

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

27 JUNE 2011

1. GOVERNANCE OF THE AUTHORITY 2011/2012

Report of the Clerk and Monitoring Officer.

RECOMMENDED

- 1.1 THAT the constitution and terms of reference of committees, panels and working groups, as set out in Appendix 1, be approved;
- 1.2 THAT the member portfolios for 2011/2012, as set out in Appendix 2, be approved;
- 1.2 THAT the calendar of meetings for 2011/2012, as set out in Appendix 3, be approved;
- 1.3 THAT the Members' Allowances Scheme for 2011/12, as set out in Appendix 4, be approved.

2. PURPOSE OF REPORT

This report is submitted for the Authority to consider:

- the constitution and terms of reference of committees and panels for 2011/2012;
- the Member portfolios;
- a programme of meetings for 2011/20112;
- confirmation of the Members' Allowances Scheme.

3. BACKGROUND

- 3.1 The Authority's Committee structure and political governance arrangements ensure adherence to the following principles:-
 - to be best placed to respond to a range of internal and external issues, to deliver on its commitment to value for money and other key objectives in the Authority's strategic planning document, known as 'The Plan'; and

- decision making processes that are open, transparent, accountable and inclusive in line with Government expectations on strengthening local democracy.

Member Portfolios

- 3.2 The adoption of 'portfolios' is consistent with the approach taken in local authorities generally under the modernisation of decision making structures, as required by the Local Government Act 2000. The Authority first introduced Lead Members in 2004/2005.
- 3.3 Not all of the provisions of the Local Government Act 2000 apply to this Authority. Individual Members do not have delegated powers to act on behalf of the Authority. However, the adoption of Member portfolios helps to define the role of key positions and assists in any future reviews of remuneration. Lead Members have a key role to 'champion' issues at the Policy Planning Forum, Committee and Authority meetings.
- 3.4 Portfolios for the Chair and Vice-Chair of the Authority and Lead Members are set out in Appendix 2. All references to the Comprehensive Performance/Area Assessment regime within the portfolios have been removed as this has now been abolished.
- 3.10 Lead Members and the Chair of the Joint Consultative Panel attend the Executive Committee. This ensures that key issues are properly represented in the mainstream decision making processes and governance arrangements of the Authority.

Principal Officers' Staffing Committee

- 3.11 The Committee is comprised of sufficient members to allow each constituent Authority to be represented. The arrangements for the Committee are working satisfactorily and it is not proposed to make any changes.

Appeals Committee

- 3.12 The Appeals Committee operates as a quasi-judicial body in determining appeals relating to dispute resolution, pensions and superannuation matters. No changes are recommended to the existing terms of reference.

Audit and Performance Management Committee

- 3.13 The Authority established an Audit Committee (as was) in September 2007 comprising five Members, selected in accordance with current proportionality requirements. The Committee also includes one independent member. The Committee's terms of reference were based on guidance from the Chartered Institute of Public Finance and Accountancy (CIPFA). Its remit was expanded in 2010/11 to take on board performance management functions.
- 3.14 Following an internal audit on treasury management, a recommendation was made that the terms of reference of the Audit and Performance Management Committee be amended to include the scrutiny and review of treasury management arrangements. Amended terms of reference are therefore set out in Appendix 2.
- 3.15 The Committee meets at least quarterly, in accordance with CIPFA guidelines.
- 3.16 The Lead Member for Performance Management is invited to attend meetings of the Audit and Performance Management Committee.
- 3.17 There is currently a Government consultation underway on the future of local public audit [see separate item on the agenda]. The Audit and Performance Management Committee will be kept abreast of developments on the issue and reports will be submitted to the Authority as required.

Executive Committee

- 3.18 The Executive Committee arrangements are working effectively and have provided for speedy decision making on key issues.
- 3.19 Following an announcement by the Minister for Fire Minister Bob Neill, the West Midlands Regional Management Board undertook a review of its purpose and future in August 2010. Subsequently, in September 2010 the Authority considered a report on the outcome of the review and resolved to support the dissolution of the Board. The Executive Committee's terms of reference have therefore been amended to reflect this.

- 3.22 Lead members report regularly to Executive Committee on matters within their portfolio and their activities in pursuance of corporate aims and objectives.
- 3.23 All Members of the Authority are entitled to attend the Executive Committee and receive the full agenda for the meeting. All Members are involved in the discussion of key issues to be considered by the Executive Committee via the Policy Planning Forum.

Policy Planning Forum

- 3.24 The Policy Planning Forum has been a successful feature of the Authority's governance arrangements over the past few years. It is recognised as a particularly effective way of engaging Members and Officers in key discussions on major issues faced by the Authority. The Forum operates in a less formal setting than full Authority meetings. The Forum is not a decision making body.
- 3.25 All Members of the Authority are involved in the Policy Planning Forum and it is recommended that the existing arrangements should continue. Specific reference has been included in its terms of reference to its function as a training mechanism for members.

Joint Consultative Panel

- 3.26 The Authority at its meeting on 20th September 2010, approved an amendment to the constitution of the Joint Consultative Panel to clarify that the employer's side makes recommendations to the Service or Authority, as appropriate. This has been included in the terms of reference set out in Appendix 2. It is not proposed to make any further changes.

Standards Committee

- 3.27 Under the provisions of the Local Government Act, 2000, the Authority has established a Standards Committee. It is not proposed to make any changes to the Committee's terms of reference, which are set out in Appendix 2.
- 3.28 The Coalition Government has however stated that it will abolish the Standards Board regime. It is not yet known to what extent this will impact on local standards committees. The Standards Committee will be kept abreast of developments on the issue and reports will be submitted to the Authority as required.

Member Development Working Group

- 3.28 The Member Development Working Group was set up by the Authority in September 2009 to lead on the preparation for the primary level of the West Midlands Member Development Charter. The Authority previously received support and advice from Improvement and Efficiency West Midlands (IEWM) in its pursuance of the Primary Charter at no cost. However, following the expiry of IEWM funding it was proposed to pass the costs of maintenance of the Charter and associated member development work onto individual authorities. The Authority was of the view that the Charter was not necessary to support the Authority's member development work and on the basis of that, and the current financial position, resolved at its meeting on 14th February 2011 not to pursue the Charter. The portfolio for the Lead Member for Member Development, as set out in Appendix 1, has been amended to reflect this. The terms of reference of the Group have also been amended to reflect this and are set out in Appendix 2.

Programme of Meetings

- 3.29 A proposed programme of meetings for 2011/2012 is attached as Appendix 3.

Standing Orders of the Authority

- 3.30 It is not proposed to make any changes to the Authority's Standing Orders at this time.

Members' Allowances Scheme

- 3.34 In accordance with Regulation 10 of the Local Authorities (Members' Allowances) (England) Regulations 2003, the Authority is required to make and approve a scheme of the payments of members' allowances. The Members' Allowances Scheme is attached as Appendix 4 to this report for confirmation.
- 3.35 The Scheme provides for an increase in members' allowances with effect from 1st April each year, in line with agreed pay awards to NJC Local Government Services. There will be no pay award to NJC and Local Government Services in 2011/12 and it will not therefore be possible to increase Members' allowances in 2011/12.

4. **EQUALITY IMPACT ASSESSMENT**

- 4.2 In preparing this report, an initial Equality Impact Assessment is not required and has not been carried out as there will continue to be a Lead Member responsible for the employment related aspects of equality and diversity.

5. **LEGAL IMPLICATIONS**

- 5.1 This report invites the Authority to determine its decision making and governance arrangements for the coming year taking into account the requirements of the Local Government Act, 1972, and the Local Government and Housing Act 1989 with regard to proportionality.

6. **FINANCIAL IMPLICATIONS**

Provision is made in the Authority's budget to meet costs associated with the operation of the Authority's decision making structures and the payment of Members' Allowances.

BACKGROUND PAPERS

None

NEERAJ SHARMA
CLERK AND MONITORING OFFICER

Committees, Panels and Working Groups
Terms of Reference 2011/2012

Executive Committee

To deal with all matters of an urgent nature which in the opinion of the Clerk/Monitoring Officer cannot reasonably be delayed until the next ordinary meeting of the Authority or appropriate committee.

To approve the Service's strategic planning document 'The Plan' on behalf of the Authority.

To approve any matters arising from the outcomes of the Integrated Risk Management process.

To deal with matters that can be dealt with locally as part of the modernisation agenda.

To approve the procurement process in respect of tenders where the estimated value exceeds £100,000.

To approve the award of contracts valued in excess of £100,000 where it is proposed to accept a tender other than the most economically advantageous (highest score) or lowest price; or the value of the contract exceeds the identified funding provisions; or where the Committee/Authority has indicated at pre-tender stage that it reserves the right to approve the award of a particular contract.

To receive reports on the financial and other benefits arising from contracts let by way of negotiation where the estimated value of the contract exceeds £100,000, prior to the award of the contract.

To monitor retrospectively twice yearly the award of all contracts in excess of £100,000 and in particular those to which an exemption to the Procurement Procedures has been approved.

To monitor retrospectively the award of contracts valued over £30,000 but less than £100,000 where a tender other than the most economically advantageous (highest score) or lowest price has been accepted, or where the contract has been extended and this was not an option at the time of the award of the contract.

~~To consider recommendations arising from meetings of the West Midlands Regional Management Board.~~

To deal with matters relating to the Members Allowances Scheme.

To consider and make recommendations to the Authority on the conditions of service and salary of the posts of Chief Fire Officer, Deputy Chief Fire Officer and Assistant Chief Fire Officers and non-uniformed Directors.

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.

To receive regular updates from Lead Members with regard to current issues affecting his/her portfolio and his/her activities in pursuance of corporate aims and objectives.

To deal with any other matters referred to it by the Authority.

To submit its minutes to the Authority.

Audit and Performance Management Committee

Audit Activity

Approve the internal audit strategy.

Consider the Audit Services annual report and opinion, and a summary of internal audit activity and the level of assurance it gives over the Authority's governance, risk management and internal control arrangements.

Consider any summaries of internal audit activity and specific internal audit reports requested by the Committee.

Consider reports dealing with the management and performance of Audit Services where necessary.

Consider reports from Audit Services on the timeliness of management responses to internal audit reports and on agreed recommendations not implemented within a reasonable timescale where necessary.

Consider specific reports as agreed with the external auditor and the report to those charged with governance where necessary.

Comment on the scope and depth of external audit work and to ensure it gives value for money.

Liaise with the Audit Commission over the appointment of the Authority's external auditor.

Consider specific reports in terms of data quality including assessments by the external auditors.

Regulatory Framework

Maintain an overview of contract procedure rules and financial regulations.

Monitor the effective development and operation of risk management and corporate governance in the Authority.

Consider the Authority's arrangements for corporate governance and recommending necessary actions to ensure compliance with best practice.

Oversee the production of the Authority's Governance Statement and to recommend its adoption.

Monitor Authority policies on 'Raising Concerns at Work', the anti-fraud and anti-corruption strategy and the Authority's complaints process.

Consider the Authority's compliance with its own and other published standards and controls.

Accounts

Review the annual statement of accounts, and specifically, 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.

Consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

Scrutiny and review of treasury management arrangements.

Performance

To ensure that performance is actively monitored and reported upon.

To support continuous improvement in service delivery and the implementation of best practice through the application of Authority policy and all relevant legislation, regulations, directives and statutory requirements affecting the work of the Authority:

- that activity is delivering performance outcomes and that targets and measures are aligned to the strategic direction of the Brigade; and
- that all issues relating to performance management arising from internal and external reviews and audits of service provision are considered and that recommendations are being progressed as appropriate.

To consider the link between cost and performance by receiving budget monitoring information alongside performance reports.

To receive monitoring reports on the progress against the Service's objectives.

To receive monitoring reports on the Service's performance against its indicator targets.

Generally

Review any issue referred to it by the Chief Fire Officer, Clerk or Treasurer, or any Authority body.

To refer matters for consideration by the Authority, another Committee or an officer where considered appropriate.

To deal with any other matters referred to it by the Authority.

To meet at least quarterly.

To submit its minutes and Annual Report to the Authority.

To receive monitoring reports on the Service's performance against its indicator targets.

Generally

Review any issue referred to it by the Chief Fire Officer, Clerk or Treasurer, or any Authority body.

To refer matters for consideration by the Authority, another Committee or an officer where considered appropriate.

To deal with any other matters referred to it by the Authority.

To meet at least quarterly.

To submit its minutes and Annual Report to the Authority.

Principal Officers' Staffing Committee

To make the appointments of the Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officers and non-uniformed Directors.

To consider and make a recommendation to the Authority on the dismissal or other disciplinary action in respect of the Chief Fire Officer.

To hear and decide upon appeals by the Deputy Chief Fire Officer against dismissal or other disciplinary action.

To shortlist and interview candidates for appointment as independent Members of the Standards Committee, and to make a recommendation to the Authority as to the person/s to be appointed.

To submit its minutes to the Authority.

Appeals Committee

To hear and decide upon:-

- Disputes under the national conditions of service for uniformed and non-uniformed personnel.
- Appeals under the Firefighters Pensions Scheme, New Firefighters Pensions Scheme and the Firefighters Compensation Scheme.
- Appeals under the Local Government Superannuation Regulations.

To submit its minutes to the Authority.

Policy Planning Forum

To provide for the consideration of key policy areas affecting the Authority and service delivery.

To act as a training facility for Members and support Member development.

To submit its notes to the Authority.

Standards Committee

To promote and maintain high standards of conduct by Members of the Authority.

To assist Members of the Authority to observe the Authority's Code of Conduct, specifically:-

- To advise the Authority on the adoption or revision of a Code of Conduct.
- To monitor the operation of the Authority's Code of Conduct.
- To advise, train or arrange for training for Members of the Authority on matters relating to the Authority's Code of Conduct.

To determine, monitor and review the arrangements for the local ethical standards regime and carrying out any functions reserved to the Standards Committee under those arrangements.

To appoint Sub Committees with delegated power:

- a. To discharge any function specified in Section 57A of the Local Government Act 2000 (initial assessment of allegations of Member misconduct);
- b. To discharge any function specified in Section 57B of the Local Government Act 2000 (review of decision of Assessment Sub Committee)
- c. To conduct local hearings under Regulation 10 of the Standards Committee (England) Regulations 2008.

To grant dispensations to Members from requirements relating to interests set out in the Code of Conduct for Members.

To consider applications for exemption from the 'politically restricted post list' by the post holder, and make decisions as to whether the post should be included on the list.

To consider concerns from any member of the public who believes that a post has been wrongly omitted from the 'politically restricted post list'.

To exercise any functions which the Authority may consider appropriate from time to time.

To meet at least quarterly.

To submit an Annual Report to the Authority.

To submit its minutes to the Authority.

Joint Consultative Panel (JCP)

1. TITLE

The Panel shall be called the 'West Midlands Fire Service Joint Consultative Panel' (JCP).

2. REPRESENTATION

The Panel shall comprise of elected members of the West Midlands Fire and Rescue Authority and recognised trade unions as follows:

6 employers and

2 Fire Brigades' Union

1 Fire Officers' Association

1 UNISON

1 APFO

(Known as the employees)

All members shall retire annually and shall be eligible for re-appointment by the Fire Authority.

The attendance of additional persons by invitation in an advisory capacity only shall be permitted provided that prior agreement is obtained from both sides represented on the Panel.

If a member of the Panel ceases to be a member or an employee of the Service he or she shall immediately cease to be a member of the Panel. Any vacancy amongst the employers shall be filled by the Authority. Any vacancy amongst the employees shall be filled by the staff organisations concerned.

3. MEETINGS OF THE PANEL

The Clerk or their representative shall act as secretary to the Panel and be responsible for issuing the calling notices for all meetings and the minutes.

The Clerk shall liaise with the Director HR on the compilation of the agenda. The Director HR will consult with the Employees with regard to the business to be raised.

4. CHAIR

The Chair and Vice Chair of the JCP meeting will be appointed by the Authority. In the absence of the Chair and Vice Chair, a Chair for the Meeting shall be elected by the Employers from amongst the elected members.

5. OFFICERS

The Clerk, Treasurer and Chief Fire Officer shall be entitled to attend all meetings of the Panel and shall be allowed to nominate any officers to attend as may be appropriate to the business to be discussed.

6. FUNCTIONS

The functions of the employer's side of the Panel shall be:

- i. To establish regular methods of consultation between the Authority and its employees and to consider and make recommendations to the Authority or the Chief Fire Officer as appropriate on any problems which may arise.
- ii. To consider and make recommendations to the Authority or the Chief Fire Officer, as appropriate, on any relevant matter referred to it by the Service or by the relevant employee organisations.
- iii. To consider and make recommendations to the Authority or the Chief Fire Officer, as appropriate, on the application of the terms and conditions of service for employees.
- iv. To consider and make recommendations to the Authority or the Chief Fire Officer, as appropriate, on matters referred to it by the Joint Consultative Committee, including failure to consult and failure to agree as defined in Paragraph 8 E and F of the constitution of the Joint Consultative Committee.
- v. To discharge such other functions as are specifically assigned to it.
- vi. In appropriate circumstances, to refer any question coming before it to the National Joint Council for consideration and advice where such action is deemed advisable; to inform the National Joint Council or any other appropriate body concerned of any recommendations of the Panel which appear to be of

more than local interest provided that any such action shall be by way of a recommendation to the Authority or the Chief Fire Officer, as appropriate, prior to its submission.

The panel shall operate within approved Authority policy and in accordance with the overall aims and objectives of the Authority. The Panel shall not take any action inconsistent with the decisions of any national or regional negotiating body or committee dealing with conditions of service of employees of the Authority.

7. RULES AND REGULATIONS

Provision for four Panel meetings per year shall be made by the Authority. Special meetings shall only be called with the prior approval of the Chair and Vice Chair and the lead representative of the employee organisation(s) involved.

The matters to be discussed at any meeting of the Panel shall be included in the agenda for the meeting. No other matters shall be raised.

The quorum of the Panel shall be one third of the total number of representatives appointed by each side subject to each trade union being represented, however, where the Panel is considering business relating specifically to one trade union, the quorum of the employees' side shall be one third of the total number of representatives appointed by each side, with no requirement for each trade union to be represented, provided that the relevant union is represented.

In the event of:

- (a) The Panel being unable to arrive at an agreement; or
- (b) The Authority or the Chief Fire officer, as appropriate, disagreeing with the recommendations of the Panel.

The matters in dispute shall be referred to:

- (a) The National Joint Council Joint Secretaries; and/or
- (b) ACAS; and/or
- (c) The National Joint Council Technical Advisory Panel.

The panel is a discussion forum with a view to reaching a consensus. It will support and govern the principles set down in the 'Working Together' A Joint Protocol for Good Industrial Relations in the Fire and Rescue Service document.

All sides to the Panel accept that agreements, reached by them shall be binding in honour only, all parties expressly agreeing that joint decisions as to recommendations are not intended to constitute legally enforceable agreements between them until such recommendations are approved by the Authority or Chief Fire Officer as appropriate.

All parties agree, nevertheless, to use their best endeavours to ensure that the spirit and intention of the agreements on recommendations reached at meetings of the Panel are honoured at all times.

The notes of the Panel shall be submitted to the Authority.

Member Development Working Group

The Member Development Working Group is an open forum where Members and officers aim to establish, and continue to improve, a comprehensive and robust Member training and development process; ensure that Member development becomes part of mainstream organisational development activities and that the development of Members contributes to the Authority achieving its core values, priorities and objectives.

Terms of Reference

To assist in the development and continuous review of a strategy for Member development.

To act as champions, helping to create an environment where Members can clearly identify how participation in training and development activities has assisted them in carrying out their role.

To identify learning and development needs for elected Members that will assist them in carrying out their roles, duties and responsibilities.

To develop and approve an annual programme of development activities which provides Members with development opportunities that support the core values, priorities and objectives set out within The Plan.

To make recommendations to the Authority on the identification of sufficient resources, including people and financial, to deliver an effective Member Development Programme.

To prioritise and review training and development needs within agreed resources.

~~To select and develop Members and officers who will undertake the various roles required to assist the Authority in achieving the Member Development Charter.~~

To monitor and review the Member Development Programme.

To submit its minutes to the Authority.

MEMBER PORTFOLIOS 2011/2012

Chair of the Authority

To provide overall political leadership and strategic policy direction to the Authority.

To ensure continuous improvement in service delivery and the implementation of best practice through the application of Authority policy and all relevant legislation, regulations, directives and statutory requirements affecting the work of the Authority.

To chair the Executive and Appointments Committees and any other meetings as required by the Authority;

To serve as a representative on other bodies as nominated by the Authority.

To represent the Authority at any meetings as may be required from time to time in connection with the work of the Authority at local, regional, national or international level.

To take overall political responsibility within the Authority for:

- Corporate Planning, the Corporate Strategy and the Annual Service Plan;
- Policy and budgetary strategy formulation;
- Modernisation issues;
- Local, regional, national and international issues;
- Health and Safety;
- Implementing E-Governance (IEG) and the Freedom of Information Act 2000;
- Corporate Risk Management and the Integrated Risk Management Plan;
- Procurement;
- Press and media relations and the promotion of the image of the Authority;
- Civic and ceremonial issues;
- Equality and Diversity;
- Sustainability;

- Any other initiatives as from time to time may be adopted by or imposed on the Authority.

To oversee the efficient and effective conduct of business within the Authority and to work with other Elected Members on issues that cut across or fall within the terms of reference or portfolios of other Members, Committees or Panels.

To ensure the proper implementation of decisions of the Authority and its Committees and to ensure that due consideration is given to any recommendations arising from those Committees.

To ensure the involvement of local people and communities in the decision making processes of the Authority, as necessary.

To champion the promotion and maintenance of high standards of conduct throughout the Authority.

To undertake his/her duties in accordance with the Authority's Code of Conduct and any other policies, procedures or protocols which may be adopted by the Authority from time to time.

Vice-Chair of the Authority

To support and assist the Chair of the Authority to provide overall political leadership and strategic policy direction to the Authority.

To support continuous improvement in service delivery and the implementation of best practice through the application of Authority policy and all relevant legislation, regulations, directives and statutory requirements affecting the work of the Authority.

To Chair the Authority, relevant Committees or other meetings as may be required, in the absence or inability to act of the Chair of the Authority;

To serve as a representative on other bodies as nominated by the Authority.

To represent the Authority at any meetings as required from time to time in connection with the work of the Authority at local, regional, national or international level.

To support and assist the Chair of the Authority to fulfil his/her overall political management responsibilities within the Authority for:

- Corporate Planning, the Corporate Strategy and the Annual Service Plan;
- Policy and budgetary strategy formulation;
- Modernisation issues;
- Local, regional, national and international issues;
- Health and Safety;
- Implementing E-Governance (IEG) and the Freedom of Information Act 2000;
- Risk Management and the Integrated Risk Management Plan;
- Procurement;
- Press and media relations and the promotion of the image of the Authority;
- Civic and ceremonial issues;
- Equality and Diversity;
- Sustainability;
- Any other initiatives as from time to time may be adopted by or imposed on the Authority.

To take lead responsibility on any specific initiatives that may be required from time to time by the Authority, the Chair of the Authority or one of its Committees or Panels.

To assist and support the Chair in the efficient and effective conduct of business within the Authority and to work with other Elected Members on issues that cut across or fall within the terms of reference or portfolios of other Members, Committees or Panels.

To assist in ensuring the proper implementation of decisions of the Authority and its Committees and to ensure that due consideration is given to any recommendations arising from those Committees.

To assist in ensuring the involvement of local people and communities in the decision-making processes of the Authority, as necessary.

To undertake his/her duties in accordance with the Authority's Code of Conduct and any other policies, procedures or protocols which may be adopted by the Authority from time to time.

Lead Member for Property Asset Management

To take a leading role within the Authority working with officers on the implementation of the Property Asset Management Plan.

To support continuous improvement in service delivery and the implementation of best practice through the application of Authority policy and all relevant legislation, regulations, directives and statutory requirements affecting the work of the Authority.

To chair and participate in any other meetings as may be required from time to time by the Authority.

To serve as a representative on other bodies as nominated by the Authority.

To represent the Authority at any meetings as required from time to time in connection with the work of the Authority at local, regional, national or international level.

To take lead responsibility on any specific initiatives that may be required from time to time by the Authority, the Chair of the Authority or one of its Committees or Panels.

To chair task and finish groups as required from time to time and take the lead on all aspects relating to the Property Asset Management Plan.

To assist and support the efficient and effective conduct of business within the Authority and to work with other elected Members on issues that cut across or fall within the terms of reference or portfolios of other Members, Committees or Panels.

To assist in ensuring the proper implementation of decisions of the Authority and its Committees and to ensure that due consideration is given to any recommendations.

To assist in ensuring the involvement of local people and communities in the decision-making processes of the Authority, as necessary.

To undertake his/her duties in accordance with the Authority's Code of Conduct and any other policies, procedures or protocols adopted by the Authority from time to time.

To report regularly to the Executive Committee on current issues affecting his/her portfolio and his/her activities in pursuance of corporate aims and objectives.

Lead Member for Equality and Diversity

To take a leading role within the Authority for:-

- standards and targets being achieved in relation to equality and diversity.
- the development and maintenance of a positive approach in relation to equality and diversity with regard to employment and service delivery and to celebrate diversity within the West Midlands Fire and Rescue Authority.
- The various Equality Schemes.

To support continuous improvement in service delivery and the implementation of best practice through the application of Authority policy and all relevant legislation, regulations, directives and statutory requirements affecting the work of the Authority.

To chair and participate in any other meetings as may be required from time to time by the Authority.

To serve as a representative on other bodies as nominated by the Authority.

To represent the Authority at any meetings as required from time to time in connection with the work of the Authority at local, regional, national or international level.

To take lead responsibility on any specific initiatives that may be required from time to time by the Authority, the Chair of the Authority or one of its Committees or Panels.

To chair task and finish groups as required from time to time and take the lead on all aspects relating to Equality and Diversity.

To assist and support the efficient and effective conduct of business within the Authority and to work with other elected Members on issues that cut across or fall within the terms of reference or portfolios of other Members, Committees or Panels.

To assist in ensuring the proper implementation of decisions of the Authority and its Committees and to ensure that due consideration is given to any recommendations.

To assist in ensuring the involvement of local people and communities in the decision-making processes of the Authority, as necessary.

To undertake his/her duties in accordance with the Authority's Code of Conduct and any other policies, procedures or protocols adopted by the Authority from time to time.

To report regularly to the Executive Committee on current issues affecting his/her portfolio and his/her activities in pursuance of corporate aims and objectives.

Lead Member for Human

Resources

To take a leading role within the Authority for:-

- targets being achieved in relation to human resources
- the implementation of the recruitment action plan
- regular consultation between the Authority and its recognised representative bodies, as appropriate

To support continuous improvement in service delivery and the implementation of best practice through the application of Authority policy and all relevant legislation, regulations, directives and statutory requirements affecting the work of the Authority.

To chair and participate in any other meetings as may be required from time to time by the Authority.

To serve as a representative on other bodies as nominated by the Authority.

To represent the Authority at any meetings as required from time to time in connection with the work of the Authority at local, regional, national or international level.

To take lead responsibility on any specific initiatives that may be required from time to time by the Authority, the Chair of the Authority or one of its Committees or Panels.

To chair task and finish groups as required from time to time and take the lead on all aspects relating to Human Resources

To assist and support the efficient and effective conduct of business within the Authority and to work with other elected Members on issues that cut across or fall within the terms of reference or portfolios of other Members, Committees or Panels.

To assist in ensuring the proper implementation of decisions of the Authority and its Committees and to ensure that due consideration is given to any recommendations.

To assist in ensuring the involvement of local people and communities in the decision-making processes of the Authority, as necessary.

To undertake his/her duties in accordance with the Authority's Code of Conduct and any other policies, procedures or protocols adopted by the Authority from time to time.

To report regularly to the Executive Committee on current issues affecting his/her portfolio and his/her activities in pursuance of corporate aims and objectives.

Lead Member for Member

Development

To take a leading role within the Authority for:-

- the development and continuous review of a strategy for Member development;
- the formulation of a properly resourced and effective training and development programme for members;
- the monitoring and evaluation of the member development strategy and the member training and development programme; and
- ~~the obtaining by the Authority of the primary level of the Member Development Charter.~~

To chair the Member Development Working Group.

To act as Chair of Task and Finish Groups as required from time to time.

To support continuous improvement in service delivery and the implementation of best practice through the application of Authority policy and all relevant legislation, regulations, directives and statutory requirements affecting the work of the Authority.

To chair and participate in any other meetings as may be required from time to time by the Authority.

To serve as a representative on other bodies as nominated by the Authority.

To represent the Authority at any meetings as required from time to time in connection with the work of the Authority at local, regional, national or international level.

To take lead responsibility on any specific initiatives that may be required from time to time by the Authority, the Chair of the Authority or one of its Committees or Panels.

To assist and support the efficient and effective conduct of business within the Authority and to work with other Elected Members on issues that cut across or fall within the terms of reference or portfolios of other Members, Committees or Panels.

To assist in ensuring the proper implementation of decisions of the Authority and its Committees and to ensure that due consideration is given to any recommendations.

To consider any aspects of equality and diversity that relate to Member

development.

To undertake his/her duties in accordance with the Authority's Code of Conduct and any other policies, procedures or protocols adopted by the Authority from time to time.

To report regularly to the Executive Committee on current issues affecting his/her portfolio and his/her activities in pursuance of corporate aims and objectives.

Lead Member for Performance Management

To take a leading role within the Authority for ensuring:-

- that existing service provision has been fully and appropriately challenged and that viable alternatives have been considered.
- that appropriate comparisons have been made with other organisations in the setting of performance measures, performance targets and benchmarking.
- that full and appropriate consultation has taken place regarding the outcomes of Best Value Reviews.
- that full consideration has been given to and appropriate use has been made of competition in the process of service provision.
- that issues relating to performance management.

To take a leading role in respect of ensuring data quality.

To support continuous improvement in service delivery and the implementation of best practice through the application of Authority policy and all relevant legislation, regulations, directives and statutory requirements affecting the work of the Authority.

To chair and participate in any other meetings as may be required from time to time by the Authority.

To serve as a representative on other bodies as nominated by the Authority.

To represent the Authority at any meetings as required from time to time in connection with the work of the Authority at local, regional, national or international level.

To take lead responsibility on any specific initiatives that may be required from time to time by the Authority, the Chair of the Authority or one of its Committees or Panels.

To chair task and finish groups as required from time to time and take the lead on all aspects relating to Performance Management and Measurement.

To assist and support the efficient and effective conduct of business within the Authority and to work with other Elected Members on issues that cut

across or fall within the terms of reference or portfolios of other Members, Committees or Panels.

To assist in ensuring the proper implementation of decisions of the Authority and its Committees and to ensure that due consideration is given to any recommendations.

To assist in ensuring the involvement of local people and communities in the decision-making processes of the Authority, as necessary.

To undertake his/her duties in accordance with the Authority's Code of Conduct and any other policies, procedures or protocols adopted by the Authority from time to time.

To report regularly to the Executive Committee on current issues affecting his/her portfolio and his/her activities in pursuance of corporate aims and objectives.

APPENDIX 3

WEST MIDLANDS FIRE AND RESCUE AUTHORITY CALENDAR OF MEETINGS 2011/12

Date	Time	Meeting
2011		
Monday 27th June	11.00 am	Authority [Annual Meeting] [political groups at 10 am]
Monday 4th July	10.30 pm	Policy Planning Forum
Monday 18 th July	All day	Special Policy Planning Forum - Annual Member Update
Monday 5th September	10.00 am 10.30 am To follow 1.15 pm 1.15 pm	Executive Committee Policy Planning Forum Chair's agenda meeting Standards Committee Audit and Performance Management Committee
Monday 19th September	11 am To follow	Authority [political groups at 10 am] Member Development Working Group
Monday 10 th October	10.00 am 10.30 am 1.30 pm 1.30 pm	Executive Committee Policy Planning Forum Audit and Performance Management Committee Joint Consultative Panel [pre meeting at 1 pm]
Monday 7 th November	10.00 am 10.30 am To follow 1.30 pm	Executive Committee Policy Planning Forum Chair's agenda meeting Standards Committee
Monday 28 th November	11 am To follow To follow	Authority [political groups at 10 am] Member Development Working Group Audit and Performance Management Committee - self-assessment exercise
Monday 12 th December	10.00 am 10.30 am	Executive Committee Policy Planning Forum

2012		
Monday 9 th January	10.00 am 10.30 am 1.30 pm 1.30 pm	Executive Committee Policy Planning Forum Audit and Performance Management Committee Joint Consultative Panel [pre meeting at 1 pm]
Monday 23 rd January	10.00 am 10.30 am To follow 1.30 pm	Executive Committee [non domestic ratepayers consultation meeting] Policy Planning Forum Chair's agenda meeting Standards Committee
Monday 13 th February	11 am To follow	Authority [budget and precept setting] [political groups at 10 am] Member Development Working Group
Monday 5 th March	1.30 pm	Audit and Performance Management Committee
Monday 26 th March	10.00 am 10.30 am To follow 1.30 pm 1.30 pm	Executive Committee Policy Planning Forum Chair's Agenda Meeting Audit and Performance Management Committee Joint Consultative Panel [pre meeting at 1 pm]
Monday 16 th April	11.00 am To follow	Authority [political groups at 10 am] Member Development Working Group
Monday 4 th June	10.00 am 10.30 am To follow 1.30 pm 1.30 pm	Executive Committee Policy Planning Forum Chair's agenda meeting Audit and Performance Management Committee Standards Committee
Monday 25 th June	11.00 am	Authority [Annual Meeting] [political groups at 10 am]

APPENDIX 4

West Midlands Fire and Rescue Authority

Members' Allowances Scheme

The West Midlands Fire and Rescue Authority, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 hereby makes the following scheme: –

1. This scheme may be cited as the West Midlands Fire and Rescue Authority Members' Allowances Scheme, and shall have effect for the period from 23rd June 2008 until 31st March 2009 and in subsequent years from 1st April to 31st March.

2. In this scheme: –

‘Councillor’ means a member of the West Midlands Fire and Rescue Authority who is appointed by the City Councils of Birmingham, Coventry and Wolverhampton and the Metropolitan Borough Councils of Dudley, Sandwell, Solihull and Walsall;

‘Independent Member’ means a person who is not a member of the Authority but who is a member of a Committee or Sub-Committee of the Authority.

‘Year’ means the 12 months ending with 31st March.

3. **Basic Allowance and Co-optees Allowance**

Subject to paragraph 6, for each year:-

- (i) a basic allowance of £3,500.00 shall be paid to each Councillor;
- (ii) a co-optee's allowance of £500 shall be paid to the independent Chair of the Standards Committee;
- (iii) a co-optee's allowance of £350 shall be paid to each independent member.

4. **Special Responsibility Allowances**

- (i) For each year a Special Responsibility Allowance shall be paid to those Councillors who hold the special responsibilities in relation to the Authority that are specified in schedule 1 to this scheme;
- (ii) Subject to paragraph 6, the amount of each such allowance shall be the amount specified against that special responsibility in that schedule;
- (iii) Where a Councillor holds more than one position for which a Special Responsibility Allowance is payable, only one such allowance shall be paid to the Councillor concerned.

5. **Dependants' Carers' Allowance**

- 5.1 A Dependants' Carers' Allowance is payable to those elected members and independent members who incur expenditure for the care of their children or other dependants whilst undertaking particular approved duties as set out in paragraph 3 of this Scheme.
- 5.2 The amount of the dependants' carers' allowances payable in respect of approved duties will be the actual costs incurred up to a total annual maximum amount of 10% of elected members' basic allowance.

6. **Renunciation**

A Councillor or an independent member may, by notice in writing given to the Clerk, elect to forego any part of his/her entitlement to an allowance under this scheme.

7. **Part Year Entitlement**

Basic Allowance and Co-optees Allowance

Where the term of office of a member begins or ends otherwise than at the beginning or end of a year, his/her entitlement shall be to payment of such part of the basic allowance as bears to the whole the same proportion as the number of days during which his/her term of office as a member subsists bears to the number of days in that year.

Special Responsibility Allowance

Where a member does not have throughout the whole of a year any such special responsibilities as entitle him/her to a special responsibility allowance, his/her entitlement shall be to payment of such part of the special responsibility allowance as bears to the whole the same proportion as the number of days during which he/she has such special responsibilities bears to the number of days in that year.

Backdating

Where an amendment to this scheme is made which affects an allowance payable for the year in which the amendment is made, the entitlement of a member to such allowance, as amended, may at the discretion of the Authority, be backdated to apply with effect from the beginning of the year in which the amendment is made.

8. **Subsistence Allowances**

Members of the Authority and independent members may claim subsistence allowances in connection with or relating to the duties set out in Schedule 2 to this scheme.

Lead members [as identified in Schedule 1] may claim subsistence allowance for attendance at meetings and events in pursuance of their official duties outside of the West Midlands but within the UK.

Members shall only claim allowances for actual expenditure reasonably incurred in connection with approved duties.

Members must submit receipts to substantiate all claims for subsistence allowances.

For approved duties the following rates apply:-

- (i) Breakfast allowance (more than 4 hours away from normal place of residence before 11.00 am) £4.92
- (ii) Lunch allowance (more than 4 hours away from normal place of residence including the lunchtime between 12 noon and 2.00 pm) £6.77
- (iii) Tea allowance (more than 4 hours away from normal place of residence including the period 3.00 pm to 6.00 pm) £2.67
- (iv) Evening meal allowance (more than 4 hours away from normal place of residence ending after 7.00 pm) £8.38

The rates set out above shall be reduced by an appropriate amount in respect of any meal provided free of charge by the Authority.

Members who undertake duties involving an overnight stay should, wherever possible, ensure that their accommodation is pre-booked by officers in accordance with the Authority's normal administrative arrangements. If members book their own accommodation, this is subject to a maximum level of reimbursement as specified below:-

Allowance for absence overnight from the usual place of residence
£79.82 per night

Allowance for such absence in London
£91.04 per night

9. **Travelling Allowances**

Members of the Authority and independent members may claim travelling allowances in respect of costs incurred in connection with or relating to the duties set out in Schedule 2 to this scheme.

Lead members [as identified in Schedule 1] may claim travel allowance for attendance at meetings and events in pursuance of their official duties outside of the West Midlands but within the UK.

Motor Mileage Allowances

The rates for motor cars are as follows:-

Not exceeding 999cc – 34.6 pence per mile

1000 - 1199cc – 39.5 pence per mile

Over 1199cc – 48.5 pence per mile

Passenger Supplement - for passengers (not exceeding 4), a supplement of 3.0 pence per mile is payable for the first passenger and 2.0 pence per mile for the second and subsequent passengers.

Claims for journeys undertaken by motor car may include any reasonable car parking fees and congestion charges if applicable.

Public Transport

The actual cost of public transport used by members will be reimbursed by the Authority where such costs are reasonably and necessarily incurred in connection with approved duties. Receipts will be required to substantiate such claims based on the actual expenditure incurred.

Members who travel outside the West Midlands in connection with approved duties by rail, ship or air shall be required to have their travel arrangements pre-booked by officers under the Authority's normal administrative arrangements. The Clerk, in consultation with the Chair of the Authority, may authorise exceptions to this in cases where it is considered beneficial to the Authority for members to make their own transport arrangements. As a general rule, for members travelling by rail, standard class tickets should be purchased. Receipts will be required to substantiate any such claims based on the actual expenditure incurred.

Taxis

Taxi fares (plus a reasonable gratuity) will be reimbursed only if the taxi was used in a case of urgency, or if there was no public transport reasonably available, or if taxi use was justified by the nature of the business on which the member was engaged.

10. **Indexation of Allowances**

The rates of allowances will be increased with effect from 1st April 2009, 2010, 2011 in line with the agreed pay awards to NJC Local Government Services.

11. **Withholding and Reclaiming of Allowances**

The Standards Committee of the Authority can withhold all or part of an allowance payable to a member in respect of responsibilities or duties from which the member is suspended or partially suspended in accordance with Part III of the Local Government Act 2000 or Regulations made under that Part.

Where payment of any allowance has already been made in respect of any period during which a member:-

- (a) is suspended or partially suspended from his or her responsibilities or duties as a member of the Authority in accordance with Part III of the Local Government Act 2000 or regulations or regulations made under that part;
- (b) ceases to be a member of the Authority; or
- (c) is in any other way not entitled to receive the allowance in respect of that period;

the Standards Committee may require that such part of the allowance as relates to any such period be repaid to the Authority.

12. **Claims and Payments**

- (i) All claims for travelling and subsistence allowances under this scheme shall be made within **three months** of the date of the approved duty in respect of which the entitlement to the allowance arises. Payment of late claims may only be made if the Clerk, in consultation with the Chair of the Authority, is satisfied that the lateness of the claim is justified.
- (ii) Any claims for travelling and subsistence allowances shall be signed by the Councillor claiming the allowance and shall include a statement that where the member is also a member of another authority, that member may not receive allowances from more than one authority in respect of the same duties.
- (iii) In certain cases, where overpayments have been made to any individual to which this scheme relates, the Authority may require repayment of the overpayment.
- (iv) In regard to the payment of basic and special responsibility allowances, payments shall be made as follows: –

(a) **Basic Allowance**

In instalments of one-twelfth of annual amount due, payable on the 25th day of the month (or nearest working day);

(b) **Special Responsibility Allowance**

In instalments of one-twelfth of the amount specified in this scheme on the 25th day of each month (or nearest working day) (except where specified otherwise in Schedule 1)

Schedule 1

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

Schedule of Special Responsibility Allowances 2011/2012

Responsibility	SRA (£)
Chair	24,500
Vice-Chair	12,250
Leader of Principal Opposition Group	7,350
Executive Committee Member	4,900
Lead Member for Equality & Diversity	8,575
Lead Member for Performance Management	8,575
Lead Member for Human Resources	8,575
Lead Member for Member Development	8,575
Lead Member for Property Asset Management	8,575
Chair of the Joint Consultative Panel	8,575
Chair of Appeals Committee	4,900
Vice-Chair of Appeals Committee	2,450
Regional Management Board Member	4,900
Chair of Audit Committee	8,575
Vice-Chair of Audit Committee	3,975
Independent Chair of the Standards Committee	500
Independent Members	350
Basic Allowance	3,500

Schedule 2

Approved Duties

The following are “approved duties” in connection with the payment of travelling and subsistence allowances:

- 1) A meeting of the Authority or of any Committee or Sub-Committee of the Authority.
- 2) A meeting of any other body to which the Authority or any Committee or Sub-Committee of the Authority makes appointments, or nominations, or any Committee or Sub-Committee of such a body.
- 3) Any other meeting, the holding of which is authorised in advance by the Authority, or a Committee or Sub-Committee of the Authority, or a joint Committee of the Authority or one or more other Committees or a Sub-Committee of such a joint Committee provided that members of at least two political groups have been invited to attend.
- 4) A meeting of any association of authorities of which the Authority is a member.
- 5) Attendance as an appointed representative of the Authority, or of a Committee or Sub-Committee, at a conference, seminar or authorised meeting or visit or at any other meeting authorised by the Authority.