

**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**28 November 2011**

**1. DELEGATIONS TO CHIEF OFFICERS**

Joint report of the Clerk and Monitoring Officer, Chief Fire Officer and Treasurer.

**RECOMMENDED**

- 1.1 THAT the Authority approves the list of delegations to Chief Officers as set out in the attached Appendix together with the schedule of matters reserved to the Authority;
- 1.2 THAT consequential amendments to the Executive Committee's terms of reference in respect of the approval of partnership funding be approved.

**2. PURPOSE**

To bring to the attention of the Authority proposals for a revised schedule of delegations to Chief Officers.

**3. BACKGROUND**

- 3.1 Under the provisions of the Local Government Act 1972, the Authority is required to maintain a list of powers delegated to its Chief Officers and to make it available for public inspection.
- 3.2 Since the Authority was formed in 1986, a range of administrative and functional matters have been delegated to the Chief Fire Officer, Clerk and Treasurer to ensure that the Authority's powers and duties are properly and efficiently discharged. The list of delegated powers is maintained by the Clerk and forms an integral part of the Authority's overall governance arrangements.
- 3.3 This list of delegations supplements any functions or duties that may be undertaken by the Chief Fire Officer, Clerk and Treasurer:-
  - (a) in pursuance of their statutory obligations;

- (b) as otherwise authorised by resolution of the Authority, one of its Committees, or in accordance with any standing orders, policies or procedures that may be adopted by the Authority from time to time.
- 3.4 The Authority at its meeting in June 2011 approved a scheme of delegation to Chief Officers in a format that has been in operation for some time.
- 3.5 A review of the Authority's governance is currently being carried out with a view to introducing a formal constitution for the Authority. As part of this exercise, the list of delegations to officers has been reviewed to ensure that it is fit for purpose and consistent with standing orders and financial regulations. The review has indicated that there is an opportunity to improve the format of the document to reduce duplication and to clarify the arrangements for delegated powers, and in particular to provide more clarity about which powers are reserved to the Authority.
- 3.6 The draft schedule of matters reserved to the Authority is attached as Appendix 1 to this report. The draft revised scheme of delegation is attached as Appendix 2.
- 3.7 There are no substantive changes to the scheme of delegations except to recommend that the delegation to the Chief Fire Officer to approve the acceptance of partnership and external funding be increased from £20,000 to £100,000. Partnership funding is now an accepted way of working in the public sector and such schemes add value to the service. Speed is often of the essence in responding to such offers, particularly from the private sector. An increase in the delegation to the Chief Fire Officer on this point would provide more flexibility and responsiveness. A delegation up to £100,000 would be consistent with the financial limits set down in the procurement standing orders and financial regulations. Any increase in the level of delegation on this point would require the amendment of the terms of reference of the Executive Committee which currently reads:

'To approve arrangements for partnership working, funding and/or goods, works or services provided freely from external sources, including external funding agreements, above £20,000 in value.'

#### 4. **EQUALITY IMPACT ASSESSMENT**

- 4.1 In preparing this report, an initial Equality Impact Assessment is not required and has not been carried out.

5. **LEGAL IMPLICATIONS**

- 5.1 Under the provisions of the Local Government Act 1972, the Authority is required to maintain a list of powers delegated to its Chief Officers and to make it available for public inspection.

6. **FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from this report.

N SHARMA  
CLERK AND  
MONITORING  
OFFICER

V RANDENIYA  
CHIEF FIRE OFFICER

S KELLAS  
TREASURER