put and determined without seconding or discussion)
or (b) adjourn the meeting of the Authority for such a period as the Chair in their discretion shall consider expedient.

43.3 In the event of general disturbance which in the opinion of the Chair renders the orderly dispatch of business impossible, the Chair in addition to any power vested in them may, without any question put, adjourn the meeting of the Authority for such period as they in their discretion shall consider expedient.

44. Disturbance by the public

44.1 If a member of the public interrupts the proceedings at any meeting, the Chair shall warn them. If they continue the interruption, the Chair shall order their removal from the meeting. In the case of general disturbance to the meeting, the Chair shall order that the offending members of the public be removed from the meeting.

If a member of the public interrupt's proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair may order his/her/their removal from the remote access.

45. Voting

Local Government Act, 1972
Meetings and proceedings of local authorities
Section 99

The provision of Schedule 12 to this Act shall have effect with respect to the meetings and proceedings of local Authorities and their committees.

Schedule 12: Part VI

(1) Subject to the provisions of any enactment (including any enactment in the Act) all questions coming or rising before a local authority shall be decided by a majority of the members of the Authority present and voting thereon at a meeting of the Authority.

(2) Subject to those provision in the case of an equality of votes, the person presiding at the meeting shall have a second or casting vote.

46. Method of recording votes

46.1 Every question shall be decided by a show of hands.

46.2 PROVIDED that, if six Members present at the meeting so require before the vote is taken, the names of Members shall be called out and their votes recorded in the minutes.

47. Recording of individual votes

47.1 Immediately after a vote is taken at a meeting of the Authority, or a committee, any Member who requires, may have recorded in the minutes of the proceedings of that meeting whether they cast their vote for the question or against the question or whether they abstained from voting.

47.2 [This standing order is prescribed by law]

48. Voting on appointments

48.1 Where more than two persons are nominated for any appointment and of the votes given there is not a majority in favour of one of them, the name of the person 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 of one person.

48.2 In the case of an equality of votes on an appointment, the Clerk shall draw lots.

48.3 Voting shall be by show of hands unless a majority of those present decide the voting shall be by secret ballot.

49. Inspection of documents

49.1 A Member of the Authority may inspect, by application to the Clerk, any document in the possession or under control of the Authority which contains material relating to any business to be transacted at a meeting of the Authority, or a committee unless it appears to the Clerk that the document discloses confidential or exempt information (within the meaning of the Local Government Act 1972). A Member of the Authority may inspect any other documents in the possession or under the control of the Authority insofar as such inspection is reasonably necessary to enable them to properly perform their duties as a Member of the Authority.

50. Minutes open to inspection of Members

50.1 The minutes of the Authority and committees shall be open for the inspection of any member of the Authority.

51. Appointment of committees

51.1 The Authority shall appoint the committees at the annual meeting and may at any time alter the membership of a committee.

51.2 If in the year of any election to any of the four constituent authorities any Member of the Authority is re-elected to his or her constituent authority, then they shall remain a Member of the Authority and they shall remain a Member of any committee of the Authority to which they have been appointed until the constituent authority appoints their successor in May/June.

52. Appointment of Chair and Vice-Chair of a committee

52.1 Each committee may appoint, at their first meeting following the annual meeting of the Authority, a Chair and Vice-Chair.

53. Absence of Chair or Vice-Chair

53.1 In the absence from a meeting of a committee of both the Chair and Vice-Chair, a Chair for the meeting shall be appointed from among the Members of the committee who are present.

54. Attendance at meetings

54.1 The Chair, or in their absence the Vice-Chair, of the Authority shall be entitled to attend all meetings of committees of which they are not Members, and to speak (but not vote) at such meetings.

54.2 A Member may be invited to attend a Local Performance & Scrutiny Committee to represent a committee member who is unable to attend. In this circumstance the invited Member will have both speaking and voting rights and will be entitled to paid attendance, travel and subsistence.

54.3 Any Member of the Authority may attend the meeting of any committee of which they are not a Member but may not speak without the approval of the Chair of the meeting

and may not vote. Such a Member shall not be entitled to be paid attendance, travelling or subsistence allowances unless invited to attend the meeting.

55. Special meetings of committees

55.1 The Chair of a committee may call on the Clerk to summon a special meeting of the committee at any time.

55.2 A special meeting shall also be summoned on the requisition in writing of a half of the whole number of the Members of the committee.

55.3 The summons shall set out the business to be considered at the special meeting and no other business than that set out shall be considered at that meeting.

56. Quorum of committees

56.1 Except where authorised by statute or ordered by the Authority, business shall not be transacted at a meeting of a committee exercising delegated powers unless at least three Members who are entitled to vote are present.

57. Confidential matters

57.1 A Member shall not disclose without permission of the Authority or of the appropriate committee:

- The content of any document marked "Not for Publication" by virtue of being confidential or exempt, under the relevant provision of the Local Government Act of 1972;
- Any item dealt with as a confidential or exempt matter, unless or until it has been made public by the Authority or the committee.

58. Attendance of the Clerk and the Monitoring Officer

58.1 The Clerk or a nominated representative shall attend the meetings of every committee. The Monitoring Officer or deputy will attend every full Fire and Rescue Authority meeting. Attendance from the Clerk and the Monitoring Officer or nominated representative will be as required at other committee meetings.

59. Minutes of committees

59.1 Minutes shall be made of every meeting.

General provisions with regard to standing orders

60. Variations and revocation

Any motion, not being a recommendation of a committee, to vary or revoke these Standing Orders shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Authority.

61. Suspension

61.1 Any of the preceding Standing Orders (except for Standing Order 45 (right to require individual vote)) may be suspended by the Authority for any item of business at the meeting where its suspension is moved.

62. Issue to Members

62.1 A copy of these Standing Orders shall be issued to each Member.

63. Interpretation of Standing Orders

63.1 The ruling of the Chair of the Authority or, where appropriate, the Chair of a committee, having taken the advice of the Clerk or their representative, as to the construction or application of any of these Standing Orders, or as to any proceedings at the meeting shall be final.

64. Disciplinary action against the Chief Fire Officer

64.1 In the case of allegations against the Chief Fire Officer the matter shall be referred to the Authority who shall cause it to be investigated in accordance with the Advisory, Conciliation and Arbitration Service (ACAS) Model Scheme of Delegation.

65. Declarations of Interest

65.1 If any Member of the Authority or of any committee of the Authority has disclosed a disclosable pecuniary interest under the Localism Act and the Code of Conduct for Members, the Member shall specify fully the nature of the interest, which shall be recorded in the minutes of the meeting. A Member with such an interest must withdraw from the room whenever it becomes apparent that the matter is being considered, unless they have obtained prior consent in accordance with Standing Order 42 (Deputations), in which case they shall withdraw from the room or chamber immediately after making representations, answering questions or giving evidence.

(Note: It is the individual responsibility of each Member to decide whether an interest exists and, where appropriate, to declare it fully. Members should pay careful regard to the Code of Conduct.)

66. Matters of urgency

66.1 Subject to 66.2 below, no item of business may be considered at a meeting of the Authority or a committee unless the agenda including the item and any accompanying report(s) have been open to inspection by the public for at least three clear working days before the meeting.

66.2 An item of urgency may however be brought before the Authority or a committee with the approval of the Chair of the Authority, or a committee provided the Chair is satisfied that there are special circumstances which justify consideration of the item.

66.3 Where an item is deemed to be a matter of urgency a minute specifying the special circumstances shall be included in the minutes of the meeting.

Introduction and Overview

1. Status of financial regulations

What are financial regulations?

These regulations identify the financial responsibilities of Dorset and Wiltshire Fire and Rescue Authority (the Authority), its Committees, the Chief Fire Officer, the Monitoring Officer, the Treasurer and other officers.

Who should read this document?

The regulations and procedures apply to all staff and Members of the Authority. The prime audience for financial regulations consist of:

- Members
- Chief Fire Officer
- Finance Officers
- Staff with financial responsibilities

More detailed guidance on how the regulations should be implemented in practice is contained in financial procedures, which apply to all Members and all staff.

Why have financial regulations?

Financial regulations form part of the means by which the Authority manages its business. They clarify responsibilities and provide a framework for decision making. Where there are specific statutory powers and duties, the financial regulations seek to ensure that these are duly complied with, as well as setting out best professional practices and processes for all activities and decisions of the Authority, its committees and the Service. Members and officers are required to maintain a written record of any decision-making that has been delegated to members of their staff, including seconded staff. When decisions have been delegated or been devolved to other bodies or responsible officers, references to Members or officers in the regulations should be read as referring to them.

In summary the financial regulations are the regulatory framework within which the financial affairs of the Authority operate.

Corporate governance and financial regulations

All staff and Members must comply with the three fundamental principles of public life, namely openness, integrity and accountability. These regulations reinforce the corporate governance standards governing organisational structures, financial reporting and internal controls and standards of behaviour. The Treasurer is responsible for reporting, where appropriate, breaches of the financial regulations to the Authority. They are also responsible for issuing advice and guidance to underpin the financial regulations that Members, officers and others acting on behalf of the Authority are required to follow.

What do financial regulations cover?

The regulations apply to all the Authority's activities. In practice this means all budgets, money and funds administered by officers and Members in carrying out their duties across all the Authority's services and activities. This includes:

- Funds managed on behalf of third parties
- Partnership arrangements where the Authority is the Accountable Body
- External providers, such as outsourced services, contractors and consultants managed through the contract process. These include, for example, compliance with key controls procedures; performance standards and statistics; attendance at service client meetings and access to accounts.

Awareness and access

The Chief Fire Officer is responsible for ensuring that all employees with financial responsibilities are made aware of and have access to these regulations and the accompanying financial procedures that set out in more detail how they should implement and comply with the regulations.

Review of financial regulations

The Treasurer is responsible for maintaining a continuous review of these regulations.

Other rules

Apart from these regulations, all officers and Members must comply with certain other rules. These include:

The law

- General and specific local government law
- General civic and criminal law
- The combination order Other Authority rules
- Standing Orders
- Scheme of Delegation
- Contract Standing Orders
- Human Resources policies and procedures
- Service Orders
- Financial procedures and guidance

Failure to comply with financial regulations or the instructions issued under them will constitute misconduct.

2. Definitions

In these Financial Regulations:

- "Dorset & Wiltshire Fire and Rescue Authority", ("the Authority",) is the Authority constituted in accordance with Statutory Instrument 2015 No. 435, The Dorset & Wiltshire Fire and Rescue Authority (Combination Scheme) Order 2015 and the amendments contained within The Fire and Rescue Authority (Membership) Order 2017
- "Constituent authorities" are Bournemouth, Christchurch and Poole Council, Dorset Council, Swindon Borough Council and Wiltshire Council
- "Member" shall mean a person appointed to be a Member, or co-opted Member of the Authority by the constituent authorities
- "Chief Fire Officer" - the person appointed as Chief Fire Officer by the Authority, and any person to whom the Chief Fire Officer has delegated any duties in respect of these Regulations, except where the regulations use the term 'personally', in which case only the Chief Fire Officer is referred to
- "Treasurer" - the person appointed by the Authority with responsibility for the administration of the Authority's financial affairs, in accordance with Section 151 of the Local Government Act 1972 and Section 112 of the Local Government Finance Act 1988. Treasurer shall include such persons as the Treasurer specifically authorises in writing for the purpose of these Regulations
- "Officer" shall mean all persons appointed by the Authority, including uniformed and non-uniformed staff.

3. Changes to financial regulations

Any changes to Financial Regulations shall be drawn up jointly by the Chief Fire Officer, Treasurer and Monitoring Officer and be approved by the Authority.

4. Suspension of financial regulations

If the Chief Fire Officer is of the opinion that any of these Regulations are inappropriate in particular circumstances, the Clerk shall be informed in writing. The Clerk may, after consultation with the Treasurer and Monitoring Officer, authorise departure from these Regulations if satisfied that exceptionally, such departure is in the interests of the Authority. The Clerk shall maintain a register of any such authorisations, which shall be available for inspection by any Member of the Authority, and will report such departures to the Authority.

Financial Regulation A: Financial Accountabilities and Management

Introduction

This section covers all the financial accountabilities in relation to running the Service, including the policy framework and the budget.

The Authority

A1 The Authority is responsible for approving the overall policy framework and budget within which it operates. It is also responsible for approving and monitoring compliance with an overall framework of accountability and control. The Authority does not operate executive arrangements but has agreed that all key decisions are to be made by the full Authority.

The Authority is required to:

- Agree the revenue and capital budget requirements and set a council tax precept for the forthcoming year, on advice from the Treasurer
- Approve the Chief Fire Officer's proposed allocation of resources
- Monitor and approve the treasury management strategy
- Monitor and approve the medium-term finance plan
- Decide on the level of general balances it wishes to maintain

The Finance and Audit committee

A2 The Authority has delegated to this Committee, amongst other things overall responsibility for Audit. The Treasurer has day to day responsibility for this Committee, and will consult with the Committee as necessary on the content of the annual audit plans of both internal and external audit. The Committee is responsible for monitoring the delivery of both plans and additional work undertaken during the year. It also reviews internal audit reports and external audit statutory management letters and makes recommendations for appropriate action, and is responsible for providing independent assurance to the Authority on the effectiveness of the Authority's risk management, governance and control arrangements.

Statutory Officers

Head of Paid Service (Chief Fire Officer) and his staff

A3 The Chief Fire Officer, as Head of Paid Service, is responsible for the corporate and overall management of the Fire and Rescue Service. He or she must report to and provide information for the Authority, its committees, and any joint committee of which the Authority is a constituent. He or she is responsible for establishing a framework for management direction, style and standards and for monitoring the performance of the organisation.

A4 The Chief Fire Officer is also responsible for, together with the Clerk, for the system of record keeping in relation to all the Authority's decisions.

A5 The Chief Fire Officer and his staff should have as much day to day responsibility for financial management of the Service as is possible within the framework of the agreed budget and rules of virement.

A6 The Chief Fire Officer shall control expenditure and income, monitor performance, and take necessary action to avoid exceeding any financial allocation.

A7 The Chief Fire Officer may authorise other officers to act on his behalf in sanctioning orders for payment, but such delegation does not in any way reduce the overall responsibilities of the Chief Fire Officer.

A8 Where expenditure or income involves a contract with a third party, the Chief Fire Officer must follow the procedures laid down in Contract Standing Orders.

A9 The Chief Fire Officer is authorised to incur expenditure for the purpose identified and up to the amount specified in such estimates as approved, including unspent balances from the previous year, within arrangements agreed by the Treasurer and reported to the Authority.

The Treasurer

A10 The Treasurer as proper financial officer, has statutory responsibilities in relation to the financial administration and stewardship of the Authority. This statutory responsibility cannot be overridden and arises from:

- The Local Government Act 1972
- The Local Government Finance Act 2012
- The Local Government and Housing Act 1989 and
- The Accounts and Audit Regulations 2015

A11 The Treasurer is responsible for:

- The proper administration of the Authority's financial affairs
- Setting and monitoring compliance with financial management standards
- Advising on the corporate financial position and on key financial controls necessary to secure sound financial management
- Providing financial information
- Preparing the revenue and capital programme
- The maintenance of an adequate and effective internal audit
- Treasury Management

A12 In accordance with Section 114 of the Local Government Finance Act 1988, the Treasurer must report to the Authority if it or one of its officers:

- has made, or is about to make, a decision which involves incurring unlawful expenditure
- has taken, or is about to take, an unlawful action which has resulted or would result in a loss or deficiency to the Authority
- Is about to make an unlawful entry in the Authority's accounts.

A13 Section 114 of the 1988 Act also requires the Treasurer to nominate a properly qualified member of staff to deputise should he or she be unable to perform the duties under section 114 personally.

Monitoring Officer

A14 The Monitoring Officer has responsibility for reporting any illegal action, actual or potential beach of any law, code of practice or maladministration or injustice, by:

- The Authority or any of its Committees or Sub-Committees
- Any officer of the Service
- Any employee of the Service, including any fire officer, or local authority or organisation providing services to the Authority

A15 Specifically the Monitoring Officer role entails:

- advising all Members and officers about who has the authority to take a particular decision; and,
- advising the Authority about whether a decision is likely to be considered contrary or not wholly in accordance with the policy framework.
- together with the Treasurer, is responsible for advising the Authority about whether a decision is likely to be considered contrary or not wholly in accordance with the budget.

Other financial accountabilities and management

A16 Virement

Once the annual revenue and capital budgets are approved, and subject to provisions within these Financial Regulations and Standing Orders, the Chief Fire Officer has authority to incur expenditure without the need to obtain further approval from the Authority, except where:

- the Chief Fire Officer proposes a change in policy and/or objectives in corporate plans and/or
- there is a proposed virement in excess of £250,000.

Virement is defined as the movement of resources from one budget head to another.

A17 Money may then be spent on any item and at any time in the financial year concerned, provided that either:

- enough money has been earmarked for the item in the budget; or
- enough money can be transferred from another budget head (virement), and for amounts in excess of £50,000 the transfer is given prior written approval by the Treasurer.

A18 Virement shall not be from a capital budget to a revenue budget except where the Authority has approved an amendment of direct revenue funding or the use of balances.

Year-end balances

A19 The Authority is responsible for agreeing procedures for carrying forward under and overspendings on budget headings on the advice of the Treasurer.

Accounting policies, records, statements and returns

A20 The Treasurer is responsible for:

- determining accounting policies and financial systems and ensuring they are applied consistently
- determining the accounting procedures and financial records for the Authority
- ensuring that the annual statement of accounts is prepared and certified in accordance with the *Code of Practice on Local Authority Accounting in the UK: A statement of Recommended Practice* (CIPFA/ LASAAC)

Debt write-off, write-off of redundant stock and stock adjustments

A21 The Chief Fire Officer is personally authorised to write off debts, redundant stock and stock adjustments up to and including the value of £10,000.

A22 Debts and/or redundant stock and/or stock adjustments in excess of £10,000 but not exceeding £25,000 can be written off by the Chief Fire Officer subject to written approval of the Treasurer and the Clerk.

A23 Debts and/or redundant stock and/or stock adjustments in excess of £25,000 require the approval of the Authority to be written off.

Financial Regulation B: Financial Planning

Introduction

The Authority is responsible for agreeing the Service's policy framework and budget, which will be proposed by the Chief Fire Officer. In terms of financial planning, the key elements are the:

- Community Safety Plan
- Revenue budget
- Capital programme
- Reserves and balances

Budgeting

B1 The general format of the budget will be approved by the Fire Authority and proposed by the Chief Fire Officer on the advice of the Treasurer. The draft budget should include allocation to different services and projects, proposed taxation levels and contingency funds.

Budget preparation

B2 The Treasurer is responsible for ensuring that a budget and a long-term budget plan or forward financial forecast (Medium-Term Financial Plan) is prepared on an annual basis for consideration by Members. The Authority may amend the budget or ask Members to reconsider it before approving it.

B3 Members in consultation with the Treasurer are responsible for issuing guidance on the general content of the budget as soon as possible following approval by the Authority.

B4 The Chief Fire Officer is responsible for ensuring that budget estimates reflecting agreed service plans are submitted to the Members, and that the estimates are prepared in line with Members' guidance.

Budget monitoring and control

B5 The Treasurer is responsible for providing appropriate financial information and systems to enable budgets to be monitored effectively. The Treasurer must monitor and control expenditure against budget allocations and report regularly to the members on the overall financial position.

B6 The Chief Fire Officer is responsible for controlling income and expenditure on his or her budgets and for monitoring performance, taking account of financial information provided by the Chief Financial Officer. Variances shall be reported to the appropriate committee and officers should take any necessary action to avoid exceeding their budget allocation and alert the Chief Financial Officer to any problems.

B7 The Treasurer is responsible for issuing guidelines on budget preparation to Members and senior officers, taking into account the policy framework determined by the Authority.

Capital programme

B8 The Treasurer is responsible for ensuring that a capital programme is prepared each year for consideration by the Members, before submission to the Authority.

B9 The Chief Fire Officer is responsible for the control of expenditure against the approved capital programme and for the provision of timely, complete and accurate financial information as required by the Authority and the Treasurer.

B10 The Chief Fire Officer and the Treasurer may approve an increase in the capital programme of up to £50,000, and the Chief Fire Officer and Treasurer in consultation with the Chair of the Authority may approve an increase of up to £250,000. In both cases the approved expenditure must be reported to the Authority.

Reserves and balances

B11 The Treasurer is responsible for advising the Authority on prudent levels of reserves.

Urgent Decisions

B12 Where an urgent financial decision is required that falls outside of the defined process or limits within Financial Regulations, but is felt to be in the wider interests of the Authority, the Treasurer in consultation with the Chief Fire Officer, Clerk and Chair of the Authority can make the decision subject to it being reported back to the Authority.

Financial Regulation C: Risk Management and Control of Resources

Introduction

It is essential that robust systems are developed and maintained for identifying and evaluating all significant financial and operational risks to the Authority on an integrated basis. This should include the proactive participation of all staff associated with planning and delivering services.

Risk management

C1 The Authority is responsible for approving the risk management policy and strategy and for reviewing the effectiveness of risk management.

C2 The Chief Fire Officer is responsible for ensuring that proper insurance exists where appropriate.

C3 The Chief Fire Officer is responsible for preparing the Authority's risk management policy statement and for promoting it throughout the Service, and for advising the Members on proper insurance cover where appropriate.

Internal control

C4 Internal control refers to the systems of control to ensure that the Authority's objectives are achieved in a manner that promotes economical, efficient and effective use of resources and that the Authority's assets and interests are safeguarded.

C5 The Treasurer is responsible for advising on effective systems of internal control. These arrangements need to ensure compliance with all applicable statutes and regulations and other relevant statements and best practice. They should ensure that public funds are properly safeguarded and used economically, efficiently and in accordance with the statutory and other authorities that govern their use.

C6 The Chief Fire Officer is responsible for establishing sound arrangements for planning, appraising, authorising and controlling operations to achieve continuous improvement, economy, efficiency and effectiveness and for achieving financial performance targets.

C7 The Authority is required to approve on an annual basis an Annual Statement of Assurance containing, amongst other things:

- a statement, in accordance with the Accounts and Audit Regulations, on measures (including a system of internal control) taken by the Authority to ensure appropriate business practice high standards of conduct and sound governance; and,
- in accordance with the Fire and Rescue Service National framework requirements, an annual assurance statement on financial governance and

operational matters and showing how the Authority has had due regard to the expectations set out in their Community Safety Plan and the requirements included in the Framework.

Audit requirements

C8 The Account and Audit Regulations 2015 require all relevant authorities to undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance process.

C9 The Authority is also required to comply with the relevant legislative requirements in relation to external audit.

C10 The Authority may, from time to time, be subject to audit, inspection or investigation by external bodies which have statutory rights of access, e.g. His Majesty's' Inspectorate of Constabulary and Fire and Rescue Service (HMICFRS) and HM Revenue and Customs (HRMC).

Preventing fraud, corruption and bribery

C11 The Chief Fire Officer and Treasurer are jointly responsible for the development and maintenance of an anti-fraud and corruption, and anti-bribery and whistleblowing policies, and for maintaining procedures to prevent fraud, corruption and bribery.

C12 Any officer or Member who suspects that these Regulations have been or may be breached, or that resources of the Authority have been or may be stolen, must immediately notify the Treasurer personally, or any specific officer designated by the Treasurer. The Treasurer will as appropriate, in consultation with the Chief Fire Officer, the Monitoring Officer and the Clerk, decide on an appropriate course of action.

C13 The Treasurer and the Monitoring Officer shall report to the Authority any circumstances which could involve the Authority in:

- unlawful expenditure;
- an unlawful action which could result in a potential loss or deficiency to the Authority: or
- an unlawful entry in the accounts.

C14 The Authority is required to approve a policy on gifts, loans and sponsorship.

C15 The Chief Fire Officer is responsible for administering the policy agreed by the Authority on the acceptance of gifts, loans and sponsorship, and for ensuring that the prior approval of the Authority is obtained before accepting gifts, loans and sponsorship over the value of £10,000.

C16 The Chief Fire Officer is responsible for maintaining a register of offers of gifts, loans or sponsorship, which shall be open to inspection by any Member of the Authority.

Assets

C17 The Chief Fire Officer should ensure that all records and assets are properly maintained and securely held. The Chief Fire Officer should also ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place.

C18 The Chief Fire Officer shall keep an asset register of all property and such inventories and stores records as are necessary, under arrangements approved by the Treasurer which will be subject to periodic checks.

C19 The Authority will be required to approve:

- the acquisition of land or buildings or disposal of land or buildings considered to be surplus
- the disposal of any material asset valued in excess of £100,000
- the write off of redundant stock and/or stock adjustments in excess of £25,000 (see A23 above).

C20 The relevant procedures as set out or referred to in the Authority's Contract Standing Orders will apply to the acquisition and disposal of land and buildings and the disposal of material assets as provided for at C19(a) and (b) above.

C21 Any proposals to enter into leasing arrangements must be agreed in advance with the Treasurer and in accordance with any requirements laid down by the Authority. The agreement of any terms for the leasing of any property or the taking of any interest in property must be undertaken only after suitable professional advice has been taken.

Banking arrangements

C22 The Treasurer is responsible for making such arrangements as are appropriate and necessary with the Authority's bankers relating to all financial transactions and the setting up and closing of subsidiary accounts.

C23 The Chief Fire Officer is responsible for the daily management and operation of the bank accounts under arrangements agreed by the Treasurer.

Treasury management

C24 The Treasurer, as the officer designated for the purposes of Section 112 of the Local Government Act 1988, controls all money in the hands of the Authority.

C25 The Treasurer has delegated responsibility for implementing and monitoring the Treasury Management Policy Statement and is responsible for making all decisions on borrowing, investment, and financing for monies under their control, in accordance with CIPFA's 'Code of Practice for Treasury Management in Local Authorities'.

C26 The Treasurer must report at least annually to the Authority on treasury management activities and decisions implemented, each annual report being made not later than 30 June in the year following the financial year reported on.

C27 The Authority is required to approve the Treasury Management Policy Statement setting out the matters detailed in CIPFA's 'Code of Practice for Treasury Management in Local Authorities'.

Staffing

C28 The Chief Fire Officer (as Head of Paid Service) is responsible for providing overall management of staff, and under the advice from the Director of People Services, is also responsible for determining and monitoring adherence to staffing policies and procedures and for ensuring that there is proper use of the evaluation or other agreed systems for determining the pay for all staff.

C29 The Chief Fire Officer is responsible for controlling staff numbers by:

- advising the Members on budget necessary in any given year to cover estimated staffing levels
- the proper use of appointment procedures in line with advice from the Director of People Services
- adjusting the staffing numbers within approved budget provision, varying the provision as necessary within the constraint to meet changing operational needs

Financial Regulation D: Financial Systems and Procedures

Introduction

Sound systems and procedures are essential to an effective framework of accountability and control.

General

D1 The Treasurer is responsible for the operation of the Authority's accounting systems, the form of accounts and the supporting financial records. The Service leadership team officers are responsible for the proper operation of financial processes in their own departments in line with advice issued by the Treasurer. Any changes made by officers to the existing agreed financial procedures to meet their own specific service needs, should be agreed with the Treasurer.

D2 The Chief Fire Officer should ensure all staff receive relevant financial training which has been approved by the Treasurer.

D3 The Chief Fire Officer must ensure that, where appropriate, computer and other systems are registered in accordance with data protection legislation. Officers must ensure that staff are aware of their responsibilities under the freedom of information legislation.

Income and expenditure

D4 The Chief Fire Officer is responsible for ensuring that a proper scheme of delegation has been established and is operating effectively. The scheme of delegation should identify staff authorised to act on behalf of the Chief Fire Officer in respect of payments, income collection and placing orders together with the limits of their authority. As part of the overall control framework of accountability and control, the Treasurer is responsible for specifying procedures for ordering, making payments and for collecting income, and for approving procedures for writing off debts.

D5 It is the responsibility of the Treasurer to advise on the establishment and operation of trading accounts and business units and determine the financial arrangements under which these are operated.

Payments to employees and Members

D6 The Treasurer is responsible for all payments of salaries, wages and allowances to all staff, Members and pensioners.

D7 At the Chief Fire Officer's discretion, ex-gratia payments may be awarded to members of the Fire & Rescue Service for personal injury, damage and loss of property, but only up to the actual loss incurred after insurance pay outs are taken into account. Payment is restricted to £500 and only if the injury, damage

and/or loss occurred while the person was on duty except that no pay out will be made for any loss which could reasonably be expected to have been insured but was not insured.

Unofficial funds

D8 Unofficial Funds shall be operated in accordance with instructions issued by the Chief Fire Officer and the Treasurer. All such funds are to be properly audited.

Legal proceedings and public inquiries

D9 The Monitoring Officer shall be empowered to institute legal proceedings for recovery of sums due to the Authority and for the possession of Authority property, to lay information, to make complaints, to institute defend or settle proceedings, to take legal action to enforce rights or obligations, to appear at public inquiries where in his or her opinion it is in the Authority's interest, and to engage counsel.

Contracts

D10 Those responsible for procuring work, goods or services on behalf of the Authority must adhere to the requirements both of contract procedure rules and financial regulations. They must also ensure that the most commercially advantageous terms are obtained and that acquisitions can be justified and clearly linked to approved service objectives. In addition, the Public Services (Social Value) Act 2012 requires that the Fire Authority also consider economic, social and environmental wellbeing, as well as value for money, when procuring services on behalf of the Authority which exceed the procurement thresholds provided for in UK regulations.

Taxation

D11 The Treasurer is responsible for advising officers on all taxation issues that affect the Service in the light of guidance issued by appropriate bodies and relevant legislation.

D12 The Treasurer is responsible for maintaining the Service's tax records, making all tax payments, receiving tax credits and submitting tax returns by their due date.

Financial Regulation E: External Arrangements

Introduction

The Authority contributes to a distinctive role to the community and is involved in various partnership/joint working initiatives aimed at improving the social and environmental well-being of the area it services.

Partnerships

E1 The Fire Authority is responsible for approving a partnerships policy which sets out the framework for ensuring that partnership arrangements are effective and efficient.

E2 The policy should cover the levels of approval for participation in a partnership, assessment of risk, liability and financial commitment, clarity of purpose, reporting arrangements and accountability, access to records and audit arrangements, conflict resolution and dissolution procedures.

E3 The Treasurer and Clerk are responsible for promoting and maintaining within all partnerships, the same high standards of conduct with regard to legal, corporate governance and financial affairs as apply throughout the Authority.

External funding

E4 The Treasurer is responsible for the Authority's arrangements for the pursuit, receipt and recording of external income.

Work for third parties

E5 The Treasurer and Clerk are responsible for approving the contractual framework for the provision of services to third parties or external bodies.

Introduction and Overview

1. Status of contract standing orders

1.1 What are contract standing orders?

These procurement and contract rules are the standing orders which apply to the acquisition of all supplies, services and works by or on behalf of the Dorset & Wiltshire Fire and Rescue Authority (the Authority). This includes where the Authority acts as the lead commissioner on behalf of a third party using external funds.

These rules do not apply to:

- Contracts of Employment; or
- Contracts that relate solely to the purchase or acquisition of land

These procurement and contract rules shall apply to all contracts entered into by or on behalf of the Authority with any other person or body.

1.2 Who should read this document?

The standing orders (procurement and contract rules) apply to all staff and members of the Authority.

More detailed guidance on how the regulations should be implemented in practice is contained in procurement and contract procedures, which apply to all Members and all staff.

1.3 Why have contract standing orders?

By law, the Authority must make standing orders with respect to contracts for the supply of goods or materials or for the execution of works which provide for:

- securing competition
- regulating the manner in which tenders are invited.

The main objectives of Contract Standing Orders are to:

- ensure the Authority obtains Best Value in the way it spends money, so in turn it offers Best Value services to the public;
- ensure that the manner in which contracts are handled complies with UK Regulations and all relevant legislation that govern the spending of public money;
- protect individuals from undue criticism or allegation of wrongdoing; and,
- facilitate partnership working.

1.4 Awareness and access

The Treasurer is responsible for ensuring that all employees with financial responsibilities are made aware of and have access to these regulations, and the accompanying procurement and contract procedures that set out in more detail how they should implement and comply with these standing orders.

1.5 Review of contract standing orders

The Treasurer has overall responsibility for procurement and as such is the custodian of these standing orders and is responsible for keeping them under review. The Treasurer is responsible for maintaining a continuous review of these standing orders.

1.6 Other rules

Apart from these regulations, all officers and Members must comply with certain other rules. These include:

The law:

- General and specific local government law
- General civic and criminal law
- The combination order

Other Authority rules:

- Financial regulations
- Scheme of delegation
- Contract standing orders
- Human Resources policies and procedures
- Service orders
- Financial procedures and guidance

2. Definitions

2.1 “Best Tender” – the most advantageous tender (MAT), satisfies both the Authority’s requirements and is the best tender when assessed against the award criteria and assessment methodology.

2.2 “Chief Fire Officer” - the person appointed as Chief Fire Officer by the Authority, and any person to whom the Chief Fire Officer has delegated any duties in respect of these Regulations, except where the Regulations use the term ‘personally’, in which case only the Chief Fire Officer is referred to.

2.3 “Constituent authorities” are Bournemouth, Christchurch and Poole Council, Dorset Council, Swindon Borough Council, and Wiltshire Council.

2.4 "Contract" shall mean any agreement for the supply/disposal of goods, materials or services and the execution of works.

2.5 "Contractor" shall mean any person, company or other organisation that is engaged to provide goods, materials, services or works to the Authority.

2.6 “Dorset & Wiltshire Fire and Rescue Authority”, (“the Authority”) is the Authority constituted in accordance with Statutory Instrument 2015 No. 435 - The Dorset & Wiltshire Fire and Rescue Authority (Combination Scheme) Order 2015. The membership of the Authority was varied (with effect from 6 June 2018) by the Fire and Rescue Authority (Membership) Order 2017 (Statutory Instrument 1165).

2.7 “Member” shall mean a person appointed to be a Member, or co-opted Member of the Authority by the constituent authorities.

2.8 “Officer” shall mean all persons appointed by the Authority, including uniformed and non-uniformed staff.

2.9 “UK Procurement Threshold(s)” shall mean the thresholds that apply to the public advertisement of goods, works or service contracts

2.10 “Treasurer” - the person appointed by the Authority with responsibility for the administration of the Authority’s financial affairs, in accordance with Section 151 of the Local Government Act 1972 and Section 112 of the Local Government Finance Act 1988. Treasurer shall include such persons as the Treasurer specifically authorises in writing for the purpose of these Regulations.

2.11 “Regulations and legislation – shall mean the Procurement Act 2023 and the Procurement Regulations 2024 as well as any other relevant legislation.

3. Changes to contract standing orders

3.1 Any changes to Contract Standing Orders shall be drawn up jointly by the Chief Fire Officer, Treasurer and Clerk and be approved by the Authority.

4. Suspension of contract standing orders

4.1 If the Chief Fire Officer is of the opinion that any of these Regulations are inappropriate in particular circumstances the Clerk shall be informed in writing. The Clerk may, after consultation with the

Treasurer and Monitoring Officer, authorise departure from these Regulations if satisfied that, exceptionally, such departure is in the interests of the Authority. The Clerk shall maintain a register of any such authorisations, which shall be available for inspection by any Member of the Authority and will report such departures to the Authority.

Contract Standing Orders

5. Compliance with the law

5.1 All contracts, and the procedures for entering into them, shall comply with Procurement Act 2023 and the Procurement Regulations 2024 and other relevant legislation which is enforced and impacts our procurement processes and procedures. In the event of any conflict between these standing orders and the law, the law shall prevail.

5.2 Where a procurement was started under the Public Contract Regulations (2015) governance for that procurement or contract continues to be those Regulations rather than the Procurement Act (2023) until either the end of the contract in question, or for a framework/DPS, the end of the last call off contract.

5.3 Buyers can enter into any contract under these Contract Standing Orders, but we must have regard for:

a) delivering value for money
b) maximising public benefits
c) sharing information for allowing suppliers and others to understand the Authority procurement policies and decisions
d) acting, and being seen to act, with integrity (acting transparently, fairly and proportionately);
e) small and medium enterprises (SMEs)
f) treating suppliers the same
g) not putting a supplier at an unfair disadvantage or advantage
h) the policy objectives set out in the National Procurement Policy Statement (NPSS):

5.4 Buyers must have regard to any legal advice on the form and content of the contract from the Monitoring Officer or other legal adviser.

6. Contracts to be in writing

6.1 All contracts shall be in writing. All relevant contracts over £50,000.00 should be in writing in a form agreed by the Procurement Manager or designated officer. Contract term and conditions: procurement and contract procedures stipulate use of the following forms of contract:

6.2 The Authority's Standard Terms and Conditions or equivalent, or those issued by a relevant professional body (e.g. Joint Contracts Tribunal), must be used where possible.

6.3 Exemptions do not apply to contracts with a value up to £25,000 including VAT or £30,000.00 excluding VAT as the only requirement is to obtain one quote, however this does not mean you should only request one quote.

6.4 Contracts between £25,001 including VAT or £30.001 excluding VAT and the regulated threshold: You may seek an exemption to undertake a procurement procedure other than that advised by Procurement Lead, including making a direct award, where you are able to provide a sound reason and evidence for doing so, for example where:

- the proposed contract is of a very specialist nature and there is a genuine supplier monopoly situation;
- the proposed contract is needed urgently, the urgency is not brought about by events foreseeable by or attributable to the Authority and where the situation would result in risk of harm to individuals or loss or damage to the Authority; or
- it would be in the best interests of the Authority or local people not to undertake the applicable procedure.

6.5 Above regulated threshold contracts: There is scope within the Regulations to make a direct award in cases where the justification set out in the Regulations applies to your proposed contract.

- the production of a prototype or supply of other novel (designed at the request of the Authority) services for the sole purpose of testing, research, study or development.
- the creation or acquisition of a unique work of art or artistic performance.
- a particular supplier having the intellectual property rights or other exclusive rights meaning only the supplier can supply the goods, services or works.
- there is an absence of competition for technical reasons which means only a particular supplier can supply the goods, services or works and there is no reasonable alternative to those goods, services or works.
- the supply of goods, services or works by an existing supplier, which are intended as an extension to or partial replacement of existing goods, services or works where a change in supplier will result in something that is different from or incompatible with.
- the existing goods, services or works, resulting in disproportionate technical difficulties in operation or maintenance.
- the supply of goods, services or works by the supplier that are similar to existing goods, services or works where the existing goods, services or works were supplied under a compliantly tendered contract within the past 5 years and the earlier contract set out the Authority's intention to carry out a later procurement.
- the award of a contract to a particular supplier on terms particularly advantageous to the Authority because a supplier (whether or not it is the

one the contract is being awarded to) is undergoing insolvency proceedings.

- the goods, services or works are strictly necessary for reasons of extreme and unavoidable urgency, not attributable to or capable of being foreseen by the Authority, and the contract cannot be awarded through a competitive tendering process.

6.6 Under the Regulations and Contract Procedures the direct award of a contract on the grounds of urgency applies only where the situation giving rise to the urgency is not attributable to and/or could not have been foreseen by the Authority.

6.7 Where a genuine urgent situation occurs we can put contracts in place without the need for a procurement process. However, the contract can only be awarded for the duration necessary to address the immediate emergency. For example, during the COVID pandemic any contracts in relation to our immediate response to the crisis should have been for the length of time needed for us to then properly procure the requirement, i.e. the point at which the need became foreseeable.

6.8 If we are aware of the potential for a situation to occur which we will need to put a contract in place for, regardless of the likelihood of the situation arising or when it may arise, the need for the contract is foreseeable. Where this is the case advice should be sought from Procurement Team as soon as the potential need is identified.

7. Direct Award Process

7.1 Direct award is when a public contract is awarded without a competitive tendering procedure and the public contract is placed directly with the supplier of the Authority's choosing. The justification for a direct award for above threshold procurement is set out below:

- Protypes and development
- Single suppliers
- Additional or repeat goods or services or works
- Commodities
- Advantageous terms on insolvency
- Urgency
- User choice contracts
- Defence and security

8. Conflicts of Interest

8.1 The Authority has a legal duty under the Act and the PCR (previous regime) to identify (take all reasonable steps to identify, and keep under review, any conflicts of interest or potential conflicts of interest) and mitigate (must take all

reasonable steps to ensure a conflict of interest does not put a supplier at an unfair advantage or disadvantage in relation to the procurement and award of a public contract) conflicts of interest. It is also a requirement of Contract Procedures for all external spend. Processes are in place to assess at pre-market engagement stage, procurement process stage and contract management stage.

9. Use of External Consultant or Agent to undertake a procurement process:

9.1 The external Consultant or Agent must have an understanding of public procurement and the Act. The Procurement Manager or Senior Procurement Officer must be consulted initially.

10. Market research

10.1 Involves collecting, analysing and interpreting data about your requirement to enable you to understand the size, location and capability of market supplying that requirement, for example, but not limited to: internet research, Contract notices and contract award notices published by other contracting authorities who have recently tendered for a similar requirement may be considered. The authority may then be contacted to find out the level of response they had from the market.

11. Preliminary market engagement

11.1 This is a more detailed engagement with suppliers, including those identified at the market research stage, about the specific requirements and proposed procurement. Regardless of the value of the contract it is essential that any preliminary market engagement is undertaken in a fair and transparent manner. Involvement and advice must always be sought from the Procurement department before commencing any form of preliminary market engagement and a record of all activity must be kept for auditing purposes.

12. Tender Clarification (post-submission)

12.1 The Authority reserves the right (but is not obliged) to seek clarification of any aspect of a Tenderer's Tender during the evaluation phase where necessary for the purposes of carrying out a fair evaluation. Tenderers are asked to respond to such requests promptly. Vague or ambiguous answers are likely to score poorly or render the Tender non-compliant.

13. Post-Award Clarification

13.1 Prior to Contract Award, the Tenderer who achieved the highest score in the tender evaluation may be required to attend a Post-Award Clarification Meeting. The purpose of this meeting is to ensure there is a clear mutual understanding between the Authority and the Tenderer regarding the

requirements of the Contract prior to Contract Award. It is important to note that this will not be a negotiation meeting or an opportunity to present new information (unless requested by the Authority).

14. Conformity with financial regulations

14.1 No contract shall be entered into unless the expenditure involved may be properly incurred under the Authority's Financial Regulations in force for the time being.

15. Personal and prejudicial interests of Members

15.1 If any Member of the Authority or a Committee has a disclosable and pecuniary interest, as defined in the Code of Conduct for Members, arising from any contract, proposed contract or other matter and is present at a meeting of the Authority, or a Committee at which the contract or other matter is the subject of consideration, then the Member must act in accordance with the requirements of the Code of Conduct. This means that a Member with a pecuniary interest must disclose to the meeting the existence and the nature of that interest when consideration of that business begins, or when the interest becomes apparent.

15.2 If the pecuniary interest is also a prejudicial one, then the Member must withdraw from the room in which the meeting is being held, not exercise any functions in relation to that contract and not seek improperly to influence a decision about the contract. A Member with a disclosable pecuniary interest should only remain and take part to the extent of any dispensation granted by the Clerk, after consultation with the Chair.

15.3 These obligations extend to consultants employed to act for the Authority.

16. Interests of officers in contracts

16.1 The Clerk shall maintain a record of any notice given by an officer of any interest in a contract and the record shall be available for inspection by any Member of the Authority. The procurement and contract procedures issued by the Treasurer include guidance on how conflicts of interest should be managed by officers.

17. Compliance

17.1 It is an implied condition of employment of all staff of the Authority involved in the letting of contracts that they shall at all times observe the provisions of these Standing Orders and the procurement and contract procedures issued by the Treasurer.

17.2 Failure to comply with Contract Standing Orders or the instructions issued under them will constitute misconduct.

18. Land and property

18.1 In relation to these Procedure Rules:

18.1.1 Land has the meaning provided in Section 205 of the Law of Property Act 1925. In particular, but without in any way limiting that meaning, land includes buildings and easements.

18.1.2 Any purchase, lease or sale of property that involves a receipt or payment exceeding £100,000 must be given the prior approval of the Authority, subject to any purchase, lease or sale of property below £100,000 being reported to the next meeting of the Authority following completion.

18.1.3 References to the acquisition of land include the acceptance of gifts of land and the taking of leases, licenses and easements of or over any land (including buildings) whether by way of valuable consideration or exchange but not the appropriation of land.

18.2 Contract Procedure Rules 1 to 11 inclusive and Contract Procedure Rule 16 and 17 shall apply to contracts for the sale and purchase of interests in land.

18.3 In all other respects, arrangements for the sale and purchase of interests in land and property shall be undertaken by a suitably qualified and experienced person and comply with procedures approved by the Authority.

18.4 The Authority shall only acquire land after having first considered a suitably qualified and experienced person's estimate of the value of the land in question and any recommendation made as to the maximum sum appropriate for such acquisition; and even then, for a sum no greater than the maximum recommended.

18.5 Disposal of land shall be for the best price reasonably obtainable unless the Authority resolve specifically to the contrary.

19. Contract value and principles

19.1 As a general principle the value of a contract shall be deemed to be the total of all payments made to the contractor in respect of that contract regardless of the period of time over which those payments are made. In the case of recurrent transactions for the same type of item the contact value will be the aggregate total of transactions (including VAT) over the life of the contract, not the aggregate value in a single year (unless this is the period of the contract) and not the value of a single transaction.

19.2 If the contract value cannot be reliably estimated prior to the contract being tendered then the above threshold procedure must be followed to award the contract.

19.3 The Authority may decide to require the Chief Fire Officer to advise them in advance over certain contracts because of their sensitivity or size.

19.4 All contracts subject to the procedure set out in section 16 and 17 below must be included in the Register of Contracts maintained by the Procurement Manager.

19.5 All relevant contracts must refer to the Authority's Whistleblowing policy and Freedom of Information requirements.

20. Extensions to existing contracts

20.1 Buyers may only extend an existing contract if there is provision in the procurement documents or tender to do this.

21. Pre-tender market research and consultation

21.1 It is possible to review the market for a proposed purchase by discussion with suppliers (note the difference between pre-tender market research and pre-market engagement) and other research but must not:

- base any specification on one supplier's offering such as to distort competition
- make any indication or commitment to suppliers that their offering may be preferred
- suggest any procurement route which is not consistent with these orders; or
- enter into negotiations about price where a competitive procurement process has yet to take place.
- give any one potential supplier an advantage in bidding over another
- as a result of pre-procurement dialogue shape requirements in favour of any one particular potential supplier.
- engage in a way that disadvantages any one particular potential supplier or group of potential suppliers

22. Procedure for contracts for which no formal tendering exercise is required

22.1 For contracts expected to be below £30,000.00 (excluding VAT), buyers have discretion as to the method to be used for seeking a price and entering into a contract, and may obtain goods from any supplier, subject to the Services' procurement and contract procedures issued by the Treasurer, but must be able to demonstrate that all actions were reasonable, and in the best interests of the Authority, and were not improperly influenced, and that best value has been obtained, as judged on price, quality, and compliance with legislation.

23. Procedure for contracts which do require a formal tendering exercise

23.1 If the estimated or actual annual or total value of a contract exceeds £50,000.00 (excluding VAT) buyers must, before entering into a contract seek the advice of the Procurement Manager or designated officer.

23.2 The remainder of this section describes the formal procedure for entering into a contract and is compulsory for contracts expected to exceed £50,000.00. The Threshold refers to the value of a contract for that contract's total duration.

23.3 Where applicable, a contract notice shall be published on the Central Digital Platform via the Authority's e-Tendering Portal. The notice shall describe the object of the contract, state the latest date and time for the receipt of tenders, the award criteria and invite other submissions expressing interest in tendering where a pre-qualification process is proposed or applications for tender forms where an open tender process is proposed. It shall comply with any relevant UK Regulations. Following publication, further public notice can be given in appropriate media, including local and other newspapers or journals, which, in the opinion of the Chief Fire Officer, are most suitable for publicising the invitation to tender and also on the Authority's website.

23.4 Unless a corporate contract/framework is in place, tenders shall be invited. If a procurement process has been undertaken for an approved list, this list can be used to call off.

23.5 Where the value of a contract is estimated to exceed a relevant UK Procurement Threshold, then tendering procedures shall be in accordance with the Regulations or statutory provision. These Thresholds are externally determined every two years and are included in the procurement and contract procedures issued by the Treasurer.

23.6 All public contract notices and tender invitation notices will be processed through the Authority's e-tendering system or alternative approved e- tendering system.

23.7 The Chief Fire Officer shall ensure that the requirements of the National Procurement Policy Statement are complied with by giving consideration to economic, social and environmental well-being, as well as value for money, in relation to the procurement of services.

23.8 Where appropriate, the Authority's approved e-tendering system must be used for conducting the formal tender process for all procurements valued above £50,000, unless approval to do otherwise has been given by the Chief Fire Officer.

24. List of contractors

24.1 Where appropriate, and in line with legislative requirements, the Authority may procure and maintain lists of contractors who have the necessary skills, expertise and financial credibility required to provide goods, services, consultancy and works. These lists will be operated in accordance with the UK Regulations, seeking expressions from interested companies to be included on the lists. The lists are to be used to invite tenders or quotations, as appropriate,

in relation to opportunities for individual requirements for goods, services, consultancy or works.

24.2 The list shall be maintained by or under arrangements approved by the Clerk.

24.3 Where the Chief Fire Officer, Treasurer or Clerk (as appropriate) remove a name from the list, then the reasons for removal shall be recorded.

24.4 The list shall indicate in respect of a person or body whose name is included on it, the categories of contract, and the values or amounts in respect of those categories for which approval has been given.

24.5 The list shall be reviewed on an annual basis up until the expiry of the contract.

24.6 Contractors shall be entitled to apply to be included on the list at any time, whether or not an advertisement has recently been issued, and shall have their application dealt with promptly.

25. Submissions and opening of tenders

25.1 The Treasurer or an officer designated by the Treasurer is responsible for the receipt and opening of tenders, except where under agreement with the Treasurer, this is carried out on the Services behalf through a third party approved IT based electronic system/process.

25.2 Tenders submitted in accordance with this Rule shall remain in the custody of the Clerk until the time appointed for their opening.

25.3 Tender opening sessions should be arranged to suit the buyer's requirements, provided that sufficient notice is given, and must be conducted according to any procedure required and approved by the Clerk. Tenders shall be opened at one and the same time, in the presence of an officer designated by the Clerk and an officer designated by the Chief Fire Officer for the purpose. A record shall be maintained showing the number of tenders received and all tenders shall be kept for two years.

25.4 Late or otherwise invalid tenders must be opened to enable the contractor to be advised of the reason for disqualification. Any such tender shall not be considered unless it is the only tender which has been received at the time when it is opened, except where permitted by any procedures issued by the Clerk or by the Treasurer. In the case of contracts for the sale of land, those administering a tendering exercise must also have regard to the over-riding requirement of Section 123 of The Local Government Act 1972 to obtain the best price reasonably available which will require the investigation of a late tender, if it appears likely to provide the best consideration, and if no contract has yet been entered into.

26. Acceptance of tenders

26.1 A contract may be awarded by the Chief Fire Officer to the contractor whose tender is judged to provide the best value to the Authority.

26.2 The Chief Fire Officer may award a contract on the following basis:

(a) The Chief Fire Officer may award a contract on the following basis:The best tender judged to provide the best value to the Authority on the basis of the application of an appropriate Tender Evaluation Model which has been approved in advance by the Chief Fire Officer before any tender is opened.

(b) The lowest tender if payment is to be made or the highest if payment is to be received, which meets the tender specification and/or performance targets and can demonstrate best value.

26.3 Advice should be sought from an officer designated by the Treasurer on the development and application of tender evaluation models or assessment summaries, which can assess tenders on the basis of price and quality.

27. Post-tender negotiation

27.1 Post-tender discussions

For the purposes of tender evaluation, contractors will be issued a clarification message on the portal. There are no discussions at this stage.

Post-tender negotiations

Post-tender negotiations are only possible where the competitive flexible procedure has been utilised and shall only be permitted with the express written approval of the Chief Fire Officer in respect of which the following procedures are applicable:

28. Alternative procurement provisions

28.1 On application from the Chief Fire Officer, the Clerk and the Treasurer may approve in writing from time to time alternative methods of tendering and procurement within the scope and purpose of these rules.

28.2 As an alternative to the provisions of sections 16 and 17, buyers may procure supplies and services through a framework agreement or through collaboration arrangements with others provided that the buyer can demonstrate that procurement through such an agreement or arrangement is the most advantageous way of procuring the supplies or services, or that there are special factors which justify such an agreement or arrangement.

28.3 Buyers procuring supplies or services under the provisions of this Regulation must

be satisfied that full, open and fair competition in respect of the creation of framework agreements or through collaboration arrangements.

29. Contract performance

29.1 Irrespective of value, contracts for building, engineering or other works shall always seek to safeguard due performance and in appropriate cases provide for liquidated damages to be paid by the contractor in the event of the contract not being duly performed.

29.2 During the life of a relevant contract, the officer or other person appointed for the purpose of contract monitoring and evaluation must monitor its operation in respect of:

- Performance
- Compliance with specification and contract
- Cost
- Any best value requirements
- User satisfaction and risk management
- Conflicts of Interest Declaration, which is to be updated and assessed on a yearly basis
- Contract Termination Notice, which is to be published on the expiry of each contract

30. Assignment or sub-letting

30.1 A clause shall, where appropriate, be inserted in every written contract for the execution of work or supplies or services, prohibiting the assigning or sub-letting of the contract without the previous written consent of the Chief Fire Officer.

30.2 Where under the terms of a contract a sub-contractor or supplier is to be nominated by the Authority to a main contractor, the Chief Fire Officer shall, wherever practical, comply with these rules as though the sub-contract were a contract with the Authority.

31. Compliance with standards

31.1 Where an appropriate International, European, UK Accreditation Service, British Standard specification, British Standard Code of Practice issued by the British Standards Institution or Public Authority Standard is current at the date of the tender, then unless there is, in the opinion of the Chief Fire Officer, good and sufficient reason to the contrary, every written contract shall require that all goods and materials used or supplied and all workmanship shall be in accordance with that standard. However, in accordance with UK Regulations, no contract shall require the indication of a particular trademark, patent, type or specific origin unless this is essential and is qualified by the words "or equivalent".

32. Fraud, bribery and Corruption and anti-competitive practice

32.1 Every contract shall provide that the Authority may cancel the contract and

recover from the contractor the amount of any loss resulting from such cancellation, if:

- the contractor shall have offered or given or agreed to give to any person any gift or consideration of any kind as an inducement or reward for doing or forbearing to do anything in relation to the contract or any other contract with the Authority, or for showing or forbearing to show favour or disfavour to any person in relation to the contract or any other contract with the Authority; or
- if the like acts shall have been done by any person employed by the contractor or any person employed by it or acting on its behalf (whether with or without the knowledge of the contractor); or
- if in relation to any contract with the Authority the contractor or any person employed by him or acting on his behalf shall have committed any offence under the Prevention of Corruption Acts 1889 to 1916, or shall have given any fee or reward the receipt of which is an offence under sub-section (2) of section 117 of the Local Government Act 1972.

32.2 Similarly, all tender and contract documents must contain the appropriate clause and a Collusive and Bona Fide Certificate requiring a signature from each contractor submitting a tender document that provides protection to the Authority and the right to terminate the contract and reclaim costs in the event of a contractor proven to have acted in an anti-competitive manner and/or have colluded with others in their tender or contract submission or proposal.

32.3 In contracting with suppliers and contractors, officers must comply with the Bribery Act 2010.

33. Amendments to contract procedure rules

33.1 Any amendments to these Contract Standing Orders are to be drawn up jointly by the Chief Fire Officer, Treasurer and Clerk and be approved by the Authority.

34. Financial thresholds

34.1 The Treasurer may amend the financial thresholds where required to reflect changes in national price indices, statutory provisions or guidance from other bodies. The latest thresholds will be available on request to the Treasurer by all Members of the Authority.

Scheme of Delegation to Officers

1. Foreword

1.1 In order to be able to operate efficiently and effectively the Fire and Rescue Service (the Service) needs a scheme of delegation which where necessary enables decisions to be made quickly and by the right person without the need for referral through tiers of managers.

1.2 As in other types of local authority, combined Dorset & Wiltshire Fire and Rescue Authority (the Authority) decision-making takes place within a sometimes complex legal framework within which staff are accountable to Members appointed to the Authority by its four constituent councils.

2. Scheme of Delegation

2.1 In place of a scheme of delegation listing very specific things that the Chief Fire Officer, Clerk, Monitoring Officer and Treasurer are permitted to, and are permitted to authorise others to do on their behalf, this new scheme of delegation takes as its starting point:

- a presumption that officers have delegated authority to exercise functions and make decisions about the service areas for which they are responsible;
- that senior managers will delegate functions and decision making to the most appropriate levels within their services so that staff are free to do their jobs without having to needlessly refer questions through tiers of management;
- a requirement that all staff will operate within the overall policies approved by the Authority and the limitations described in this scheme of delegation.

2.2 Reviewing the scheme of delegation has also provided an opportunity to be clear about the respective roles of Members and officers. Through the introduction of local performance committees this has included defining the role of local performance committee Members as the representatives of their communities and the introduction of requirements on officers to engage and consult with local performance committees before exercising any delegated authority which would have particular local impact.

3. How decisions are made

3.1 The Authority's decision-making arrangements operate in accordance with section 101 of the Local Government Act 1972 under which decisions are made:

- by the full Authority; or by a committee of the Authority; or
- by an officer exercising delegated authority.

3.2 Unlike the constituent councils the Authority does not operate executive/Cabinet style decision-making arrangements. Instead, all decisions are made by the full Authority or by a committee or an officer acting on behalf of the Authority.

3.3 Although not an executive/Cabinet type arrangement the Authority has reserved to itself the responsibility for setting overall policy direction.

3.4 The decisions which the full Authority will make under law:

1. approval of the Community Safety Plan and any significant amendments to it or the Integrated Risk Management Programme (Communities Programme);
2. approval of any significant reports and proposals issued for public consultation;
3. approval of the annual budget and agreement as to the precept to give effect to the budget;
4. approval of the Medium-Term Finance Plan;
5. maintaining a comprehensive performance management system to ensure that the Authority's objectives are being met;
6. Treasury management strategy and policies;
7. approve and adopt the Members Handbook, which includes the Scheme of Delegation

4. Delegations to officers

4.1 Authority decisions are made by elected members but in order for an authority to be able to function on a day to day basis the law enables the full Authority to delegate certain of its functions to officers to exercise on behalf of the Authority. In addition, there are some functions which the law says must be exercised by specific officers.

4.2 The Authority's statutory officers are the Chief Fire Officer who is also the Head of Paid Service, the Treasurer and Clerk and the Monitoring Officer. The Chief Fire Officer, the other brigade managers, the Treasurer, the Clerk and the Monitoring Officer are the "senior managers" for the purposes of this scheme and are accountable to the Authority for how functions are exercised and how decisions are made within the areas for which they are responsible.

4.3 The Localism Act gave local authorities a general power of competence (a power to do anything that an ordinary individual may do, unless the law contains some prohibition or limitation on acting). At the same time, the Localism Act extended the powers of fire and rescue authorities by enabling them to do anything considered appropriate for the purposes of carrying out their functions and anything considered appropriate for purposes incidental to their functions.

4.4 This scheme of delegation is modelled on the Localism Act approach in the sense that its starting point is a presumption that officers have delegated authority to exercise functions and make decisions in relation to the service areas for which they are responsible. This ability to act will give staff greater freedom and flexibility to act and is subject only to the requirements and limitations set out in this scheme.

4.5 Although the general approach in this scheme is a presumption that all officers have authority to exercise functions and make decisions in relation to the service areas for which they are responsible it is still important that this scheme should describe the roles and duties of the three statutory officers; and the powers delegated to them in order to perform their duties. In addition, there are some specific delegations to the statutory officers which need to be set out in the scheme. These delegations may only be exercised by them personally or by an officer authorised by them in writing for that purpose. These delegations are set out at the end of this scheme.

5. Conditions and limitations on the exercise of delegated authority by officers

5.1 These conditions and limitations apply not only to senior managers but also to any other officer exercising delegated authority under this scheme. Senior managers must draw attention to the requirements of these conditions and limitations and through line management ensure that they are complied with.

5.2 Any action by an officer under delegated powers shall be in accordance with the overall policies approved by the full Authority and any relevant decision made by the Authority or of a committee of the Authority. Officers will also comply with principles for good decision making, described below.

5.3 If authority to act has been reserved to the full Authority or a committee then no officer may exercise delegated authority in relation to that matter without the approval of the Authority or committee. This limitation includes the ability

to make key decisions. A key decision is one which has financial implications in excess of current provision, for the Authority of more than £250,000. Key decisions will be made by the full Authority only.

5.4 Before exercising any delegated power, officers must consider whether the decision to be made is of such a nature that it ought to be referred for a collective decision by the full Authority. Through the Chief Fire Officer clear communication must be maintained with the Chair of the Authority. To help decide if this decision may require referral to the full Authority, the Chair of the Authority may liaise with the appropriate Chair of the Local Performance and Scrutiny Committee in making this determination.

5.5 The other brigade managers have a responsibility for advising the Chief Fire Officer and elected members on strategic issues and they have an overall responsibility for the groups of services they lead and are accountable to Members for the performance of those services. Service managers and their staff when considering the exercise of delegated authority must be alert to this accountability and should consult the appropriate brigade manager if a delegated decision is likely to be as sensitive or significant (such that the Director might need to consult with the Chief Fire Officer or Members).

5.6 Delegated decisions must not involve the adoption of a new policy or major extension of an existing policy and shall exclude any instance where the magnitude or nature of a proposal is such that responsibility for the decision should be taken by the full Authority. Key decisions must be referred to Members for a collective decision.

5.7 All decisions, whether by the full Authority/a committee or by officers acting under delegated powers must be in accordance with the principles for good decision making. These are:

1. Proportionality (i.e. the action should be proportionate to the desired outcome)
2. Due consultation and taking account of professional advice
3. Respect for human rights and equalities law
4. Presumption in favour of openness
5. Clarity of aims and desired outcomes
6. The decision reflects a balance of evidence or legal or financial position
7. The requirement to be able to provide reasons for decisions.

5.8 There are circumstances where the Authority may enter into partnership arrangements with other local authorities, health bodies or other organisations for the shared delivery of services. These arrangements may involve shared budgets, delegations of roles across organisations, shared staffing and management structures. Under any such arrangements it may be necessary for a senior manager to give delegated authority to act to someone employed by a partner body and not by the Authority. In such cases particular

care must be taken to describe in writing the limits of the extent of delegated authority to act on behalf of the Authority.

5.9 Where a proposed exercise of delegated authority is such that the Chair should be consulted and the Chair is absent or otherwise unavailable then the Vice Chair should be consulted. Similarly, in the absence of the Chair of a committee or group leader a Vice Chair or Deputy should be consulted.

6. General indemnity

6.1 All Members and officers involved in decision making on behalf of the Authority are protected by a general indemnity which protects each of them from personal liability for the consequences of action taken in good faith on behalf of the Authority.

7. Specific delegations

7.1 The starting point for the delegated authority to staff to act is the general authorisation in section 3 above, given to all officers to act within their roles. There are instances where the Chief Fire Officer, Treasurer, the Clerk and the Monitoring Officer retain very specific powers to act, and these are listed below:

7.2 Chief Fire Officer Role

The Chief Fire Officer is the Head of Paid Service responsible for operational leadership of the Service and is also the Authority's professional adviser on all matters which are not the responsibility of either the Treasurer, the Clerk or the Monitoring Officer. In summary the Chief Fire Officer's duties are to:

- advise the Authority on the discharge of its statutory responsibilities, its powers and duties
- provide professional leadership of the service and be responsible for
- operational service delivery
- ensure a cohesive policy in planning for all emergencies within the responsibility of the Authority and to take command of incidents as necessary
- develop and deliver key strategies for discharging the Authority's statutory responsibilities
- recommend the resources necessary for the efficient and effective
- operation of the Fire and Rescue Service
- monitor the overall expenditure of the Fire and Rescue Service budget to meet approved objectives and standards of service
- develop and recommend to the Authority's key organisational reports and
- plans including the Community Safety Plan and Integrated Risk Management Plan

- maintain effective working relationships and liaise with local and national partners on fire and rescue service related issues including but not limited to the other emergency services
- provide the Authority with professional advice on all matters relating to the future of the Service
- to liaise with the Treasurer, the Clerk and the Monitoring Officer on matters
- relating to the operation of the Authority.

Powers Delegated to the Chief Fire Officer

To exercise all powers necessary to fulfil the role and duties of Chief Fire Officer including but not limited to the following powers:

a) Operational

The power to take all operational decisions in relation to the Service.

b) Asset Management

To authorise, in cases of urgency, the acquisition or disposal of land or any other transactions which are considered to be in the best interests of the Authority, after consultation with the Chair and the Vice-Chair and after having taken advice from the Treasurer and the Monitoring Officer.

To make applications for planning permission.

c) Partnership arrangements

To enter, manage and invest in partnership arrangements with such other bodies (both public and private) where they directly contribute to the aims, objectives and statutory functions of the Authority

d) Fire Safety

To exercise all the powers of the Authority under fire safety legislation including as an enforcement authority, statutory consultee or adviser to other agencies.

e) Personnel

To deal with all matters relating to the paid employment of persons by the Authority other than the Deputy Chief Fire Officer role.

To approve in the re-appointments of Group Managers and below (and their corporate staff equivalents). This should be only exercised 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.

f) Health and Safety

To discharge the responsibilities and duties of the Authority under health and safety legislation.

g) General

After consultation with the Chair, Vice-Chair and group leaders, to respond to consultation documents on behalf of the Authority.

After consultation with the Chair and in exceptional circumstances only to authorise surveillance for all purposes under the Regulation of Investigatory Powers Act 2000, including where there is a likelihood of acquiring confidential information (note the authorisation of surveillance where there is a likelihood of acquiring confidential information is personal to the Chief Fire Officer and the Monitoring Officer and may not be delegated by them to others to act on their behalf).

In consultation with the Chair and the Clerk, the Chief Fire Officer may sign up to external charters provided it is within the general scope of delegations associated with this role. Where this is not within scope of the delegations of the Chief Fire Officer, the Chair in consultation with the Clerk may decide the appropriateness of tabling this as a matter for consideration by the Authority.

7.3 Treasurer Role

The Treasurer is the Authority's professional adviser on financial matters. In summary the Treasurer's duties are to:

- provide financial advice on all aspects of the Authority's activity, including
- strategic planning and policy making
- advise on financial propriety
- ensure that accurate, timely and complete financial management information is provided to the Authority and the Chief Fire Officer
- secure the preparation of statutory and other accounts
- secure the provision of an effective audit service and provide assurance of safe and efficient financial arrangements
- secure treasury management, including loans and investments
- advise in consultation with the Monitoring Officer on the safeguarding of assets, including risk management and insurance
- arrange for the determination, issue and transfer of the precept; and
- advise on budgetary matters including any consequent long term implications
- to liaise with the Chief Fire Officer, the Clerk and the Monitoring Officer on matters relating to the operation of the Authority.

Powers Delegated to the Treasurer

To exercise all powers necessary to fulfil the role and duties of Treasurer including but not limited to the following powers:

a) As "Proper Officer" in relation to the following provision of the Local Government Act 1972:

- In Section 115(2) as the officer who shall receive all money due from every officer employed by the Authority
- In Section 146(1) as the officer in relation to transfers of securities on alteration of area, etc
- In Section 151 as the officer responsible for the proper administration of the Authority's financial affairs.

b) "Chief Financial Officer" for the purposes of Section 6 of the Local Government and Housing Act 1989.

c) To incur overdraft on the Authority's bank accounts, the net pooled balance not to exceed £50,000 overdrawn at any one time.

d) In relation to the Local Government Pension Scheme be responsible for:

- admission to scheme
- application of interchange rules
- surrender of allowances
- reintroduction of child's pension.

7.4 **Monitoring Officer Role**

The Monitoring Officer is the Authority's professional adviser on legal matters. In summary the Monitoring Officer's duties are to:

- ensure that the Authority acts within and through the law, acting as the designated Monitoring Officer under the Local Government and Housing Act 1989
- oversee the Authority's decision-making processes,
- provide independent, timely and reliable advice and information on those matters which are not the responsibility of the Chief Fire Officer or the Treasurer
- advise the Authority on its duties, powers and procedures
- advise the Authority and the Chief Fire Officer on issues of governance and public service policy

Powers Delegated to the Monitoring Officer

To exercise all powers necessary to fulfil the role and duties of the Monitoring Officer including but not limited to the following powers:

a) To be “Proper Officer” in relation to the provisions of the Local Government and Housing Act 1989 regarding political groups and the allocation of seats to political groups.

b) To be "Proper Officer" for the purposes of the Local Government (Access to Information) Act 1985.

c) To be Monitoring Officer under the Local Government and Housing Act 1989, the Local Government Act 2003 and the Localism Act 2011.

d) As its solicitor to institute, defend or settle legal proceedings on behalf of the Authority, to appear on behalf of the Authority in proceedings and at any tribunal, to engage counsel and to take all necessary action in connection with such proceedings.

e) After consultation with the Chair and in exceptional circumstances only to authorise surveillance for all purposes under the Regulation of Investigatory Powers Act 2000, including where there is a likelihood of acquiring confidential information (note the authorisation of surveillance where there is a likelihood of acquiring confidential information is personal to the Chief Fire Officer and the Monitoring Officer and may not be delegated by them to others to act on their behalf).

f) As the “qualified person” to determine whether information should be regarded as exempt from publication under Section 36 of the Freedom of Information Act 2000.

7.5 **Clerk Role**

The Clerk is the Authority’s professional adviser on procedural and conduct matters. In summary the Clerks duties are to:

- oversee the Authority’s decision-making processes, support the Chair at Authority and Committee meetings and ensure that decisions are recorded and implemented
- be responsible for the safekeeping of the Authority’s Common Seal
- advise the Authority on its duties, powers and procedures
- advise the Authority and the Chief Fire Officer on issues of governance and public service policy
- advise the Independent Remuneration Panel and implement the agreed scheme of members’ allowances
- keep the register of members’ disclosable pecuniary interests and to
- respond to members’ requests for advice about their interests
- liaise with the constituent councils about appointments to the Authority

- liaise with the Chief Fire Officer and the Treasurer on matters relating to the operation of the Authority.

Powers Delegated to the Clerk

To exercise all powers necessary to fulfil the role and duties of the Clerk including but not limited to the following powers:

a) To be "Proper Officer" in relation to all provisions in the Local Government Act 1972 concerning:

- receipt of any Members declaration of acceptance of office or written notice of resignation
- the summoning of meetings
- receipt of notice and recording of any councillor's interest in contracts with or tenancies of premises owned by the Authority (Section 96(1))
- in Section 225 - the officer with whom documents shall be deposited and in Sections 229 and 234 - the officer who shall certify and authenticate documents on behalf of the Authority.

b) To be "Proper Officer" in relation to the provisions of the Local Government and Housing Act 1989 regarding political groups and the allocation of seats to political groups.

c) To be "Proper Officer" for the purposes of the Local Government (Access to Information) Act 1985.

d) To be Clerk under the Local Government and Housing Act 1989, the Local Government Act 2003 and the Localism Act 2011.

e) To keep the Authority's common seal and sealing or sign any order, deed or other document necessary to give effect to a decision of the Authority or a committee, subcommittee or officer acting under delegated powers.

f) That the Clerk be given delegated authority to be able to make in year changes to Committee memberships in consultation with political group leaders.

g) To determine, after consultation with the Independent Renumeration Panel, how any inflationary increase to Members' Allowances should be implemented in the event of a consolidated cash payment to Green Book conditioned staff.

Appendix A - Process for dealing with complaints related to Members' conduct

1. Receipt of Complaint

1.1. The Clerk will normally acknowledge receipt of the complaint within 5 working days of receiving it and refer it to the Monitoring Officer. The Monitoring Officer will write to the Member concerned (Subject Member) with details of the allegations (subject to any representations from the Complainant on withholding their identity which are accepted as valid by the Monitoring Officer).

1.2. The Subject Member may, within 10 working days of receipt, make written representations to the Monitoring Officer which must be taken into account when deciding how the complaint will be dealt with. Representations received after this time may be taken into account, at the discretion of the Monitoring Officer, but will in any event not be considered after the Monitoring Officer has issued the Complaint Initial Assessment.

2. Complaint Assessment

2.1. The Monitoring Officer will review the complaint and, after consultation with the Independent Person, take a decision (Complaint Initial Assessment) as to whether it merits further consideration or another course of action. This decision will normally be taken within 20 working days of receipt of a complaint.

2.2. A complaint will be rejected if:

a) It is not against one or more named Members of the Authority;
b) The Subject Member was not in office at the time of the alleged conduct/or a Code of Conduct was not in force at the time;
c) The complaint, if proven, would not be a breach of the Code of Conduct under which the Subject Member was operating at the time of the alleged misconduct.

2.3 If appropriate, the Monitoring Officer will then go on to apply the following criteria in deciding whether a complaint should be investigated, dealt with informally, or rejected:

a) Whether a substantially similar allegation has previously been made by the Complainant or the complaint has been subject of an investigation by another Regulatory Authority.
b) Whether the complaint is about something that happened over 6 months ago as those involved are unlikely to remember it clearly enough to provide credible evidence, or where the lapse of time means there would be little benefit or point in taking action now.
c) Whether the allegation is anonymous.
d) Whether the allegation discloses a potential breach of the Code of Conduct, but the complaint is not serious enough to merit any action
e) The resources needed to investigate and determine the complaint are wholly disproportionate to the allegations; or ii. whether, in all the circumstances, there is no overriding public benefit in carrying out an investigation.
f) Whether the complaint appears to be malicious, vexatious, politically motivated or 'tit-for-tat'.
g) Whether the complaint suggests that there is a wider problem throughout the Authority.
h) Whether it is apparent that the Subject Member has apologised for making an error and the matter would not warrant a more serious sanction.
i) Whether training or conciliation would be the appropriate response.

3. Identity of the Complainant

3.1. If the Complainant has asked for their identity to be withheld, this request will be considered by the Monitoring Officer at the Complaint Initial Assessment stage.

3.2. As a matter of fairness and natural justice, the Subject Member should usually be told who has complained about them and receive details of the complaint. However, in exceptional circumstances, the Monitoring Officer may withhold the Complainant's identity if on request from the Complainant, or otherwise, they are satisfied that the Complainant has reasonable grounds for believing that they or any witness relevant to the complaint may be at risk of physical harm, or their employment may be jeopardised if their identity is disclosed, or where there are medical risks (supported by medical evidence) associated with the Complainant's identity being disclosed.

3.3. If the Monitoring Officer decides to refuse a request by a Complainant to withhold their identity, the Complainant will be offered the option to withdraw the complaint, rather than proceed with their identity being disclosed.

4. Additional Information

4.1. The Monitoring Officer may require additional information to come to a decision and may request information from the Subject Member or otherwise.

4.2. In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for an investigation. Such Informal Resolution may involve the Subject Member accepting that their conduct was unacceptable and offering an apology, or taking other steps. Where the Subject Member or the Authority (in appropriate cases) make a reasonable offer of informal resolution, but it is rejected by the Complainant, the Monitoring Officer will take account of this in deciding whether the complaint merits further consideration.

5. Further Consideration

5.1. In the event that it is concluded that the complaint merits further consideration, the matter will be dealt with in one of three ways:

a. Informal Resolution
b. Summary Hearing
c. Formal Investigation

5.2. The decision as to how to proceed will be made by the Monitoring Officer following consultation with the Independent Person and will be final.

6. Informal Resolution

6.1. If the Monitoring Officer considers that the matter can reasonably be resolved without the need for a hearing, the Independent Person and the Complainant will be consulted to seek to agree a fair resolution. Such resolution may include the Member accepting that their conduct was unacceptable and offering an apology, and/or other remedial action. If the Member accepts the suggested resolution, the Monitoring Officer will take no further action. The target timescale for this will be 10 working days of the Complaint Initial Assessment.

6.2. If the Complainant or the Subject Member refuses Informal Resolution in principle or to engage with the agreed outcome, the Monitoring Officer will refer the matter for a Summary Hearing or a Formal Investigation without further reference to the Complainant or the Subject Member. The target timescale for this will be 15 working days from the refusal to cooperate.

6.3. Engagement in the Informal Resolution process will usually prevent the complaint from progressing to a Summary Hearing or an investigation.

7. Summary Hearing

7.1. Where, in the opinion of the Monitoring Officer, Informal Resolution is not appropriate or the Complainant and/or Subject Member refuse to co-operate, the Monitoring Officer will report on the complaint to a panel made up from the Appointments and Disputes Committee which may then conduct a Summary Hearing by the Panel before deciding whether the Member has failed to comply with the Code of Conduct and, if so, whether to take any action in respect of the Member. Alternatively, if the Panel decides that the complaint is not suitable for a Summary Hearing it may direct that a Formal Investigation takes place.

7.2. Under this procedure, the complaint and the comments made by the Subject Member will be collated into a report for the hearing. The Complainant and the Subject Member will be informed of the hearing date and the complaint, together with supporting evidence/witnesses and the Subject Member's comments and supporting evidence/ witnesses will be presented to the hearing. The only witnesses permitted are people referred to in the evidence, and not, for example, character witnesses.

7.3. The Independent Person will be invited to attend the hearing.

7.4. The Panel will make a decision based on the evidence presented by the two parties about whether there has been a breach of the Code, and if so, what sanctions they may impose; and the views of the Independent Person.

7.5. This hearing should take place within 20 working days of the Complaint Initial Assessment.

8. Formal Investigation

8.1. Where the Monitoring Officer (following consultation with the Independent Person) considers that a complaint merits formal investigation, an Investigating Officer will be appointed. The Investigating Officer may be an Officer of the Authority or an external investigator.

8.2. The role of the Investigating Officer is to determine whether or not the Subject Member has a case to answer i.e. whether there is sufficient evidence to indicate that a potential breach of the Code may have occurred.

8.3. The Investigating Officer will follow guidance issued by the Monitoring Officer on the investigation of complaints. The guidance will follow the principles of proportionality and the cost-effective use of resources and shall be interpreted in line with these principles.

8.4. At the end of their investigation, the Investigating Officer will send a copy of their draft report to the Complainant and the Subject Member for any comments and will take these

into account before issuing their final report to the Monitoring Officer.

8.5. The target time for completion of the investigation is 12 weeks from the date of appointment.

9. Investigating Officer Finding of No Case to Answer

9.1. The Monitoring Officer (following consultation with the Independent Person) will review the Investigating Officer's report and, if they are satisfied that the Investigating Officer's report is satisfactory, will within 10 working days make a Confirmation Decision to confirm the finding of no failure to comply with the Code of Conduct.

9.2. The Monitoring Officer will write to the Complainant and the Subject Member with a copy of the Confirmation Decision and the Investigating Officer's final report. The target timescale will be 10 working days from receipt of the report.

9.3. If the Monitoring Officer is not satisfied that the investigation has been conducted satisfactorily, the Investigating Officer may be asked to reconsider their report and conclusion. This should be done within 5 working days of receipt of the report.

10. Investigating Officer finding of A Case to Answer

10.1 The Monitoring Officer will review the Investigating Officer's report and will then either send the matter for Hearing before the Panel or, after consulting the Independent Person, seek Informal Resolution. The target timescale is 10 working days from receipt of the report. Any Hearing shall take place as soon as reasonably practical.

11. Panel Hearing Procedure

11.1. The Hearing will be conducted fairly and in accordance with the rules of natural justice.

11.2. Prior to the Hearing the Monitoring Officer will give directions as to the presentation of evidence by the Independent Investigator and the Subject Member and the calling of any witnesses.

11.3. The Investigating Officer, the Subject Member and Independent Person shall be invited to attend the hearing.

11.4. At the hearing the procedure will be as follows (subject to any directions given under 11.2 above):

a) The Independent Investigator will present their report to the Panel and call any witnesses in support.
b) The Subject Member may ask the witnesses any questions.
c) The Panel may ask the witnesses any questions.
d) The Independent Investigator may clarify any issues with witnesses arising from the questions asked.
e) The Subject Member will respond to the report and call any witnesses in support
f) The Independent Investigator may ask the witnesses any questions.
g) The Panel may ask the witnesses any questions.
h) The Subject Member may clarify any issues with witnesses arising from the questions asked.

i) The Independent Person may provide their views to the Panel.
j) The Investigating Officer may make closing arguments.
k) The Subject Member may make closing arguments.
l) The Panel will retire with the Monitoring Officer (or their Deputy) to consider the case making findings of fact and come to a decision on whether the Code of Conduct has been breached.
m) The Panel will announce their decision and give an indication of the sanction(s) it believes appropriate in the circumstances.
n) If a breach of the code is found the Panel shall invite representations on the proposed sanction(s) to be imposed as set out in 12 below.
o) The Panel will consider those representations and announce its final decision on sanction(s).

12. Action the Panel may take where a Member has failed to comply with the Code of Conduct

12.1 Where the Panel finds that a Member has failed to comply with the Code of Conduct, the Authority has delegated to the Panel such of its powers to take action in respect of individual Members as may be necessary to promote and maintain high standards of conduct. Accordingly, the Panel may decide to do one or more of the following:

a) Publish its findings in respect of the Subject Member's conduct.
b) Report its findings to the Authority for information.
c) Recommend to the Authority that the Subject Member be censured.
d) Recommend to the Authority that the appointing Unitary Authority replaces the Subject Member on the Authority.
e) Recommend to the Subject Member's Group Leader (or in the case of un-grouped Members, recommend to the Authority) that they be removed from any or all Committees or Sub-Committees of the Authority.
f) Instruct the Monitoring Officer to arrange training for the Member.
g) Withdraw facilities provided to the Subject Member by the Authority.
h) Exclude the Subject Member from the Authority's premises, with the exception of meeting rooms as necessary for attending Authority, Committee and other approved meetings.
i) Require an apology in suitable terms to the Complainant/the Authority.

13. Confidentiality

13.1 All complaints received shall be dealt with on a confidential basis and all reports prepared for the Panel shall be regarded as containing Exempt Information under the Local Government Act 1972.

13.2 At the end of the process following a Summary Hearing or a Hearing following a formal investigation the Panel shall determine what (if any) information received shall be published and in what format subject to any views expressed by the Complainant and the Subject Member and the requirements of the General Data Protection Regulation and the Data Protection Act 2018.

14. Revision of these arrangements

14.1 The Panel may by resolution agree to amend these arrangements where they consider that it is expedient to do so in order to secure the effective and fair consideration of any matter

(following consultation with the Monitoring officer and the Independent Person).

15. Appeals

15.1 There is no right of appeal against a decision of the Monitoring Officer or of the Panel although redress to judicial review is available