Lancashire CFA Constitution

Overview of Lancashire Fire and Rescue Service

Lancashire Fire and Rescue Service (LFRS) is a stand-alone fire and rescue service delivering fire, safety, and rescue functions to the whole of Lancashire. This is achieved by raising awareness about fire safety through visiting homes and education, enforcing fire safety laws, and being available 24 hours per day, 365 days per year to respond to emergencies. Support services assist operational staff in providing frontline services to residents, businesses and visitors.

Leadership of LFRS is through its Executive Board headed by the Chief Fire Officer and through its wider Service Management Team.

Overview of Lancashire Combined Fire Authority

Oversight and governance of LFRS is through a Combined Fire Authority which is comprised of elected members representing the whole of Lancashire.

The Lancashire Fire Service (Combination Scheme) Order 1997 (the Scheme) established the Lancashire Combined Fire Authority (the Authority) to cover the whole of Lancashire, which comes under the control of the two unitary and a county council, namely Lancashire County Council, Blackpool Council and Blackburn with Darwen Council.

The Scheme restricts the number of members that may sit on the Authority to a maximum of 25. It also requires each of the constituent authorities to appoint representatives to be members of the Authority in proportion to the size of the electorate in their area. There are currently 25 elected members of the Authority, 19 from Lancashire County Council and three each from Blackpool Council and Blackburn with Darwen Council.

The Authority operates a committee system rather than an executive or cabinet model. The Authority makes all the key decisions but delegates most decision-making to one of its six committees: Audit, Risk and Governance; Appointments; Resources; Planning; Performance; and Appeals.

There are also a number of working groups which are informal and not decision-making but are set up from time to time to consider and advise on specific matters such as the training needed for Authority members.

The day-to-day running of LFRS is delegated through a scheme of delegation to the Chief Fire Officer and the two other statutory officers (the Monitoring Officer and the Treasurer).

Details of meetings of the Authority and its committees are published on the Service's website and are generally open to the public (unless exempt information is being discussed).

The fundamental role of the Authority is to scrutinise the operation of LFRS and to hold the Chief Fire Officer to account.

Overview of Constitution

Lancashire Combined Fire Authority has agreed a constitution which sets out how the Authority operates, how decisions are made, and the procedures which are followed to ensure that they are efficient, transparent, and accountable to local communities. Some of the processes are required by law, while others are a matter for the Authority to choose.

The constitution is set out below and comprises the scheme of delegation (which sets out which decisions are reserved to the Authority and which are delegated to LFRS); the terms of reference of committees; and detailed standing orders which set out the procedure for meetings and how the business of the Authority is conducted. There are also other documents including the Members' Code of Conduct.

This constitution will be reviewed annually. Any in-year changes deemed necessary will be dealt with through the structure of meetings of the full Authority, or Audit, Risk and Governance Committee, the urgent business procedure or the Monitoring Officer in accordance with the change needed.

Index

Scheme of delegation to officers

Overview

1. In order to be able to operate efficiently and effectively Lancashire Fire and Rescue Service (the Service) needs a scheme of delegation which enables decisions to be made quickly and by the right person whilst preserving the crucial oversight of and accountability to the Combined Fire Authority (the Authority).

2. The Authority's decision-making arrangements operate in accordance with section 101 of the Local Government Act 1972 under which decisions are made either by the full Authority (or by a committee of the Authority operating within terms of reference set by the Authority); or by an officer exercising delegated authority.

3. For those matters delegated to an officer, some are delegated specifically to one of the three statutory officers (the Chief Fire Officer, Treasurer and Monitoring Officer) as set out below. These delegations may only be exercised by them personally or by an officer authorised by them for that purpose. Everything else is delegated nominally to the Chief Fire Officer and they can arrange for those functions to be carried out by other officers as appropriate.

4. The Chief Fire Officer is the Authority's Head of Paid Service; together with the Responsible Finance Officer (Treasurer) and the Monitoring Officer, these are the three statutory officers the Authority is required to appoint. The Authority has adopted the Code of Practice on Good Governance for Local Authority Statutory Officers.

5. This scheme of delegation should be read in conjunction with any statutory guidance issued under the Fire and Rescue National Framework as updated from time to time. Where there is any ambiguity or lack of clarity around any particular matter, the interpretation offered by the statutory guidance shall take precedence.

Decisions reserved to the full Authority (or its committees)

6. The decisions which the full Authority has reserved to itself are:

6.1 Approval of the Community Risk Management Plan and any significant amendments to it.

6.2 Approval of any significant and permanent changes to service delivery or to plans and policies which will have a significant effect on service delivery.

6.3 Approval of the annual budget and the precept to give effect to the budget and associated statutory documents including the Medium-Term Financial Strategy, Capital Strategy, Reserves Strategy, Treasury Management Strategy and Pay Policy Statement.

6.4 Approval of the constitution including standing orders, terms of reference for its committees, and this scheme of delegation.

6.5 Appointment and dismissal of the Chief Fire Officer, Treasurer and Monitoring Officer.

6.6 Notwithstanding the above list, the Authority may of its own accord, or at the request of officers, deal with or be advised of any other matter.

7. The matters listed in the terms of reference of any committee are delegated to that committee, to the extent set out in the terms of reference.

General principles of delegation to officers

8. Any action by an officer under delegated powers shall be in accordance with the overall policies approved by the full Authority or any relevant decision of a committee. Officers will also comply with principles for good decision-making, namely:

8.1 Proportionality (the action must be proportionate to the desired outcome).
8.2 Due consultation and the taking of professional advice as needed.
8.3 Respect for human rights.
8.4 A presumption in favour of openness.
8.5 Clarity of aims and desired outcomes.

9. If authority to act has been reserved to the full Authority or delegated to 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 for the Authority in excess of any current provision already made and that will have a significant impact. Key decisions will be made by the full Authority only.

10. Before exercising any delegated power, officers must consider whether the decision to be made is of such a nature that it should be referred for a decision by the full Authority. Through the Chief Fire Officer, clear communication must be maintained with the chair of the Authority. Where significant decisions are made under delegated powers, the Chief Fire Officer should always consider whether a report should be made of that decision to the Authority.

11. All officers have a responsibility to advise the Chief Fire Officer and elected members on the areas in which they lead and are accountable to members for the performance of those services.

12. 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, a Vice Chair should be consulted.

General indemnity

13. 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.

Specific delegations to statutory officers

14. The starting point for the delegated authority to staff is the general authorisation in sections 8-12 above, given to all officers to act within their roles. There are instances where the Chief Fire Officer, Treasurer and the Monitoring Officer retain very specific powers to act and these are set out below.

Chief Fire Officer role

15. 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 or the Monitoring Officer.

16. Decision-making is delegated to exercise all powers necessary to fulfil the role and duties of Chief Fire Officer that are not specifically reserved to the Authority or one of its committees including but not limited to the following powers:

> 16.1 Appointment and dismissal of fire service staff other than the statutory officers and any steps necessary to achieve this.
>
> 16.2 Allocation of staff to meet strategic priorities and any steps necessary to achieve this.
>
> 16.3 Configuration and organisation of resources and any steps necessary to achieve this.
>
> 16.4 Deployment of resources to meet operational requirements and any steps necessary to achieve this.
>
> 16.5 Balancing of competing operational needs and any steps necessary to achieve this.
>
> 16.6 Expenditure outside of budget up to £200,000 in each financial year.

Fire safety

16.7 To exercise all the powers of the Authority under fire safety legislation including as an enforcement authority, statutory consultee or adviser to other agencies.

Health and safety

16.8 To discharge the responsibilities and duties of the Authority under health and safety legislation.

General

16.9 After consultation with the Chair, Vice-Chair and group leaders, to respond to consultation documents on behalf of the Authority.

16.10 In consultation with the Chair and Monitoring Officer, 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 their delegations, the Chair in consultation with the Monitoring Officer may decide the appropriateness of tabling this as a matter for consideration by the Authority.

Treasurer

17. The Treasurer (the Authority's Chief Finance Officer) is legally responsible for ensuring that the Combined Fire Authority manages public money properly, transparently and in line with the law. Their specific powers are all functions assigned to the Treasurer with the financial regulations including but not limited to:

17.1 Acting as the Authority's "Proper Officer" for finance. They carry out legally defined duties under the Local Government Act 1972, including:

17.1.1 Receiving and accounting for all money owed to the Authority.

17.1.2 Issuing statutory financial certificates.

17.1.3 Ensuring the proper administration of the Authority's financial affairs.

17.2 Maintaining financial standards and governance: set and oversee the Authority's financial rules, ensure compliance with national accounting requirements, and provide professional advice so members can make informed and lawful decisions.

17.3 Overseeing budgets and financial reporting: the Treasurer is responsible for budget management, financial monitoring, the annual Statement of Accounts, and ensuring the Authority provides clear and accurate financial information to the public.

17.4 Managing treasury, investments and financial risk: controlling the

Authority’s borrowing, investment and cashflow arrangements, ensuring decisions are prudent and protect the Authority from financial risk.

17.5 Raising concerns where something may be unlawful: if any proposed action could lead to unlawful spending or pose a serious financial risk, the Treasurer has the authority to intervene and formally advise the Authority.

17.6 To deal with all matters arising under the Firefighters Pension Scheme 1992, Firefighters Pension Scheme 2006, Firefighters pension Scheme 2015 and the Firefighters Compensation Scheme (England) Order 2006 and any associated regulations and the Local Government Pension Scheme.

Monitoring Officer

18. The Monitoring Officer is the Authority’s professional adviser on legal, procedural and conduct matters. The Monitoring Officer will receive copies of all Executive Board agendas and minutes including any confidential items. Decision-making is delegated to the Monitoring Officer to exercise all powers necessary to fulfil the role and duties of Monitoring Officer including but not limited to the following powers:

19. To be "Proper Officer" in relation to all provisions in the Local Government Act 1972 concerning:

19.1 Receipt of any written notice of resignation from members.

19.2 The summoning of meetings.

19.3 Receipt of notice and recording of any member’s interest in contracts with or tenancies of premises owned by the Authority (Section 96(1)).

19.4 In Section 225, the officer who will take receipt of documents deposited with the Authority by any person and in Section 229 the officer certifying a photographic copy of an original.

19.5 In Section 234, the officer who shall certify and authenticate official documents on behalf of the Authority.

20. To be “Proper Officer” in relation to the provisions of the Local Government and Housing Act 1989 regarding political groups; the allocation of seats to committees and sub-committees and the appointment of members to those seats in accordance with the wishes of group leaders (including the appointment of temporary substitutes).

21. To be "Proper Officer" for the purposes of the Local Government (Access to Information) Act 1985 relating to exclusion of information from publicly available reports.

22. To keep the Authority’s common seal and seal or sign any order, deed or other document necessary to give effect to a decision of the Authority or a committee or officer acting under delegated powers. This power can be delegated by the Monitoring Officer to another appropriate officer.

23. To act 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.

24. To make in-year changes to committee memberships in consultation with political group leaders.

25. To instruct counsel or seek external legal advice whenever the Monitoring Officer considers this to be necessary or in the interests of the Authority.

26. To make any necessary minor amendments consequential upon legislative changes, other decisions of the Authority or to correct errors in the constitution.

27. In consultation with the Chair (or Vice-Chair) of the Authority and the Chair of the Committee in question, to appoint temporary substitute members to committees where the appointed member is unavailable.

Audit, Risk and Governance Committee Terms of Reference

1. The Audit, Risk, and Governance Committee is a key component of the Lancashire Combined Fire Authority's governance framework. The committee's purpose is to review and scrutinise the Authority's financial affairs; review and assess the Authority's risk management, internal control and governance arrangements; review and assess the economy, efficiency and effectiveness with which resources have been used in discharging the Authority's functions; and make reports and recommendations to the Authority in relation to these matters.

2. The powers of this committee are set out below. They are delegated to this committee by the Authority and (unless stated otherwise) they are empowered to make final decisions on matters within their remit. Minutes of this committee should be sent to the full Authority at its next meeting, or a subsequent one if that is not possible, for noting. In exceptional circumstances, the committee may instead refer issues to the full Authority for a decision.

Audit

3. Consider and approve all matters relating to internal and external audit, including, but not limited to:
    - 3.1 Internal Audit Monitoring Report.
    - 3.2 Internal Audit Plan.
    - 3.3 Internal Audit Annual Report (includes Audit Charter and Quality Assurance and Improvement Programme) and (includes National Fraud Initiative).
    - 3.4 External Audit - Letter of Representation.
    - 3.5 External Audit - Audit Findings Report.
    - 3.6 External Audit - Audit Report and Sector Update.
    - 3.7 External Audit - Auditors Annual Report.
    - 3.8 External Audit - Understanding How the Audit Committee Gains Assurance from Management.
    - 3.9 External Audit - Audit Plan.

3.10 External Audit - Interim Audit Findings Report.

3.11 Appointment of External Auditors (five-yearly).

3.12 Inspection agency reports.

Risk

4. Consider and approve all matters relating to internal and external risk, including but not limited to:

4.1 Receiving and proposing action on any reports related to whistleblowing complaints.

4.2 Considering the effectiveness of the Authority's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements.

4.3 Receiving assurances that action is being taken on risk related issues identified by auditors and inspectors.

4.4 Being satisfied that the Authority's assurance statements properly reflect the risk environment and identify the proportionate actions required to improve it.

4.5 Receiving and proposing action on any reports related to any other risk to the governance of or public confidence in the Authority.

4.6 Monitoring business continuity management systems.

Governance

5. Review of contract standing orders, financial regulations, (procedural) standing orders and the scheme of delegation. These form the bulk of the Authority's constitution (along with the terms of reference of the various committees and other miscellaneous documents). Minor and inconsequential changes including inflationary increases in financial thresholds and limits, or changes that are mandated by law, or some other guidance or best practice that must or should be followed, can be authorised by the Monitoring Officer under delegated powers. This committee will make final recommendations on any more substantial changes to the full Authority.

6. Consider and approve the Annual Governance Statement (part of year end processes).

7. Monitor and ensure compliance with the Internal Governance and Assurance Fire Standard.

8. Receive the Compliments and Complaints Report.

Financial

9. Oversee financial management and value for money by considering and approving the annual accounts and work of external audit (noting that the Resources Committee will also monitor the financial position throughout each financial year, including the year-end out-turn position) including the following documents:

    9.1 Accounting estimates.
    9.2 Financial statements update.
    9.3 Statement of Accounts.
    9.4 Revisions to the Statement of Accounts.

Standards

10. Advise the Authority on any revisions to the Members' Code of Conduct through monitoring its operation and overall effectiveness.

11. Determine the truth of allegations made under the Members' Code of Conduct Procedure and impose any necessary sanctions.

12. Refer any appeal from this process to the Authority's Appeals Committee.

13. The committee may also consider any items referred to it by the Authority or Strategy Forum.

Quorum

14. This committee ordinarily meets four times each year. The dates of these meetings will usually be set at the annual general meeting of the full Authority but can be amended by the Chair of this committee, in consultation with the Vice-Chair and for good reason.

15. When dealing with complaints made under the Members' Code of Conduct Procedure, the committee is empowered to set additional meetings as necessary to deal with these issues expeditiously.

16. The number of seats for voting members is seven drawn from the full Authority. Political balance rules and regulations apply. A member cannot sit on both the Audit, Risk and Governance Committee and the Resources Committee.

17. In addition, there will be one co-opted independent member. This co-opted independent member will provide technical expertise and specialist subject matter knowledge in relation to the matters brought to this committee under the audit, risk, governance and financial headings above. They will not have voting rights with regards to these matters.

18. For matters relating to standards (the Members' Code of Conduct), the co-opted independent member will sit as Chair and will have voting rights and in case of equality of votes, a second or casting vote.

19. This committee will only be quorate and therefore constitutionally able to conduct business and make decisions if there are at least three voting members present. If the co-opted independent member has not in fact been appointed or is not present, this shall not affect quoracy. Should the committee be inquorate it shall stand temporarily adjourned for 30 minutes and if, thereafter, there is still not a quorum the meeting shall stand finally adjourned. At the point of adjournment, or subsequently, the Chair may agree arrangements for the meeting to be reconvened.

20. It is also recommended that members of the committee (and any substitutes) attend appropriate training where possible.

Performance Committee Terms of Reference

1. The Performance Committee's key responsibility is to scrutinise performance against established key performance indicators (KPIs) set by the Planning Committee to ensure that performance standards are maintained.

2. The powers of this committee are set out below. The powers are delegated to this committee by the full Authority and (unless stated otherwise) they are empowered to make final decisions on matters within their remit. Minutes of this committee should be sent to the full Authority at its next meeting, or a subsequent one if that is not possible, for noting. In exceptional circumstances the committee may instead refer issues to the full Authority for a decision.

3. The Performance Committee's remit includes all aspects of performance monitoring including reviewing the following:

    3.1 Measuring Progress Reports (quarterly).

    3.2 Annual Review of Key Performance Indicator 3.3: Fire Engine Availability.

    3.3 North West Fire Control Performance Report for Lancashire Fire and Rescue Service.

    3.4 Annual Report on Road Safety Intervention Activity.

    3.5 Any items referred to the committee by the Authority or Strategy Forum.

Quorum

4. The Performance Committee meets four times each year and consists of 10 voting members. Political balance rules and regulations apply. The dates of these meetings will usually be set at the annual general meeting of the full Authority but can be amended by the chair of this committee, in consultation with the Vice-Chair and for good reason.

5. The Performance Committee will only be quorate and therefore constitutionally able to conduct business and make decisions if there are at least four members present. Should the committee be inquorate it shall stand temporarily adjourned for

30 minutes and if, thereafter, there is still not a quorum the meeting shall stand finally adjourned. At the point of adjournment, or subsequently, the Chair may agree arrangements for the meeting to be reconvened.

6. It is also recommended that members of the committee (and any substitutes) attend appropriate training where possible.

Planning Committee Terms of Reference

1. The Planning Committee's key responsibility is to consider and approve specific plans and strategies as set out below. The powers are delegated to this committee by the full Authority and (unless stated otherwise) they are empowered to make final decisions on matters within their remit. Final approval of any of the items listed below are only delegated to this committee where this does not conflict with the powers of the full Authority to approve any significant and permanent changes to service delivery or to plans and policies which will have a significant effect on service. Minutes of this committee should be sent to the full Authority at its next meeting, or a subsequent one if that is not possible for noting. In exceptional circumstances the committee may instead refer issues to the full Authority for a decision.

2. The Planning Committee's remit is to consider, and approve where appropriate:

   2.1 Strategic Assessment of Risk.

   2.2 Community Risk Management Plan.

   2.3 Annual Service Plan.

   2.4 Annual Service Report.

   2.5 Prevention Strategy.

   2.6 Protection Strategy.

   2.7 Response Strategy.

   2.8 Emergency cover reviews.

   2.9 Climate Change Operational Response Plan.

   2.10 Consultation Strategy.

   2.11 Communications Strategy.

   2.12 Items for public consultation and the outcomes of consultations.

2.13 His Majesty's Inspectorate of Constabulary and Fire and Rescue Services updates.

2.14 Other strategic plans required of the Service by commissioning authorities or central government, as required from time to time.

2.15 Any items referred to the committee by the Authority or Strategy Forum.

3. To make recommendations to the full Authority on the Community Risk Management Plan.

Quorum

4. The Planning Committee meets three times each year and is made up of 10 voting members. Political balance rules and regulations apply. The dates of these meetings will usually be set at the annual general meeting of the full Authority but can be amended by the Chair of this committee, in consultation with the Vice-Chair and for good reason.

5. The Planning Committee will only be quorate and therefore constitutionally able to conduct business and make decisions if there are at least four members present. Should the committee be inquorate, it shall stand temporarily adjourned for 30 minutes and if, thereafter, there is still not a quorum the meeting shall stand finally adjourned. At the point of adjournment, or subsequently, the Chair may agree arrangements for the meeting to be reconvened.

6. It is also recommended that members of the committee (and any substitutes) attend appropriate training where possible.

Resources Committee Terms of Reference

1. The Resources Committee's remit includes matters related to finance, human resources, health and safety, property, and equipment.

2. The powers of this committee are set out below. The powers are delegated to this committee by the full Authority and (unless stated otherwise) they are empowered to make final decisions on matters within their remit. Minutes of this committee should be sent to the full Authority at its next meeting, or a subsequent one if that is not possible. for noting. In exceptional circumstances the committee may instead refer issues to the full Authority for a decision.

3. The Resources Committee's functions are to consider and approve documents and reports as set out below:

   3.1 Special severance payments above the limit set out in Statutory guidance on the making and disclosure of Special Severance Payments by local authorities in England, as it may change from time to time (currently £100,000).

   3.2 Equality, Diversity and Inclusion Annual Report.

   3.3 People Strategy.

   3.4 Recommendations from the Capital Building Projects Working Group.

   3.5 Procurement Strategy.

   3.6 Data and Digital Strategy.

   3.7 ICT Plan.

   3.8 Fleet Asset Management Plan.

   3.9 Property and Estates Management Strategy.

   3.10 High value procurement projects.

   3.11 Pensions updates.

   3.12 Local Pension Board Annual Report.

   3.13 Year End Treasury Management Outturn.

   3.14 Year End Capital Outturn.

   3.15 Year End Revenue Outturn.

   3.16 Year End Useable Reserves and Provisions Outturn.

   3.17 Financial monitoring.

3.18 Treasury Management Mid-Year Report.

3.19 Other relevant issues which are not delegated to the Service under the scheme of delegation.

Quorum

4. This committee meets four times each year. The dates of these meetings will usually be set at the annual general meeting of the full Authority but can be amended by the Chair of this committee, in consultation with the Vice-Chair and for good reason.

5. The number of seats for voting members is 10 drawn from the full Authority. Political balance rules and regulations apply. A member cannot sit on both the Audit, Risk and Governance Committee and the Resources Committee.

6. This committee will only be quorate and therefore constitutionally able to conduct business and make decisions if there are at least four voting members present. Should the committee be inquorate it shall stand temporarily adjourned for 30 minutes and if, thereafter, there is still not a quorum the meeting shall stand finally adjourned. At the point of adjournment, or subsequently, the Chair may agree arrangements for the meeting to be reconvened.

7. It is also recommended that members of the committee (and any substitutes) attend appropriate training where possible.

Appeals Committee Terms of Reference

1. The Appeals Committee meets only when required and at a date and time as determined by the Chair of this committee.

2. The powers of this committee are set out below. The powers are delegated to this committee by the full Authority and (unless stated otherwise) they are empowered to make final decisions on matters within their remit. Reports of all matters dealt with by this committee should be sent to the full Authority at its next meeting following the decision, or a subsequent one if that is not possible, for noting. In exceptional circumstances the committee may instead refer issues to the full Authority for a decision.

3. The Appeals Committee's functions are as follows:

   3.1 Hear and determine appeals from the stage one Internal Dispute Resolution Procedure (IDRP) in relation to pensions. Stage one decisions are made by the Chief Fire Officer (or by an officer designated by them). The appeals following stage one are known as IDRP stage two appeals and will be heard by this committee.

   3.2 To hear and determine unresolved grievances against the Chief Fire Officer.

   3.3 To hear and determine appeals against action short of dismissal against the Chief Fire Officer, Director of Corporate Services (Treasurer) and Monitoring Officer.

   3.4 To hear and determine appeals against dismissal of those officers accountable to the Chief Fire Officer, excluding Director of Corporate Services (Treasurer) and the Monitoring Officer.

   3.5 To hear and determine appeals from the Audit, Risk and Governance Committee in relation to any complaints determined under the Member Code of Conduct Procedure.

4. It is preferable, although not essential, that members of the committee have some background knowledge in business or people management or within a trade union.

Quorum

5. The number of seats for voting members is seven drawn from the full Authority. Political balance rules and regulations apply.

6. In addition, there will be one co-opted independent member. Where this committee is sitting to hear appeals from the Audit, Risk and Governance Committee in relation to any complaints determined under the Member Code of Conduct Procedure, the co-opted independent member will sit as Chair and will have voting rights and in case of equality of votes, a second or casting vote. The co-opted independent member will not form part of this committee other than for this function.

7. It will only be quorate and therefore constitutionally able to conduct business and make decisions if there are at least three voting members present. Where this committee is sitting to hear appeals from the Audit, Risk and Governance Committee in relation to any complaints determined under the Member Code of Conduct Procedure, one of those members must be the co-opted Independent Member (who will sit as Chair). Should the committee be inquorate it shall stand temporarily adjourned for 30 minutes and if, thereafter, there is still not a quorum the meeting shall stand finally adjourned. At the point of adjournment, or subsequently, the Chair may agree arrangements for the meeting to be reconvened.

8. It is also recommended that members of the committee (and any substitutes) attend appropriate training where possible.

Appointments Committee for the Chief Fire Officer, Treasurer and Monitoring Officer Terms of Reference

1. The Appointments Committee meets only when required and at a date and time as determined by the Chair of this committee.

2. The powers of this committee are set out below. The powers are delegated to this committee by the full Authority and (unless stated otherwise) they are empowered to make final decisions on matters within their remit. Reports of all matters dealt with by this committee should be sent to the full Authority at its next meeting following the decision, or a subsequent one if that is not possible, for noting. In exceptional circumstances the committee may instead refer issues to the full Authority for a decision.

3. The Appointments Committee's function is to make a recommendation for the appointment of the three statutory officers that by law the Authority is required to appoint, namely the Chief Fire Officer, Treasurer and Monitoring Officer.

4. The appointments committee shall commission and instruct the Director of People and Development to carry out its functions, such as drafting documents and arranging interview dates.

5. The Chief Fire Officer of Lancashire Fire and Rescue Service shall act as advisor to the appointments committee for appointments to the role of Monitoring Officer and Treasurer. The Appointments Committee may be supplemented by other specialist advisors as required.

6. The Director of People and Development or their representative will act as Human Resources Advisor to the Appointments Committee.

7. The minutes of the Appointments Committee will be recorded by a representative from the Human Resources department.

8. The Appointments Committee will make a recommendation to the full Authority and it will be for the Authority to make any appointment.

9. It is also recommended that members of the committee (and any substitutes) attend appropriate training where possible.

Quorum

10. The number of seats for voting members is three drawn from the full Authority Political balance rules and regulations apply.

11. Subject to political balance rules, the committee will include both the Chair and Vice-Chair of the Authority. If political balance rules mean that both the Chair and Vice-Chair cannot be members one or the other shall be appointed.

12. The committee will only be quorate if all three members are present.

Member Training and Development Working Group Terms of Reference

1. The Member Training and Development Working Group is an informal working group whose aim is to deliver and review the member training and development strategy.

2. This group is responsible for analysing and agreeing the training needs of members and ensuring the delivery of professional member development activities.

3. The group has a total membership of six drawn from the full Authority and political balance rules do not apply.

4. The group shall make recommendations in relation to member training and development in general. In exceptional circumstances, the group may refer issues to the Authority for a decision.

5. As it is an informal group, there are no requirements as to quoracy.

6. There are two meetings per year and meetings are held via Microsoft Teams.

Strategy Forum Terms of Reference

1. The purpose of the Strategy Forum is to provide a private discussion forum for all members of the Combined Fire Authority – in essence it is a 'think tank'.

2. The Strategy Forum is also a forum in which to share proposals for strategic and operational developments outside of the constitutional structure, in order to obtain general viewpoints and reactions to proposals and to promote healthy discussion and member engagement.

3. The terms of reference include:
   - 3.1 To brief members and facilitate an exchange of views in relation to:
     - 3.1.1 New policy areas, taking into account the impact of proposals on the staff and financial resources of the Authority.
     - 3.1.2 Formulation of the Authority's objectives.
     - 3.1.3 Priority of those objectives.
     - 3.1.4 Issues arising

   - 3.2 To consider proposals of government departments and other national or regional bodies which have implications that would affect the Authority.

   - 3.3 To consider presentations from any organisation or individual it feels would be useful in achieving the role of the Strategy Forum.

4. In order to promote the widest possible discussions and free exchange of views, members are reminded that strict confidentiality must be maintained regarding any discussions during Strategy Forum meetings, until such time as the issues discussed are tabled at a formally constituted meeting or in the public domain.

5. Members are reminded that they are still bound by the requirements of the Authority's Code of Conduct, as they attend the Strategy Forum in accordance with their duties as an elected member of the Authority. Should any member fail to comply with this requirement of confidentiality, this could result in potential adverse consequences for operational resilience and damage to public confidence.

6. The forum will meet twice a year or more frequently if required, without a fixed timetable, to remain flexible to respond to any need for urgent change.

7. The purpose of the Strategy Forum is for discussion and it does not have decision-making powers. To have decision-making powers it would need to be a committee covered by openness and transparency rules. Meetings of the Strategy Forum will not therefore be open to the public and confidentiality should be maintained by members of the group. Notes of the Strategy Forum meetings will be presented at the next full Authority meeting either under part one or part two of the agenda depending on the nature of the matters discussed.

8. Lancashire Fire and Rescue Service's Executive Board is responsible for identifying issues to be considered by the Strategy Forum. However, the Authority, individual committees and individual members may on occasions wish to refer items for discussion.

Capital Building Projects Member Working Group

Terms of Reference

1. As agreed at the Combined Fire Authority meeting held on 20 February 2023 (resolution 67/22 refers) the purpose of the working group is for member engagement in the potential relocation of Service headquarters to the Leadership and Development Centre (LDC), the redevelopment of Preston Fire Station and a review of training props at LDC.

Composition

2. The group comprises a politically balanced group of 10 Authority members in total.
3. Meetings are also attended by the Chair of the Capital Projects Programme Board (Director of Corporate Services), Head of Property and the Project Manager, plus other officers as required according to the agenda.
4. The meetings may also be attended by the Head or Deputy Head of Procurement, who will be the point of contact for procurement services and will collate relevant procurement information on behalf of the Service for presentation to the working group.
5. The group meets three times each year.
6. Members unable to attend can provide their views in writing given the non-legal status of the working group.

Status and purpose of the working group

7. The Capital Buildings Projects Member Working Group does not have committee, sub-committee or any other constitutional legal status and has been set up for the following purposes:

    7.1 Member engagement, given the scale and size of all three programmes for consideration.

    7.2 To discuss options with members based on officers' specialist views and expertise, prior to agreement and before engaging with public procurement and tendering processes.

    7.3 To update members on progress made by the Service in all stages of the programmes and to seek views on that progress.

7.4 Where possible to collaborate with members on aspects of the programme that cannot be dealt with by Service leaders under the scheme of delegation, provided it is compliant with all aspects of public sector procurement legislation.

7.5 To seek general views and where possible consensus on financial and strategic planning decisions that have been proposed by Service leaders prior to application of the Authority’s legal and administrative obligations.

7.6 To seek general views and where possible consensus on financial and strategic planning decisions falling outside the Authority’s scheme of delegation, prior to ratification by the full Authority and engagement and compliance with public sector procurement regulations.

7.7 For members to be updated by Service leaders in relation to those procurement decisions made under the current scheme of delegation and within the budgetary limits.

Items for consideration

8. At each meeting the group will receive a report with the following content:

    8.1 General progress.
    8.2 Work done in last period.
    8.3 Tasks for next period.
    8.4 Updated programme.
    8.5 Updated budget position.
    8.6 Risk review.

Recommendations

9.1 Where appropriate, recommendations of this working group on any of the matters discussed during meetings will be reported into the relevant decision-making process for the specific matter, and those recommendations will be taken into account by the decision-maker.

9.2 The “relevant decision making process” referred in paragraph 9.1 will differ depending on the matter under discussion but may be the Resources or Planning Committee; the full Authority; or a relevant department within the Service.

9.3 Any such recommendations must be compliant with all relevant public sector procurement regulations and the Service's internal contract standing orders.

Minutes

10. In addition to any recommendations made under paragraph 9 above, the minutes of this working group will be reported to the next Resources Committee meeting for information.

Standing Order 1 - Membership of the Lancashire Combined Fire Authority

1. This standing order has been drafted in compliance with the Lancashire Fire Services (Combination Scheme) Order 1997 which is secondary legislation having effect under section 4 of the Fire & Rescue Services Act 2004. If this legislation changes such that the terms of this standing order conflicts with the new legislation, then the relevant terms of the new legislation will take precedence over any terms in this standing order that are not compatible with that new legislation.

2. The Authority shall consist of no more than 25 members.

3. Each member of the Authority shall be appointed by a constituent authority from its own members in accordance with its own procedures. The constituent authorities are the councils of the boroughs of Blackburn with Darwen and Blackpool and Lancashire County Council.

4. It is a matter for each constituent authority to determine how they appoint members to the Authority and for what period. Members are appointed for set periods as specified by their authority, in accordance with the procedure set out in the Lancashire Fire Services (Combination Scheme) Order 1997 (Statutory Instrument 1997 No. 2760) (the Combination Scheme).

5. Lancashire County Council appoints 19 representatives annually at their annual general meeting (AGM) for a 12-month period. Blackburn with Darwen Council also appoints three representatives at their AGM for a 12-month period. Blackpool Council appoints three representatives at their AGM for a period of four years.

6. A member of the Authority shall come into office on the date of their appointment and, subject to paragraphs 7, 8, 9 and 11, hold office for such period or periods as determined by the constituent authority which appoints them.

7. A member of the Authority may resign their membership by giving notice in writing to that effect to the Monitoring Officer of the Authority.

8. Members may be removed from the Authority by their appointing constituent authority (whether or not they also remain a member of the constituent authority), subject to that authority complying with their own rules and procedures for this process.

8.1 A member of the Authority who ceases to be a member of the constituent authority which appointed them shall cease to be a member of the Authority.

8.2 A person shall be disqualified from being a member of the Authority if they hold any paid office or employment (other than the office of chair or vice-chair), appointments to which are or may be made or confirmed by the Authority, by any committee or sub-committee of the Authority, or by a joint committee or board on which the Authority is represented.

9. Subject to sub-paragraph 7.1, if a member of the Authority resigns, becomes disqualified or otherwise ceases to be a member of the Authority before the expiry of their period of office, the constituent authority which appointed them shall appoint a representative to replace them, who shall come into office on the date of their appointment. Unless they resign, become disqualified or otherwise cease to be a member of the Authority, they shall hold office for the remainder of the period for which their predecessor would have held office had they not resigned, become disqualified or otherwise ceased to be a member of the Authority.

9.1 If a member of the Authority resigns, becomes disqualified or otherwise ceases to be a member of the Authority within six months before the end of their period of office, the constituent authority which appointed them shall not be required to appoint a representative to replace them for the remainder of the period. The exception is unless, on the occurrence of the vacancy (or in the case of a number of simultaneous vacancies, the occurrence of the vacancies), the total number of unfilled vacancies in the membership of the Authority exceeds one third of the number of members of the Authority referred to in paragraph 2.

10. Where more than one third of the members of the Authority become disqualified at the same time, then, until the number of members in office is increased to at least two-thirds of the number of members of the whole Authority, the quorum of the Authority shall be determined by reference to the number of members of the Authority who remain qualified instead of by reference to the number of members of the whole Authority.

11. Subject to paragraph 10 below, if a member of the Authority fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the Authority, unless the failure was due to some reason approved by the Authority before the expiry of that period, the relevant constituent Authority shall be invited to appoint a replacement for the remainder of that member’s term. Any such approval by the Authority should be instigated by the Monitoring Officer bringing a report following consultation with the member.

12. Attendance as a member at any meeting of the Authority including any committee or sub-committee shall be deemed for the purposes of paragraph 9 above to be attendance at a meeting of the Authority.

13. If the Chair or Vice-Chair of any committee fails to attend the committee meetings that they Chair (or Vice-Chair) for a period of six consecutive months they shall, unless the failure was due to some reason approved by the Authority before the expiry of that period, cease to be the Chair or Vice-Chair of that committee.

Standing Order 2 - Quorum of meetings of the full Authority

1. This standing order has been drafted in compliance with the Lancashire Fire Services (Combination Scheme) Order 1997 which is secondary legislation having effect under section 4 of the Fire & Rescue Services Act 2004. If this legislation changes such that the terms of this standing order conflicts with the new legislation, then the relevant terms of the new legislation will take precedence over any terms in this standing order that are not compatible with that new legislation.

2. The quorum for a meeting of the full Authority shall be one third of the total number of members of the Authority including at least one representative from each constituent Authority. No business shall be transacted at any meeting of the full Authority unless it is quorate.

3. In the event of a meeting of the full Authority being inquorate, it shall stand temporarily adjourned for 30 minutes and if, thereafter, there is still not a quorum the meeting shall stand finally adjourned. At the point of adjournment, or subsequently, the Chair may agree arrangements for the meeting to be reconvened.

4. The consideration of all business which is on the agenda of a meeting of the full Authority brought to an end under paragraph 3, and which has not been completed before the meeting is brought to an end, shall be postponed to the next meeting of the full Authority, whether ordinary or extraordinary, as arranged by the Chair under paragraph 3.

5. At any postponed meeting of the full Authority arranged under paragraph 3, no business can be transacted other than the unfinished business of the original meeting. Any new business that was not on the original agenda may only be transacted at a meeting of the full Authority separately constituted in accordance with standing orders, but nothing shall prevent this separate meeting from taking place immediately after the conclusion of the postponed meeting.

Standing Order 3 - Appointment of temporary substitutes to committees, sub-committees and working groups

1. Appointment to committees, sub-committees and working groups is by the Authority although agreement between the political group leaders is usually sought. In the case of committees, these must, by law, be politically balanced.

2. Should any member be unable to attend a particular meeting of a committee, sub-committee or working group, the Monitoring Officer has delegated power to designate a temporary substitute for that particular meeting. This substitute must already be a serving member of the CFA.

3. The Monitoring Officer will consult with the Chair (or vice-Chair) of the Authority and the Chair of the committee, sub-committee or working group before making the substitution. So far as is practicable, political balance rules must still be applied.

Standing Order 4 - Schedule of meetings (full Authority, committees and extraordinary)

Annual and ordinary meetings of the full Authority

1. The administrative year shall commence on 1 April. The Authority shall hold an annual meeting of the full Authority between 1 April and 30 June each year. The date of this is to be determined at a meeting of the full Authority in the preceding administrative year.

2. The programme of scheduled ordinary meetings for the full Authority shall be determined by the Authority at the annual meeting. Where it is necessary to change the date, time or place of any scheduled ordinary meeting of the full Authority, the meeting shall take place on such date, place or time as determined by the Monitoring Officer in consultation with the Chair of the Authority and group leaders.

Extraordinary meetings of the full Authority

3. The Chair of the Authority may at any time call an extraordinary meeting of the Authority.

4. If the office of Chair is vacant, or if the Chair is unable to act for any reason, the Vice-Chair of the Authority may at any time call an extraordinary meeting of the Authority.

5. Three members of the Authority may call an extraordinary meeting of the Authority if a request for such a meeting has been presented to the Chair or Vice-Chair of the Authority and either they have refused to call a meeting, or no extraordinary meeting has been called within seven days of the presentation of the request.

6. Where any person or persons decides to call an extraordinary meeting of the Authority, they shall inform the Monitoring Officer that they have done so, the business to be transacted and the date and time for which the meeting is called. The Monitoring Officer shall ensure that the notice and summonses required by Schedule 12 to the Local Government Act 1972 are published and sent.

Committee meetings

7. Meetings of committees constituted in accordance with Standing Order 6 shall be held as and when deemed necessary at the discretion of the Chair of the Authority or the Chair of the committee in question, and in compliance with any requirements set out in the terms of reference of that committee.

Venue

8. The venue of all meetings of the full Authority and committees shall be fixed by the Monitoring Officer in consultation with the Chair of the Authority or the Chair of the committee in question.

Meeting papers

9. Notice of the time and place of public meetings will be displayed at Lancashire Fire and Rescue Service's headquarters and published on its website, at least five clear working days before the meeting in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

10. An item of business may 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 as required by regulation 7 (paragraph 9.1) for at least five clear working days before the meeting.

11. A copy of the agenda and every report for a meeting will also be made available for inspection by the public and on the website at least five clear working days before the meeting.

12. If a meeting is convened at shorter notice than five clear days (for example an extraordinary meeting), then the notice and publication of the agenda and papers will be published at the time the meeting is convened.

13. Notwithstanding paragraph 9 above, any item of business may be considered at a meeting if by reason of special circumstances, which shall be

specified in the minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

Standing Order 5 - Appointment of Chair and Vice-Chair of the Combined Fire Authority

1. This standing order has been drafted in compliance with the Lancashire Fire Services (Combination Scheme) Order 1997 which is secondary legislation having effect under section 4 of the Fire & Rescue Services Act 2004. If this legislation changes such that the terms of this standing order conflicts with the new legislation, then the relevant terms of the new legislation will take precedence over any terms in this standing order that are not compatible with that new legislation.

2. Appointments in relation to committees are dealt with in Standing Order 6 – Appointment of Committees, Chairs, Vice-Chairs and Members of Committees.

3. The Authority shall elect a Chair, and may elect a Vice-Chair, from among its members at the annual meeting of the full Authority. This shall be the first order of business.

4.The Monitoring Officer will invite nominations for the Chair of the Authority. Once moved and seconded a vote is taken, which can either be by a show of hands or by a named vote, and the new Chair will take the chair.

5. If more than one nomination is received for the Chair then there will be sequential votes, eliminating the candidate with the least number of votes each time unless and until one member receives an overall majority of the votes cast.

6. The Chair and the Vice-Chair, if elected, shall, subject to paragraphs 4 to 9 of Standing Order 1 – Membership of Lancashire Combined Fire Authority, hold office until the next annual meeting or as the Authority shall determine.

7. Paragraph 6 shall not prevent a person who holds or has held office as Chair or Vice-Chair, from being elected or re-elected to either of those offices.

8. If a vacancy occurs in the office of Chair or Vice-Chair, the Authority shall elect from its members a person to replace the Chair or Vice-Chair.

9. The election to replace the Chair under paragraph 8 shall take place not later than the next ordinary meeting of the Authority.

Standing Order 6 - Appointment of Committees, Chairs, Vice-Chairs and Members of Committees

Number of committees, membership, and terms of reference

1. At the annual meeting of the full Authority, it will resolve:
    1.1 What committees and sub-committees will be appointed.
    1.2 Who the chairs and vice-chairs will be.
    1.3 What the committee terms of reference are.

2. It may also resolve on the appointment of independent persons, non-voting members, advisers, or other persons that may contribute to the work of a committee, on a permanent or temporary basis to any committee or sub-committee. It may also delegate that resolution to the committee itself.

3. The terms of reference for each committee shall make it explicit in what matters the committee has the power to make a final decision, which would be binding on the full Authority, and in what matters it may only make a recommendation to the full Authority. It shall however be open to any committee to submit a matter to the Authority for decision, even if the matter falls within the delegated powers of the committee.

Political balance

4. Section 15 of the Local Government and Housing Act 1989 ("the 1989 Act") requires the Authority to allocate seats on its various committees according to political balance rules.

5. The principles to be followed are set out in full in s.15(4) of the 1989 Act but in summary:

    5.1 Not all the seats on the body should be allocated to the same political group.

    5.2 A political group must comprise at least two members.

5.3 If one political group has an overall majority of the seats on the Authority, that group must have a majority of the seats on each committee.

5.4 So far as reasonably practicable and subject to (5.3) above, the total number of seats allocated to each political group across all committees shall be proportionate to the total number of seats that political group has on the Authority.

5.5 Subject to (5.3) and (5.4) above, the number of seats on each committee will be allocated to political groups in the same proportion as each group's seats on the full Authority.

Committee reports

6. Committees shall submit minutes of their meetings to the next scheduled meeting of the full Authority. Members of the Authority may ask questions regarding any matter contained in the report minutes of a committee. Unless the minutes contain specific recommendations for decision by the Authority, they shall be regarded as being submitted for the information of the Authority only.

7. The adoption of the recommendations of a committee shall be moved by the Chair of the committee, or in the absence of the Chair by the Vice-Chair, or in the absence of both, by the person presiding at the Authority's meeting, and shall be seconded. The Authority may disapprove, amend or refer back for further consideration any recommendation of a committee relating to a matter for decision by the Authority.

8. Subject to the agreement of the Chair of the committee, a member of the Authority who is not a member of that committee and so not entitled to speak at a committee or sub-committee, shall be entitled to do so but not to vote at a meeting of the committee or sub-committee.

9. The quorum of any committee shall be set out in the terms of reference for that committee.

10. In the event of any meeting being inquorate, it shall stand temporarily adjourned for 30 minutes and if, thereafter, there is still not a quorum the meeting shall stand finally adjourned. At the point of adjournment, or

subsequently, the Chair may agree arrangements for the meeting to be reconvened.

Standing Order 7 - Conduct of meetings

Chair of meeting

1. The Chair of the Authority shall preside at meetings of the Authority. The Chair of each committee shall preside at the meeting of that committee. The exception to this is at the annual general meeting, or when neither the Chair nor the Vice-Chair are present (as set out in paragraph 2 below) when the first order of business is the election of the Chair. The Monitoring Officer will preside over the meeting until the Chair is elected.

2. In the absence of the Chair at any meeting, the Vice-Chair shall preside at the meeting. In the absence of both, the members present shall, as their first item of business move to appoint one of them to be Chair of the meeting.

3. The ruling of the Chair upon the meaning and application of these standing orders shall be final.

4. For the avoidance of doubt, this standing order shall apply to all formal meetings of the Authority including committees.

Attendance

5. The names of the members present at a meeting of the Authority shall be recorded.

6. Members of the Authority shall be entitled to attend meetings of committees other than those of which they are members but shall not take part in any proceedings without the consent of the committee nor in any case vote.

Agendas and papers

7. The order of business for any meeting shall be determined by the agenda for that meeting.

8. With the exception of the election or appointment of the Chair, the order of business as set out in the agenda may be varied by the Chair at their discretion.

9. Agenda items will be determined by the Monitoring Officer and relevant Chair in line with:

9.1 Matters reserved to the full Authority.

9.2 Committee terms of reference.

9.3 Notice of motions submitted by members.

10. Every item of business shall be relevant to some matter in relation to which the Authority has a function or is within the terms of reference for the relevant committee.

11. An item of business not included in the agenda shall only be considered if the Chair and Monitoring Officer are of the opinion that the item should be considered at the meeting as a matter of urgency. The circumstances shall be specified in the minutes.

12. In order to allow for a report under section 25 of the Local Government Act 2003 to be prepared and considered, notice of any alternative budget proposals to the one being considered must be given as soon as practicable, and no later than seven working days in advance of the meeting.

13. Agendas for meetings of committees shall, subject to paragraph 14, be furnished only to members of such committees. Reports contained in part two of agendas for the Authority and committees shall be marked as "Private and Confidential. Not for publication by virtue of paragraph ( ) of Part I of Schedule 12A to the Local Government Act 1972".

14. Members not serving on such committees may, on request in writing to the Monitoring Officer and subject to agreement of the Chair, be supplied with part one and part two of the agenda for the committees concerned, where allowed under the provisions of the Local Government Act 1972 subject to those reports in part two being treated as private and confidential.

Minutes

15. Minutes of the proceedings of a meeting of the Authority shall, subject to paragraph 16 below, be drawn up and entered in a book kept for that purpose. They shall be signed at the same or at the next suitable meeting of the Authority

by the Chair, and any minute purporting to be so signed shall be received in evidence without further proof.

16. Notwithstanding anything in any enactment or rule of law to the contrary, the minutes of the proceedings of meetings of the Authority may be recorded on loose leaves consecutively numbered, signed, and each leaf initialled, at the same or next suitable meeting of the Authority, by the Chair. Any minute purporting to be so signed shall be received in evidence without further proof.

17. Until the contrary is proved, minutes of meetings that have been made and signed in accordance with paragraph 15 or 16 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.

18. For the purposes of paragraphs 15 and 16, the next suitable meeting of the 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.

Conduct

19. Members will at all times conduct themselves in accordance with the Code of Conduct, the Nolan principles, the Core Code of Ethics, and will abide by rules of common courtesy. The Chair is empowered to take action or make directions as necessary to maintain this.

20. Members will at all times follow the procedures in this constitution to ensure meetings run effectively and efficiently. The Chair is empowered to take action or make directions as necessary to maintain this.

21. If the Chair acts to call a member to order or to direct the course of the proceedings, the member speaking shall give way.

22. If any member refuses to obey the ruling of the Chair, the Chair shall be empowered to 'name' such offending member and it may be moved and seconded (without debate) that the offending member be suspended from the

meeting. If upon such motion being carried, the offending member refuses to comply, the Chair may take steps for the removal of the offending member.

23. During debate, only one member may speak at a time.

24. A member when speaking shall address the Chair.

25. If two or more members indicate a wish to speak, the Chair shall call on one to speak in the order they indicated; the other or others shall then be silent.

26. While a member is speaking, the other members shall remain silent, unless indicating a point of order or personal explanation (as set out at paragraphs 34-39).

Questions from members of the Authority

27. A member of the Authority may ask the Chair of the meeting any question upon an item in a report when that item is under consideration by the Authority or committee.

28. Every question shall be put and answered without discussion.

29. An answer may take the form of:

29.1 A direct oral answer.

29.2 A reference to a publication where the desired information is contained.

29.3 A written answer circulated to members and documented in the minutes where the reply to the question cannot conveniently be given there and then.

Content and length of speeches

30. A member shall direct their speech to the question under discussion or to a personal explanation or to a point of order.

31. Unless the Chair decides otherwise in a particular case, each speech shall be limited to five minutes.

32. A person exercising a right of reply shall be limited in their reply to five minutes.

When a member may speak again

33. A member who has spoken on any matter shall not speak again whilst that matter is the subject of debate, except:

33.1 In exercise of a right of reply.

33.2 On a point of order.

33.3 By leave of the Chair.

33.4 By way of personal explanation.

Personal explanations

34. A member may raise a personal explanation and with the approval of the Chair shall be entitled to be heard at that time.

35. A personal explanation shall be confined to some material part of a former speech by them that may appear to have been misunderstood in the present debate.

36. The ruling of the Chair on the admissibility of a personal explanation shall be final.

Points of order

37. A member may raise a point of order and be entitled to be heard at that time.

38. A point of order shall relate only to an alleged breach of a standing order or statutory provision and the member shall specify the standing order or statutory provision and the way in which they consider it has been broken.

39. The ruling of the Chair on a point of order shall be final.

Voting

40. The details of the exact procedural steps relating to any manner of voting shall be explained by the Monitoring Officer.

41. The Chair and Monitoring Officer shall ascertain the number voting for or against any question and their declaration as to the result shall be conclusive.

42. In the event of an equality of votes the Chair of the meeting shall have a second or casting vote.

Recorded (named) vote

43. The Authority shall normally vote upon matters by a show of hands but where any member proposes that a recorded vote be taken, a majority vote will be taken on this.

44. If a majority of members vote in favour, then the names of the members present and their votes on the original matter shall be taken by the Monitoring Officer and recorded in the minutes.

Anonymous ballot

45. An anonymous ballot may be held if a majority of members present and entitled to vote shall be in favour.

Recording of voting

46. Where immediately after a vote (other than a recorded vote or an anonymous ballot) is taken, if requested by any member it shall be recorded in the minutes how that member voted (or abstained).

Press and public

47. Subject to this standing order, members of the public (which includes employees of Lancashire Fire and Rescue Service) are not allowed to speak or take part in any such meetings.

48. Should a member of the public wish to draw any matter to the attention of the full Authority or a committee, they should submit a written submission to be read out. This should be submitted to the Monitoring Officer for consideration at least three working days before the date of the meeting (not including the date of the meeting).

49. If the member of the public wishes to address the meeting orally rather than in writing, this should be detailed in the written submission with reasons as to why an oral address is needed.

50. In exceptional circumstances, a member of the public may speak during a meeting without prior notice and a written submission as set out in this paragraph. This will be at the discretion of the Chair (taking into account the factors listed at paragraph 52 below) and will only be considered where it was not reasonably practicable for notice and a written submission to have been prepared (for example something arising unexpectedly during a meeting).

51. Whether any such submission is in fact read out at the meeting (or an oral address is allowed) is at the discretion of the Chair of that meeting in consultation with the Monitoring Officer and Vice-Chair.

52. In exercising their discretion referred to in paragraphs 50 and 51 above, the Chair should consider the following (this is a non-exhaustive list and other factors may be deemed relevant):

> 52.1 The relevance of the subject to be raised to items on the agenda or matters under discussion in the meeting.
>
> 52.2 What other evidence or discussion has already or will be heard on the same subject and whether this is a repetition of matters already aired.
>
> 52.3 Whether there is any other appropriate forum or channel for the member of the public to raise this subject and have their voice heard.
>
> 53.4 The level of disruption the intervention may cause to the meeting (in terms of time; the nature of the subject to be aired; whether it is considered to be a vexatious or malicious point or delivered in an abusive fashion).
>
> 54.5 The overall impact of the intervention on the efficient and orderly running of the meeting.

55. Unless the chair decides otherwise in a particular case, members of the public will be limited to speak for five minutes.

56. 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. If the Chair considers it essential for the purpose of the effective conduct of business, they may adjourn the meeting to another place, day or time.

57. The Authority or a committee may, by resolution, exclude the press and other members of the public from a meeting during an item of business. This is on the basis that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if they remained present there would be disclosure to them of exempt information as defined in Section 100I of the Local Government Act 1972. If moved and seconded, a majority vote on the exclusion of the press and public will be taken.

58. The press and other members of the public shall be excluded from a meeting whenever it is likely that confidential information as defined in Section 100A(3) of the Local Government Act 1972 would be disclosed to them in breach of the obligation of confidence.

59. Any business subject of a resolution under paragraphs 57 and 58 of this standing order shall stand adjourned until all other business of the meeting has been transacted. At that point the press and other members of the public shall leave the meeting and the adjourned business shall be considered.

60. Pursuant to Section 100A of the Local Government Act 1972, members of the public are permitted to attend any meeting of the full Authority or its committees (subject to exclusion in accordance with this standing order).

Notices of motion

61. Subject to paragraph 10, no motion shall be moved at any meeting of the Authority unless notice has been given:

    61.1 in writing;

    61.2 signed by the member or members of the Authority giving the notice (an email by the member or members giving notice would be regarded as sufficient for this purpose);

61.3 and delivered (or emailed) to the Monitoring Officer at least 14 clear working days before the next meeting of the Authority, not counting the day of the meeting.

62. The Monitoring Officer shall keep a record of the date motions were received and the order in which they were received.

Notices of motion not accepted

63. The Chair of the Authority shall have discretion not to accept any notice of motion where:

63.1 In the opinion of the Monitoring Officer the notice of motion is out of order, illegal, irregular, or improper.

63.2 The Chair, after consultation with the Monitoring Officer, determines that the matter can be more appropriately dealt with in some other way.

64. The Monitoring Officer shall notify the member as to the reasons for non-acceptance of any notice of motion.

Motions to be set out in agenda

65. The Monitoring Officer shall set out in the agenda for every meeting of the Authority and committees, all motions which have been duly given in the order in which they have been received.

66. If a motion set out in the agenda is not moved either by:

66.1 a member who gave notice of it; or

66.2 another member at the member's request and on their behalf, with the concurrence of the Chair of the Authority, it shall, unless postponed by consent of the Authority, be treated as withdrawn and shall not be moved without fresh notice.

67. A member of the Authority who has proposed a motion which has been referred to any committee shall be entitled to attend that committee and to speak to the item.

Motions and amendments (which may be moved without notice)

68. The following motions and amendments may be moved without notice:

68.1 Appointment of a Chair of the meeting at which the motion is made.

68.2 Motions relating to the accuracy of the minutes.

68.3 That an item of business specified in the agenda is dealt with earlier in the meeting.

68.4 That any item of business be referred to a committee.

68.5 That a committee, sub-committee or working group be appointed in connection with any item mentioned in the summons to the meeting.

68.6 Adoption of reports and recommendations of any committee or officer and any consequent resolutions.

68.7 That leave be given to withdraw a motion.

68.8 Extending the time limit for speeches.

68.9 Amendments to motions.

68.10 That the Authority proceeds to the next business.

68.11 That the question now be put.

68.12 That the debate be now adjourned.

68.13 That the Authority do now adjourn.

68.14 Suspending any standing orders.

68.15 Motions to exclude the public, under Section 100A(4) Local Government Act 1972.

68.16 That a recorded vote or anonymous ballot be taken.

Amendments to motions

69. An amendment shall be relevant to the motion and shall be either:

69.1 To refer a subject of debate to a committee, sub-committee or working group for consideration or re-consideration.

69.2 Amend the words but any such omission, insertion or addition of words shall not have the effect of negating the motion.

70. If an amendment is lost, other amendments to the original motion may be moved.

71. If an amendment is carried, the motion as amended shall take the place of the original motion and shall (without any formal vote to this effect) become the substantive motion upon which any further amendment may be moved.

Withdrawal of motion

72. The mover may, with the consent of the seconder and members in the meeting, withdraw a motion or amendment by way of a vote and no person may then speak upon it.

Rules of debate

73. A motion or amendment shall not be discussed unless it has been proposed and seconded and it shall, if required by the Chair, be put into writing and handed to the Chair and Monitoring Officer before it is further discussed or put to the meeting.

74. A member when moving a motion or amendment may introduce the motion or reserve their speech until a later period of the debate.

75. A mover of a motion or amendment also has a right to reply at the close of the debate on the motion, immediately before it is put to the vote.

76. A reply shall be strictly confined to answering previous speakers and shall not introduce new matters.

77. Once a motion has been moved and seconded any member can speak on it.

Standing Order 8 - Urgent business procedure

1. Decisions made by the Combined Fire Authority should be taken by the Authority itself, its committees in accordance with terms of reference, or by its officers under delegated powers.

2. Where matters arise which require urgent action that fall outside of the scheme of delegation to officers and would ordinarily be dealt with by the full Authority or one of its committees, consideration should first be given to the possibility of setting up an extraordinary meeting of the Authority. Where, in the opinion of the Monitoring Officer, setting up an extraordinary meeting is not possible, practicable or the best course of action in the circumstances, then decisions relating to matters which require urgent action are to be taken by the Chief Fire Officer, the Monitoring Officer or the Treasurer depending on the nature of the business concerned.

3. Matters dealt with under this procedure should only be matters of genuine urgency that cannot wait until the next relevant meeting of the Authority or committee.

4. Before taking any urgent action on behalf of the Authority or any of its committees, where possible the Chief Fire Officer, Monitoring Officer or Treasurer, will seek the views of the Chair and Vice-Chair of the Authority or of the committee which would otherwise deal with the matter. If for any reason none of the four members named above (Chair and Vice-Chair of the Authority or of the committee which would otherwise deal with the matter) are available, the views can instead be sought of the Chair or Vice-Chair of any other committee, or of any of the leaders of the political groups as seems most appropriate.

5. Where prior consultation has not proved possible, notification as soon as possible thereafter will be undertaken.

6. A record will be maintained of the urgent action authorised by the Chief Fire Officer, Monitoring Officer or Treasurer following the decision being made and will

be reported for information to the next meeting of the Authority or committee as appropriate.

7. The decision taken must not be contrary to a previous decision of the Authority or established practices.

Standing Order 9 – Disciplinary Procedure for Statutory Officers

Introduction

1. This procedure outlines the process to be followed when dealing with disciplinary matters for statutory officers in Lancashire Fire and Rescue Service. It is intended to provide a fair and consistent process specifically for dealing with disciplinary action, the use of suspension, carrying out investigations, dismissals and appeals for the post-holders who hold the office of Head of Paid Service (Chief Fire Officer), Monitoring Officer and Treasurer (Director of Corporate Services), referred to as statutory officers. This procedure only applies to employees of Lancashire Fire and Rescue Service.

2. The following has been considered in the development of these procedures:

   2.1 The Local Authorities (Standing Orders (England) Regulations 2015 amended.

   2.2 The Local Authorities (Standing Orders) (England) Regulation 2001 regarding the disciplinary procedure for statutory positions within authorities.

   2.3 The Joint Negotiating Committee (JNC) has issued a revised edition of the National Salary Framework and Conditions of Service Handbook for Local Authorities' Chief Executives. The included Model Disciplinary Procedure (England and Wales) forms the basis of this procedure (applies to Treasurer and Monitoring Officer).

Disciplinary Action

3. The disciplinary action in relation to this process includes any action occasioned by alleged misconduct or poor performance which, if proven, would be recorded on the statutory officer's personal file. This includes any proposals for dismissals of the statutory officer for any reason other than

redundancy, permanent ill health or infirmity of body where another more appropriate procedure may be invoked.

4. Where an allegation is made in respect of a statutory officer which could constitute either misconduct or gross misconduct, then the Authority may initiate this disciplinary procedure.
5. If the employee raises a grievance during the disciplinary procedure, the employer can pause the disciplinary investigation or hearing and deal with the grievance first. It may be appropriate to deal with both at the same time if the grievance and the disciplinary case are related.

Right to be accompanied

6. The statutory officer will have the opportunity to be accompanied by their trade union representative or some other person of their choice (at their own cost), excluding, in exceptional circumstances, where there is a need to suspend the statutory officer in an emergency.
7. The statutory right to be accompanied applies only to hearings where disciplinary action may be taken or confirmed. Whilst every effort will be made to agree suitable dates the unavailability of a representative cannot unduly delay the procedure. In this procedure the statutory right to be accompanied would arise as follows:

    7.1 Where the Investigation and Disciplinary Committee (IDC) considers the report of the Independent Investigator (II) and provides the statutory officer with the opportunity to state their case before making its decision.

    7.2 During any appeal against the decision taken by the IDC for action short of dismissal.

    7.3 At a full Authority meeting considering a recommendation for dismissal which also fulfils the requirement relating to a right of appeal.

8. At any of these detailed stages the statutory officer, where the representative is unavailable, will have the right to postpone the meeting for a period of up to ten calendar days.

9. If the statutory officer representative is unable to attend within that period the Authority has the right to proceed with the hearing without further delay,

although reasonable consideration should be given to arranging an alternative date.

Suspension

10. The Chief Fire Officer, in consultation with the Chair of the Authority or, in their absence, the Vice-Chair holds the delegated power to suspend the Director of Corporate Services and the Monitoring Officer immediately in an emergency. The Chair and any leaders of other political groups will be advised that a statutory officer has been suspended on emergency grounds.

11. Where there is a consideration to suspend the Chief Fire Officer, an Investigation and Disciplinary Committee (IDC) will be established and the facts considered.

12. Suspension will not take place until the provision of appropriate welfare arrangements have been considered. This includes but is not limited to:

12.1 Referral to Occupational Health.

12.2 Appointment of a welfare officer – this may be internal or external.

12.3 An internal point of contact whose role is to keep the officer regularly updated on progress of the investigation or next steps.

12.4 Signposting to the Employee Assistance Programme.

12.5 Safeguarding.

12.6 Consideration of the involvement of the Chair of the National Fire Chiefs Council (NFCC).

Informal fact finding

13. This procedure will allow for an initial fact finding or preliminary investigation to be undertaken. The purpose of the initial fact finding, or preliminary investigation is to determine if a potential question of discipline exists and, if it does, whether it could not be resolved by a quiet word, informally (such as, through an unrecorded informal warning).

14. However, it will depend upon the seriousness of the situation. The working context will also be considered, for example a challenging period for employees or communities such as industrial action or changes to service delivery. The potential for a vexatious complainant or smear campaign will also be considered. Advice can be provided by the Chief Fire Officer, Monitoring Officer, Legal Services and Standards Manager, and Director People and Development, as applicable and depending on the circumstances of the case. Records should be kept of allegations and preliminary investigations.

15. On receiving the initial fact-finding report, the Monitoring Officer or their deputy, and if the matter relates to the Monitoring Officer, the Chief Fire Officer, (in consultation with the independent person) will determine whether a case should be referred to the IDC. The IDC will comprise a group of five members politically constituted with the Chair usually being the Chair of the Fire Authority.

Informal stage

16. If an allegation or other issue raised against a statutory officer is considered to require a full investigation, the following process will apply.

16.1 The Monitoring Officer, or their deputy will receive and refer the allegation or issue to the IDC. The Monitoring Officer or their deputy will act as Clerk to the IDC providing necessary procedural and administrative support including noting the meetings accordingly. The IDC will decide when receiving the initial allegation, the appropriate person to assist them with information gathering that may be required at this initial stage. This may be the Monitoring Officer, or their deputy, or another appropriate person as determined by the IDC.

16.2 Where the allegation or issue relates to the Monitoring Officer then the CFO will nominate an appropriate person to be responsible for the receiving and referring the allegation or issue to the IDC. In such circumstances the Deputy Monitoring Officer will provide procedural and administrative support to the IDC as necessary. The IDC will decide, when receiving the initial allegation, the appropriate person to assist them with the information gathering at this stage. This may be the Deputy

Monitoring Officer, or another appropriate officer as determined by the IDC.

16.3 The IDC will, as soon as is practicable, inform the statutory officer in writing of the allegation or other issues under investigation. They will also provide, as soon as is practicable, them with any evidence the IDC is to consider. This includes the right to hear any oral evidence that may be presented.

16.4 The statutory officer will be invited to put forward written representations and provide any evidence, including evidence from any witnesses they wish the IDC to consider. The IDC will also provide the opportunity for the statutory officer to make oral representations direct to the IDC. The IDC, having considered the allegation or other issues, supporting evidence, written or oral representations of the statutory officer and report (oral or written) prepared by the information gatherer, will decide whether the allegation or issues considered:

16.4.1 Require no further action.

16.4.2 Can be resolved via issue of an unrecorded oral warning.

16.4.3 Should be referred to an independent investigator.

17. In determining whether an allegation of misconduct by a statutory officer should be investigated in accordance with the Authority's approved procedures, it may be decided to take no action if one or more of the following applies:

17.1 Insufficient information has been provided on which to base a decision on whether the allegation should be investigated.

17.2 The allegation appears to be simply malicious or "tit-for-tat".

17.3 The allegation is deemed vexatious.

17.4 Based on the evidence, the allegation is unfounded, by reference to a cursory examination of the facts on a balance of probability.

18. Where an informal or unrecorded oral warning is to be issued the Monitoring Officer, (or the deputy for issues involving the Monitoring Officer), will make

necessary arrangements for the statutory officer to attend a planned meeting of the IDC.

19. The threshold test for the appointment of an independent investigator is where the IDC considers:

19.1 There is sufficient evidence in support of the allegation to require further investigation.

19.2 Should the allegations be upheld it would lead to either dismissal or another formal sanction that would be recorded on the statutory officer's file.

20. The IDC will aim to advise the statutory officer in writing of its decision within a maximum period of two months, following initial submission of the allegation or complaint to the IDC. In exceptional cases where the IDC anticipates further time is necessary beyond two months, the statutory officer will be notified of this.

21. The IDC will request officer support, when required, to ensure the formal stages can progress procedurally as necessary. This may involve the Monitoring Officer, their deputy, the Director of People and Development, members of Democratic Services or relevant deputies as appropriate to ensure the procedure can progress in a timely manner.

Formal Stage

Independent Investigator

22. The IDC are responsible for the appointment of an independent investigator. This may be from the nationally maintained list, Northwest Employers, a suitably qualified and trained investigator, or a fire sector expert. The IDC will be provided with three names which will then be provided to the statutory officer who is subject to the complaint. The statutory officer will be invited to select one of the names and may only discount names where a genuine conflict of interest exists. If the statutory officer has not agreed a name within 14 days, the IDC will select the investigator from the names provided.

23. The IDC will be responsible for ensuring the independent investigator is provided with terms of reference for their role and has sufficient facilities, support, access to information and officers, and is appropriately remunerated for this role.

24. Once appointed, the independent investigator should carry out a thorough investigation in line with the Advisory, Conciliation and Arbitration Service (ACAS) Code of Practice on Discipline and Grievances to gather evidence and establish the facts promptly, ensuring a written record is made at all stages for later reference.

25. Where the statutory officer is to be interviewed by the independent investigator as part of an investigation they will be advised of the purpose of the meeting in advance. When making these arrangements this should not frustrate or delay the investigation.

26. The statutory officer or their representative will be given the opportunity to present their case and any relevant evidence to the independent investigator. Any technical expertise or witnesses relevant to the case will also be made available where necessary.

27. Notes of any interviews taken as part of the investigation process should be treated as confidential and also treated with discretion. However, those taking part in the process should be advised that any records, notes and statements or interviews, taken as part of the process, may be shared as appropriate, if assessed as relevant information to be considered within the context of this policy and procedure.

28. Having investigated and established the facts, the independent investigator will refer the completed investigation report and evidence gathered, including any recommendations with rationale as to the way forward, to the IDC via either the Monitoring Officer, their deputy, or other appropriate officer as pre-determined by the IDC.

Consideration and decision of the IDC

29. The IDC will consider the report of the independent investigator and the recommendations made during a formal disciplinary hearing conducted in accordance with the ACAS Code of Practice and its supporting guidance, before deciding on the course of action to take.

30. During the hearing, the statutory officer will be provided with the opportunity to make representations or provide mitigating circumstances at the hearing and may be accompanied. The statutory officer will have the opportunity to challenge the recommendations of the Independent Investigator and question any witnesses.

Recommendation of the IDC

31. Following the Formal Hearing the IDC will make a recommendation as follows:
    - 31.1 No case to answer.
    - 31.2 Disciplinary action short of dismissal.
    - 31.3 Dismissal.
32. Where there is no case to answer the IDC will advise the statutory officer, in writing, of their decision confirming the ending of any suspension, if required.
33. In such instances, appropriate communication can be prepared in consultation with the statutory officer to ensure as far as possible that there is no damage to their reputation.

Disciplinary action short of dismissal

34. The IDC when recommending disciplinary action short of dismissal, will be responsible for taking the action and imposing any appropriate penalty. There is no requirement for full Authority to approve action short of dismissal. The actions short of dismissal available to the IDC are as follows:

35. Issue a written warning;

    - 35.1 A verbal warning valid for 6 months from the date of issue.
    - 35.2 A written warning valid for 12 months from the date of issue.
    - 35.3 A final written warning valid for 18 months from the day of issue.

36. The IDC will communicate its decision to the statutory officer in writing outlining the rationale for the decision. The statutory officer will have the right to appeal disciplinary action short of dismissal to the Appeals Committee.

Recommendation for dismissal

37. Where the IDC decision is to recommend dismissal, the statutory officer must be notified in writing of the recommendation and advised that this recommendation will be sent to the Independent Panel, along with copies of the independent investigators report. The statutory officer must be advised of the option to submit written representation to the Independent Panel.

The Independent Panel

38. The Independent Panel (IP) is an advisory committee appointed by the Authority that consists of two independent persons appointed under S28 (7) of the Localism Act 2011, established for the purpose of advising the Authority on matters relating to the dismissal of the statutory officers. Guidance issued by the Department of Communities and Local Government (DCLG) recommends that the Independent Panel should consist of independent persons only. This approach is consistent with the JNC for Local Authority Chief Executives Model Disciplinary procedures.

39. The IP will be responsible for considering any recommendation from the IDC to dismiss a statutory officer and will consider both the IDC decision report along with the report from the independent investigator. The IP meeting is not a re-hearing, and witnesses will not be called. The statutory officer however should be present at the meeting of the IP, and the IDC should be represented by a nominated person.

40. The statutory officer will be entitled to submit written representations for consideration by the IP as well as being afforded the opportunity to make oral representations at the meeting of the IP. The nominated representative of the IDC will be invited to respond to any of the points made by the statutory officer during the meeting. Both parties may be questioned as necessary by the IP.

41. The Independent Panel will consider the IDC recommendations, the submission of the statutory officer and the report of the Independent Investigator and make their recommendations in a report for full Authority. The report of the IP will outline a clear rationale if they disagree with the recommendation of the IDC to dismiss. The panel may give advice, express its views and make its own recommendations before the Authority to consider whether to approve a proposal to dismiss a statutory officer.

42. The panel may have access to external legal and professional advice as necessary.

Full Authority

43. A report will be submitted to full Authority by the Monitoring Officer or their deputy, or another appropriate officer as necessary which includes:

43.1 The recommendation of the IDC.

43.2 The Independent Investigators Report.

43.3 The comments made on the recommendation for dismissal from the Independent Panel.

44. The full Authority will consider the recommendation to dismiss the statutory officer. The meeting will not be a re-hearing, and witnesses will not be called. However, the statutory officer will be invited to attend this meeting and given the opportunity to address the Authority. The independent investigator may also be invited to attend to provide clarification if required.

45. Following full consideration, the Authority should either confirm or reject the recommendation to dismiss. It is a statutory requirement that the full Authority must take into account any advice, views or recommendations of the Independent Panel when they are considering the proposed dismissal of a statutory officer and before dismissal (with or without notice) is confirmed to them.

46. The Authority will vote on whether to dismiss (majority vote) and their decision will be final.

47. If rejecting the recommendation, the Authority may elect to impose a lesser disciplinary sanction or take no further action.

48. If the recommendation is confirmed the statutory officer will be notified in writing.

49. An interlude is required of at least 20 working days between the Independent Panel and the full Authority meeting.

Appeals

Appeals against disciplinary action short of dismissal

50. The statutory officer has the right to appeal against action short of dismissal to the Appeals Committee. The statutory officer must appeal within seven calendar days of receiving the notice of the sanction and the outcome of the hearing. The notice of any appeal must be in writing and should clearly specify one or more of the grounds of appeal such as:

50.1There was a defect in the procedure.

50.2 The independent investigators report being inaccurate or incomplete.

50.3 The issue is not proven on the balance of probabilities.

50.4 The disciplinary sanction was too severe.

50.5 New evidence has come to light since the hearing which will have an impact on the decision.

51. The Appeals Committee will consider the report of the independent investigator and any other relevant information considered by the IDC. The statutory officer will have the opportunity to appear at the meeting of the Appeals Committee and present their case.

52. The Appeals Committee will consider all matters before deciding as to whether to:

52.1Reject the appeal and confirm the IDC’s decision.

52.2 Allow the appeal in part and impose alternative action short of dismissal.

52.3 Allow the appeal and take no further action against the statutory officer.

53. The decision of the Appeals Committee is final.

Appeals against dismissal

54. The ACAS Code of Practice requires that an employee who is dismissed is provided with the opportunity to appeal against the decision.

55. The whole Authority should approve a dismissal before notice of dismissal is issued. There may be some concerns about the ability to offer a fair appeal if the whole of the Authority is familiar with the issues and already taken the provisional decision to dismiss.

56. All information will be provided to all Authority members in line with statutory requirements providing an opportunity for members to raise objections.

57. The statutory officer will have the option to make written representations in advance to the Authority and attend the meeting to make oral representations before the decision is taken on the recommendation to dismiss. Those representations constitute the statutory officer’s final right of appeal.

Protocol for Filming or Recording Public Meetings

1. Members of the public and press are entitled to attend and report on any of the Authority's meetings that are held in public. These public meetings can be reported by filming, photographing, making an audio recording or otherwise reporting on them for example through the use of social media.

2. You do not need prior permission to attend and report, but it would be helpful if members of the public give notice of their intention so any necessary practical arrangements can be made. Contact: CFA@lancsfirerescue.org.uk

3. The primary purpose of the public meeting is to transact its business in a transparent manner. If a member of the public or press is present at the meeting, they are not permitted to provide an oral commentary on the meeting as it takes place. The Authority will as far as practicable provide reasonable facilities for members of the press or public who wish to report on proceedings. Reporting may only be carried out from within the areas designated for the press and public or as directed by the Chair of the meeting, from where the meeting can be viewed and heard. This may only be done in a non-disruptive way and must not impede the view of other attendees or access to the meeting room. There is limited space for tables but if there are specific requirements and advance notice is given of these, they will be accommodated as much as is practicable.

4. This protocol is about the right is to report the proceedings of the meeting. Other members of the public may also be present as observers only and may not wish to be filmed or recorded. Their wishes should be complied with if they actively indicate an objection to being filmed or recorded. This does not apply to formal public participation in the meeting.

5. Members of the public and press are not able to attend or report private meetings or those where the press and public have been excluded, and must not leave any recording equipment in the room where a private meeting is held.

6. Members of the public and press must not behave in a way which is disruptive, and to do so could result in them being stopped from reporting on the meeting or even excluded from it. Disruptive behaviour could be any action or activity which disrupts the good conduct of the meeting or impedes others from being able to see, hear or

themselves film the proceedings. Examples include moving outside the areas designated for the press or public without the Chair's consent; excessive noise in recording, setting up or re-siting equipment during the meeting; intrusive lighting; any flash photography; or interrupting the meeting in any way. The Chair of the meeting has responsibility for ensuring the proper conduct of the meeting's business and may require people to stop reporting or even exclude them from the meeting entirely if they are being disruptive.

Members' code of conduct

Definitions

1. For the purposes of this Code of Conduct, a "member" means a member or co-opted member of Lancashire Combined Fire Authority. 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:

   1.1 is a member of any committee or sub-committee of the Authority, or;

   1.2 is a member of, and represents the Authority on, any joint committee or joint sub-committee of the Authority;

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

Purpose of the Code of Conduct

2. The purpose of this Code of Conduct is to assist you, as a member, 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 members, officers and the reputation of the Authority. It sets out general principles of conduct expected of all members and your specific obligations in relation to standards of conduct. The Authority 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 members and local government.

General principles of member conduct

3. Everyone in public office at all levels: all who serve the public or deliver public services, including ministers, civil servants, councillors, Combined Fire Authority members and officers should uphold the Seven Principles of Public Life, also known as the Nolan Principles (Appendix A).

4. Building on these principles, the following general principles have been developed specifically for your role as member co-opted on the Combined Fire Authority.

5. In accordance with the public trust placed in me, on all occasions:
   5.1 I act with integrity and honesty.
   5.2 I act lawfully.
   5.3 I treat all persons fairly and with respect.
   5.4 I lead by example and act in a way that secures public confidence in the role of member.

6. In undertaking my role:
   6.1 I impartially exercise my responsibilities in the interests of the local community.
   6.2 I do not improperly seek to confer an advantage, or disadvantage, on any person.
   6.3 I avoid conflicts of interest.
   6.4 I exercise reasonable care and diligence.
   6.5 I ensure that public resources are used prudently in accordance with my Authority's requirements and in the public interest.
   6.6 I will adhere to the Core Code of Ethics for Fire and Rescue Services.

Application of the Code of Conduct

7. This Code of Conduct applies to you as soon as you become a member of the Authority or are appointed as a co-opted member, and continues to apply to you until you cease to be a member or co-opted member.

8. This Code of Conduct applies to you when:
   8.1 You are acting in your capacity as a member or as a representative of the Authority.
   8.2 You are claiming to act as a member or as a representative of the Authority.
   8.3 You are giving the impression that you are acting as a member or as a representative of the Authority.

8.4 You refer publicly to your role as a member or use knowledge you could only obtain in your role as a member.

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

9.1 At face-to-face meetings.

9.2 At online or telephone meetings.

9.3 In written communication.

9.4 In verbal communication.

9.5 In non-verbal communication.

9.6 In electronic and social media communication, posts, statements and comments.

10. You are also expected to uphold high standards of conduct and show leadership at all times.

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

Standards of member conduct

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

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

General Conduct

14. Respect

As a member:

14.1 I treat other members and members of the public with respect.

14.2 I treat Authority employees, employees and representatives of partner organisations, and those volunteering for the Authority with respect and respect the role they play.

14.3 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.

14.4 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 members.

14.5 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 members, where action could then be taken under the Member Code of Conduct, and employees, where concerns should be raised in line with the member-officer protocol.

15. Bullying, harassment and discrimination

As a member:

15.1 I do not bully any person.

15.2 I do not harass any person.

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

15.4 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.

15.5 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.

15.6 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.

15.7 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.

16. Impartiality of members of the Authority

As a member:

16.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the Authority.

16.2 Officers work for the Authority as a whole and must be politically neutral. 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.

17. Confidentiality and access to information

As a member:

17.1 I do not disclose information:

17.1.1 Given to me in confidence by anyone.

17.1.2 Acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless:

- I have received the consent of a person authorised to give it;
- I am required by law to do so;
- 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
- the disclosure is:
    - reasonable and in the public interest; and
    - made in good faith and in compliance with the reasonable requirements of the local authority; and
    - I have consulted the Monitoring Officer prior to its release.

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

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

17.4 The Authority must work openly and transparently, and their proceedings and printed 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 the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

18. Disrepute

As a member:

18.1 I do not bring my role or the Authority into disrepute.

18.2 As a member, 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 members and the Authority and may lower the public's confidence in you or your local authority's ability to discharge its functions. For example, behaviour that is considered dishonest or deceitful can bring the Authority into disrepute.

18.3 You are able to hold the Authority and fellow members to account and are able to constructively challenge and express concern about decisions and processes undertaken by the Authority whilst continuing to adhere to other aspects of this Code of Conduct.

19. Use of position

As a member:

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

19.2 Your position as a member of the Authority 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.

20. Use of Authority resources and facilities

As a member:

20.1 I do not misuse Authority resources.

20.2 I will, when using the resources of the Authority or authorising their use by others:

20.2.1 act in accordance with the Authority's requirements; and

20.2.2 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 Authority or of the office to which I have been elected or appointed.

20.3 You may be provided with resources and facilities by the Authority to assist you in carrying out your duties as a member. Examples include:

20.3.1 Office support.

20.3.2 Stationery.

20.3.3 Equipment such as phones, and computers.

20.3.4 Transport.

20.3.5 Access and use of local authority buildings and rooms.

20.4 These are given to you to help you carry out your role as a member 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 local authority's own policies regarding their use.

21. Complying with the Code of Conduct

As a member:

21.1 I undertake Code of Conduct training provided by the Authority.

21.2 I cooperate with any Code of Conduct investigation or determination.

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

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

21.5 It is extremely important for you as a member to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the Authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the Authority

22. Interests

As a member:

22.1 I register and declare my interests.

22.2 You need to register your interests so that the public, Authority employees and fellow members 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 declare 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 declared 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.

22.3 You should note that failure to register or declare a disclosable pecuniary (financial) interest is a criminal offence under the Localism Act 2011.

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

23. Gifts and hospitality

As a member:

23.1 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 local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

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

23.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

23.4 In order to protect your position and the reputation of the Authority, 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 member. 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 member, such as 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 member. If you are unsure, contact your Monitoring Officer 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 declare 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 and treat others with respect. They should actively promote and robustly support these principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B – Registering and declaring interests

1. Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer 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 paragraph 16 (Other Registerable Interests).

2. “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.

3. "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.

4. 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 Monitoring Officer.

5. 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.

6. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

7. 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.

8. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as part of the urgent business procedure, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests

9. Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your Other Registerable Interests paragraph 16, 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

10. 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.

11. Where a matter arises at a meeting which affects;

    11.1 your own financial interest or well-being;

    11.2 a financial interest or well-being of a relative or close associate; or

11.3 a financial interest or wellbeing of a body included under Other Registrable Interests as set out in paragraph 16

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.

12. Where a matter (referred to in paragraph 11 above) affects the financial interest or well-being:
    12.1. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
    12.2. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

13. 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.

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

15. Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as part of the urgent business procedure, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

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. [Any unpaid directorship.]
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 them in carrying out their duties as a councillor, or towards their 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 their spouse or civil partner or the

	councillor is living as if they were spouses or 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 council: (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or their spouse or civil partner or the person with whom the councillor is living as if they were spouses or civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.

Corporate tenancies	Any tenancy where (to the councillor's knowledge): (a) the landlord is the council; and (b) the tenant is a body that the councillor, or their spouse or civil partner or the person with whom the councillor is living as if they were spouses or 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 their spouse or civil partner or the person with whom the councillor is living as if they were spouses or civil partners has 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.

Other Registerable Interests

16. Any Body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the council;

a. exercising functions of a public nature;

b. directed to charitable purposes; or

16.3 one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);

16.4 of which you are a member or in a position of general control or management.

Member complaints procedure

1. Section 28 of the Localism Act 2011 provides that a relevant authority must have in place arrangements under which allegations can be investigated, and arrangements under which decisions on allegations can be made. This document sets out those arrangements. The Local Government Association's Guidance on Member Model Code of Conduct Complaints Handling (21 September 2021) has been referred to in drafting this document. If there is any ambiguity, lack of clarity or gaps in this document, that Guidance may be referred to in order to assist comprehension and to provide more detailed guidance on how to approach any of the steps described in this document. For the avoidance of doubt, reference in this procedure to the "authority" means Lancashire Combined Fire Authority and does not refer to the member's home authority.

2. There are no specific timescales in this document for any step in the process. This is because of the number of variables that may be encountered which could make timescales impossible to meet. Equally, allowing too long a period of time when matters could be progressed more quickly is to be avoided. It is however recognised that in almost every case, dealing with complaints as promptly as possible will likely be in the best interests of all involved and the overarching aim should be to deal with all steps under this process as efficiently and swiftly as possible without compromising fairness; impartiality; transparency and thoroughness.

3. The Localism Act further provides that arrangements put in place by a relevant authority to investigate and decide upon allegations must include provision for the appointment by the authority of at least one Independent Person. Their views must be sought, and taken into account by the authority before it makes its decision on an allegation that it has decided to investigate. Details of Lancashire Combined Fire Authority's Independent Persons can be found on Lancashire Fire and Rescue Service's website.

4. The views of the Independent Person may also be sought: (i) by the authority in relation to an allegation in any circumstances, even if it has not yet decided to investigate; or (ii) by a member, or co-opted member, of the authority if that person's behaviour is the subject of an allegation. The views of the Independent Person can

therefore be sought by the authority or the member complained of at any stage in this procedure.

5. Any complaint received must be put into writing (if not already – section 28(9) Localism Act) and contain sufficient detail for the matter to be looked into along with contact details of the complainant. This should be sent to the Monitoring Officer who will acknowledge receipt. If the Monitoring Officer identifies a conflict of interest which prevents them from involvement in an investigation, either the Deputy Monitoring Officer or a Monitoring Officer from another authority will be engaged to undertake the role normally performed by the Monitoring Officer.

6. The Monitoring Officer will normally disclose details of the complaint to the member who the complaint is about at this stage, as well as the identity of the complainant. There is discretion however to not disclose some or all of this detail in exceptional circumstances, for example if doing so may prejudice the investigation; potentially lead to intimidation of the complainant or witnesses; lead to the compromise or destruction of evidence; or some other good reason.

7. The Monitoring Officer in consultation with the Independent Person will make an initial assessment of the written complaint and determine whether to:

7.1 Take no action.

7.2 Arrange for the matter to be dealt with informally if possible.

7.3 Refer the matter for formal investigation.

7.4 They may also refer the matter to the police or other regulatory agency (for example for failing to disclose a disclosable pecuniary interest) but this will be in addition to one of the actions above.

8. In assessing the complaint at this stage, the Monitoring Officer will apply the ‘public interest’ test when filtering complaints:

8.1 Can the complaint be investigated: Is the person a member of the authority? Is the conduct covered by the Code? When did the alleged conduct occur?

8.2 Should the complaint be investigated: Is there potentially evidence to support the complaint? Is it obviously vexatious, petty or malicious? (A vexatious complaint is one which is likely to cause a disproportionate or unjustifiable level of distress, disruption or irritation. A petty complaint is one that at its highest is trivial and of minimal importance. A malicious complaint is one that appears untrue and whose main purpose is to cause harm). Is the behaviour complained of historic, and if so what is the reason for any delay? Is this a matter that has already been investigated or dealt with in some other way? Would an investigation be proportionate and in the public interest?

9. Where the initial assessment decision is to take no action, this will be communicated to the complainant and the member in writing along with a rationale for the decision. This decision is final and there is no appeal against this.

10. If the Monitoring Officer believes that the matter can be reasonably resolved without the need for a hearing (local resolution), they will consult the Independent Person, the complainant and the member and seek to agree a fair resolution, for example the member accepting that their conduct was unacceptable and offering an apology, or agreeing to go on training.

11. If either one or both of the complainant and the member do not agree the proposed local resolution, this will be taken into consideration by the Monitoring Officer and Independent Person but will not be in itself the sole determinant of whether or not this would be the appropriate method of resolution. The Monitoring Officer can decide that this will be the outcome despite their disagreement. Clearly if the proposal would involve a positive action by the member and they refuse to carry this out, this would be a strong factor indicating local resolution is unworkable.

12. If local resolution does take place, the Monitoring Officer will report the matter to the Audit, Risk and Governance Committee but will take no further action. If the Monitoring Officer does not believe that local resolution appropriate, or if it is attempted but for some reason not successful, they will progress the matter to a hearing. It should be noted that if the matter is dealt with by local resolution, there will have been no finding of fact, although the member may have admitted some or all of the conduct complained of.

13. Where the Monitoring Officer decides that the complaint requires a formal investigation a suitable impartial investigator will be appointed by the Monitoring Officer.

14. The investigator will produce a written report which should be proportionate to the nature of the complaint but should incorporate the following:

14.1 Executive Summary – an outline of the allegation, who made it, the relevant provisions of the Code and whether there has been a breach.

14.2 The member's official details – a brief outline of when the member was elected, term of office, details of committees served on and any relevant training.

14.3 Summary of facts and evidence gathered, highlighting facts which are in dispute and setting out the investigator's conclusions based on the balance of probabilities.

14.4 Findings as to whether there has been a failure to comply with the Code on the balance of probabilities. Dealing with each allegation in turn and outlining whether the investigator considers there has been a breach and any aggravating or mitigating facts.

14.5 Schedule – a list of witnesses interviewed and copies of relevant documents.

15. A copy of the report will be sent first to the Monitoring Officer who will then circulate it to the member and complainant to check for factual accuracy. Both will have the opportunity to make written submissions at this stage, but these are limited to correcting factual inaccuracies or drawing attention to further relevant evidence that has not been considered. The Monitoring Officer and the Independent Person can also at this stage make comment to the investigator if they feel any parts of the report may need amendment for any reason, or if further investigation is needed. If a third party is named and criticised in the report, consideration should be given to allowing them to make comment on any parts that concern them. Any such submissions or comments will be fed back to the investigator who will make such further investigations as appropriate and make any amendments to the report before submitting a final draft to the Monitoring Officer.

16. On receipt of the final draft of the report, the Monitoring Officer can:

16.1 decide to take no further action;

16.2 seek to resolve the matter informally; or

16.3 refer the matter to a hearing.

16.4 In doing so the Monitoring Officer must consult with the relevant Independent Person.

17. Where the investigator concludes that there is no evidence of a failure to comply with the Code, the Monitoring Officer will review the report in consultation with the Independent Person. If the Monitoring Officer is satisfied with the investigator's conclusion, they will write to the complainant and to the member, enclosing a copy of the final report and telling them that no further action will be taken.

18. Where the investigator concludes that there is evidence of a failure to comply with the Code, the Monitoring Officer will review the report in consultation with the Independent Person and will either send the matter for hearing before the Audit, Risk and Governance Committee (either at its next scheduled meeting or at a meeting set up specially for this purpose) or, after consulting the Independent Person, seek local resolution.

19. If proceeding to a hearing, the Monitoring Officer will ensure that all relevant papers are before the Audit, Risk and Governance Committee which will conduct a hearing before deciding whether the member has failed to comply with the Code and, if so, what action if any to take. This hearing will be chaired by an Independent Person sitting on the Audit, Risk and Governance Committee and not its usual Chair. The Monitoring Officer will advise this committee to ensure that the process is fair and in accordance with the law and this procedure (unless there is a conflict of interest in which case with the Deputy Monitoring Officer or a Monitoring Officer from another authority will perform this role).

20. The Monitoring Officer and the Audit, Risk and Governance Committee Independent Person may meet before the hearing in order to discuss arrangements as to how the hearing will be conducted and to issue any necessary instructions to relevant people in advance of the hearing. If the member wishes to have

representation at the hearing, the Monitoring Officer should be advised as soon as possible so that this can be considered and factored in.

21. The Audit, Risk and Governance Committee will consider the complaint made about the member afresh, having regard to the investigator's findings and all relevant information presented to the hearing by the complainant and the member.

22. The Independent Person must be consulted and their views taken into account before any decision is made on an allegation which has been investigated. The Independent Person will ordinarily be present at the hearing to present their views in person, but this is not vital if it would serve no useful purpose or is otherwise not feasible and the Audit, Risk and Governance Committee are content that their views can be fully and adequately put before them in some other way.

23. Meetings of the Audit, Risk and Governance Committee when conducting this hearing will be subject to the normal rules for publication of agendas and access to information.

24. The Audit, Risk and Governance Committee will conduct the hearing in accordance with the rules of natural justice and make a decision on the balance of probabilities, but the format and procedure of the hearing will be at the discretion of the Audit, Risk and Governance Committee Independent Person in consultation with the Monitoring Officer. The Audit, Risk and Governance Committee will announce its decision and any sanction at the end of the hearing.

25. The sanctions the Audit, Risk and Governance Committee can impose, it if finds a breach of the Code are:

25.1 Reprimand the member in writing by the Chair of the Audit, Risk and Governance Committee.

25.2 Publishing the findings in respect of the member's conduct.

25.3 Report its findings to the Authority for information.

25.4 Recommend to the member's group spokesperson (or in the case of ungrouped member, recommend to the Authority) that the member be removed from any or all committees or sub-committees of the Authority or from a particular role within the Authority (for example member champion), along with the consequent loss of allowance.

25.5 Instruct the Monitoring Officer to arrange training for the member.

25.6 Recommend to the Authority that the member be removed from all outside appointments to which they have been appointed or nominated by the Authority.

25.7 Withdraw facilities provided to the member by the Authority, such as computer, email and internet access.

25.8 Exclude the member from the Authority's offices or other premises, with the exception of meeting rooms as necessary for attending formal meetings.

25.9 The Audit, Risk and Governance Committee has no power to suspend or disqualify the member from the Authority.

26. As soon as practicable after the hearing, the Monitoring Officer will prepare a formal decision notice in consultation with the Audit, Risk and Governance Committee Independent Person and send a copy to the complainant and the member, who will be given the opportunity to correct any inaccuracies prior to publication.

27. The decision notice will be available for public inspection (if so ordered by the Audit, Risk and Governance Committee) and posted on the Authority's website. It will be reported to the next meeting of the full Authority.

28. There is a right of appeal from the decision of the Audit, Risk and Governance Committee by both the complainant and the member to the Appeals Committee. The Appeals Committee will follow a similar procedure to the above in relation to the hearing.

29. A matter that has already been complained of and dealt with under this procedure shall not be brought again unless there is sufficient new evidence or other substantial reason (such as a defect in process or other serious issue) that in all the circumstances makes it just and proper that this should happen.

Member complaints procedure aide memoire

1. Complaint in writing sent to the Monitoring Officer.

2. Monitoring Officer and Independent Person jointly make an initial assessment of the case.

3. After initial assessment there may be no further action; case dealt with informally; or case referred for further, formal investigation.

4. If the case proceeds to a formal investigation, the Monitoring Officer will appoint an impartial investigator who will prepare a report.

5. Upon receipt of the report, the Monitoring Officer jointly with the Independent Person decide whether to take no further action; deal with the case informally; or refer the case to a formal hearing.

6. The formal hearing is heard by the Audit, Risk and Governance Committee, chaired by its Independent Person.

7. If the matter is found proven by the Audit, Risk and Governance Committee, it can impose the sanctions set out in paragraph 25 of this procedure.

8. An Appeal will be heard by the Appeals Committee.

Member officer protocol

General principles

1. Members who serve on the Combined Fire Authority (CFA) and professional officers who are its employees or appointed to serve it, have complementary roles in providing local governance which is transparent and accountable. Effective partnership requires mutual respect and a proper understanding of the status and obligations of the individuals concerned.
2. Members and officers are expected to adhere to the principles relating to conduct and behaviour as laid down in their respective codes of conduct.
3. This protocol applies, where appropriate, to voting co-opted members (Independent Persons) of the CFA or any of its committees.

Expectations of officers by members

4. Members are the elected representatives of their communities and are accountable to the electorate for the delivery of policies and services. Officers are required to respect the representational role of members. Members should not involve themselves in the day-to-day management of services but they are entitled to be listened to when raising issues on behalf of the people they represent. In fulfilling their role, the following standards can be expected of officers:
    - 4.1 Officers to provide objective unbiased information and advice on matters of Authority business.
    - 4.2 Officers to act with integrity and respect confidentiality within the limits of their own responsibilities.
    - 4.3 Officers to respect and support the representational and leadership role of members and associated workloads and pressures.

Expectations of members by officers

5. Officers are accountable to the Authority for the implementation of policies and the delivery of services, and are responsible for the day-to-day management of services. In fulfilling these roles, officers can expect:
    - 5.1 To be treated with dignity, courtesy and respect by members.
    - 5.2 Members to provide mutual support and respect appropriate confidentiality.

5.3 Members to fulfil their commitments to attend and participate in public meetings and events.

5.4 Members to respect officers' working time and the level of seniority in their roles.

Officers

6. Officers employed by Lancashire Fire and Rescue Service are accountable to the Chief Fire Officer. Although they should always seek to assist members, they must only do so within their role and responsibilities.

Relationships between officers and members performing particular roles

7. The Chair and Vice-Chair of the Authority require regular briefings from the Chief Fire Officer, the Monitoring Officer and the Treasurer.
8. Chairs and Vice-Chairs of committees will be consulted and briefed routinely as part of the process of preparing agenda reports for committees. Any advice given by officers must be considered by chairs and members of committees in reaching a decision.

Group briefings

9. Political Group spokespersons are entitled to request and receive regular briefings on issues of Authority business.

Non-group members

10. Members who do not belong to a political party group are entitled to seek and receive information on Authority business on a similar basis.

Officer relationships with political party groups

11. Officers will not normally provide advice or information to a political party group. Similarly officers should not normally be asked to brief political party group meetings or discussions which involve non-Authority representatives.

Member access to documents and information

12. Members can approach the Chief Fire Officer, the Monitoring Officer or the Treasurer to provide them with information, and advice that they reasonably need to assist them in discharging their role as a member of the CFA. A request might be made for general information about a particular aspect of activities or for specific information on behalf of a constituent. If members wish to visit Authority

premises they should contact the Chief Fire Officer or Community Protection Manager so that the necessary arrangements can be made.

13. Members have rights to access documents that are to be discussed in public meetings, and further rights for exempt (part two) documents if they are to be discussed in full CFA meetings or if they are a member of a committee the documents are to be discussed at. When part two reports are provided to members this is on the basis that they are private and confidential and further disclosure may be unlawful. Any information contained within a part two report must not be given to the press or members of the public unless permission is specifically given by the Chair or Chair of a committee following advice from the Monitoring Officer.

14. A member of one political party group does not have the right to inspect a document that forms part of the internal workings of another political party group. The same applies to any document or part of a document containing advice provided by a political adviser or assistant.

Confidential information

15. The requirements of confidentiality referred to in the Code of Conduct for members must be strictly observed. Any material provided on a confidential basis must remain so unless permission to share that information is given by the person providing it. Officers must also at all times consider data protection and any other statutory provision relating to confidentiality.

Local Government Act 1986 - Publication of material

16. Under the Local Government Act 1986, material must not be published which in whole or in part appears to affect public support for any political party. Information published is restricted to the provision of information relating to the functions of the Authority only.

17. Under the Political Parties, Elections and Referendums Act 2000, restrictions also apply to the publication of material within 28 days of any local election or referendum.

Correspondence

18. Correspondence between an individual member and an officer should not normally be copied by the officer to any other member. Where it is felt necessary to copy the correspondence to another member, this should be made clear to the member who originated the enquiry. If the correspondence includes information relating to another member, then it will automatically be copied to the other member concerned, without reference to the member originating the enquiry.

Support services to members and political party groups

19. The only basis on which the Authority can lawfully provide support services such as stationery, typing, printing, photocopying, and transport to members is to assist them in discharging their role as CFA members. Support services must only be used for Authority business and must not be used in connection with party political campaigning activity. Members must ensure that they adhere to the relevant codes of conduct or procedures relating to the use of LFRS computers. They should also follow health and safety procedures.

Advice on the operation of the protocol

20. The protocol is intended to act as a guide for both members and officers. The Monitoring Officer to the Authority will offer advice on the implementation and operation of the protocol.

Role of members

Chair of the Authority and vice-chair in the chair's absence and chairs and vice-chairs of committees and group meetings

1. You are expected to:
   1.1 Act as the civic head of the Authority (Chair of the Fire Authority).
   1.2 Effectively chair meetings and manage the performance of committees and working groups to achieve objectives.
   1.3 Engage in local, regional and national networks to support the work of the Authority, promoting partnership and collaboration.
   1.4 Conduct appraisal of the Chief Fire Officer (Chair of the Fire Authority).

Members of the Authority

2. You are expected to:

   2.1 Lead and support the establishment and realisation of the Authority's priorities and values.

   2.2 Our aim is to make Lancashire safer. It's what we are here for: making Lancashire safer is our commitment to making sure that everything we do improves the safety of our diverse communities.

   2.3 Our priorities are the areas we focus our activities and resources on. They are what we deem important to helping us achieve our aim of making Lancashire safer and are further developed every year into specific actions which are set out in our Annual Service Plan:

   2.3.1 Valuing our people so they can focus on making Lancashire safer
   2.3.2 Preventing fires and other emergencies from happening
   2.3.3 Protecting people and properties when fires happen
   2.3.4 Responding to fires and other emergencies quickly and competently
   2.3.5 Delivering value for money in how we use our resources

   2.4 Our values are the qualities that we believe are the most important to us and describe the expectations the public have of us and that we have of each other. We use them every day to influence how we work to achieve our priorities and guide the professional behaviours we expect of our staff. We strive to make Lancashire safer in a way that is guided by strong principles of:

- 2.4.1 Service – Making Lancashire safer is the most important thing we do.
- 2.4.2 Trust – We trust the people we work with.
- 2.4.3 Respect – We respect each other.
- 2.4.4 Integrity – We do what we say we will do.
- 2.4.5 Valued – We actively listen to others.
- 2.4.6 Empowered – We contribute to decisions and improvements

2.5 Our Service values are supported by the national Core Code of Ethics for Fire and Rescue Services in England. The code sets out five ethical principles, which provide a basis for promoting good behaviour and challenging inappropriate behaviour.

- 2.5.1 Putting our communities first – We put the interests of the public, the community and service users first.
- 2.5.2 Integrity – We act with integrity including being open, honest and consistent in everything we do.
- 2.5.3 Dignity and respect – Making decisions objectively based on evidence, without discrimination or bias.
- 2.5.4 Leadership – We are all positive role models, always demonstrating flexibility and resilient leadership. We are all accountable for everything we do and challenge all behaviour that falls short of the highest standards.
- 2.5.5 Equality, diversity and inclusion (EDI) – We continually recognise and promote the value of EDI both within Lancashire Fire and Rescue Service and the wider communities in which we serve. We stand against all forms of discrimination, create equal opportunities, promote equality, foster good relations and celebrate difference.

Deliver realistic future planning

3. We will deliver an affordable value for money service by:

3.1 Ensuring resources are available and used in the best way possible.
3.2 Working collaboratively where appropriate.
3.3 Striving to continually identify efficiency and cost savings.
3.4 Effective management of staff attendance, performance and safety.

4. Agree the strategy and resources required for making Lancashire safer.
    4.1 Develop and agree risk management strategy for future services relating to community safety and cohesion.
    4.2 Determine resources required to implement agreed strategy.
    4.3 Develop policies to support the delivery of the strategy.

5. Lead and support the delivery of effective services consistent with the Fire and Rescue National Framework for England and local needs in Lancashire.
    5.1 Lead service strategy through effective decision-making whilst delivering value for money.
    5.2 Secure resources required to deliver risk managed strategic plans.
    5.3 Assess the effectiveness of service delivery:
    5.4 Agree key performance indicators, objectives and evaluation measures for Authority and Service performance.
    5.5 Review effectiveness of performance against targets.

6. Demonstrate commitment to equality, diversity and inclusion in line with the STRIVE values.

7. Represent individual communities within the Authority areas in relation to fire and rescue matters and act as an ambassador for the Authority at appropriate external functions.

8. Engage in local and regional networks to support the work of the Authority, promoting partnership and collaboration.

9. Be committed to continuing self-development including attendance on an induction programme for new members and appropriate learning and development.

10. All members are expected to have or acquire competency in the above areas by attending relevant training courses and undertaking personal development.

11. Members are expected to attend all meetings of the Authority and the Strategy Group and other committees and working groups of which they are members unless they provide an appropriate reason for their absence.

12. I shall endeavour to meet the expectations of the Combined Fire Authority.

Signed by: ....

Print name: ....

Date: ....

Member champion role descriptions

Community Safety Champion – role description

1. Promote and take an active interest in community safety activity.
2. Ensure community safety issues are taken into account in the preparation of key plans, for the organisations they have influence with.
3. Ensure community safety issues are taken into account during decision-making processes, in the organisations they have influence with.
4. Advocate good practice within the Authority on community safety issues.
5. Engage with other Authority members to promote awareness of issues affecting older people and to seek their views.
6. Engage with relevant community groups on community safety issues.
7. Engage with relevant partners on community safety issues.
8. Work with relevant Lancashire Fire and Rescue Service (LFRS) officers to promote better understanding of community safety issues including regular briefings with the lead officer as appropriate.
9. Provide challenge, internally and externally, on community safety issues.
10. Following approval from the Chair and in line with the Members' Allowance Scheme attend conferences, seminars and events to represent the Authority where appropriate.
11. Undertake awareness training, as necessary, in respect of community safety issues.
12. In conjunction with the designated LFRS lead officer, allocate member champion funding to community safety initiatives.
13. To be made aware of safeguarding issues and risks affecting LFRS, demonstrate a commitment to safeguarding, and hold LFRS to account regarding its safeguarding responsibilities.

14. Report the work of the member champion for community safety to the full Authority.

15. Work with other emergency services and partners to create, develop and deliver community safety initiatives.

Equality, Diversity, Inclusion and Culture Champion – role description

1. Promote and take an active interest in equality, diversity, inclusion and culture issues and related fire and rescue service work.

2. Ensure equality, diversity, inclusion and culture issues in the fire and rescue service are considered by organisations they have influence with, where the agenda can be furthered or organisations can offer support or learning of benefit to Lancashire Fire and Rescue Service (LFRS).

3. Advocate good practice within the Authority on equality, diversity, inclusion and culture issues.

4. Engage with other Authority members to promote awareness of equality, diversity, inclusion and culture issues and to seek their views.

5. Engage with relevant community groups on equality, diversity, inclusion and culture issues regarding the Authority.

6. Engage with relevant partners on equality, diversity, inclusion and culture issues regarding the Authority.

7. Work with relevant LFRS officers to promote better understanding of equality, diversity, inclusion and culture issues including regular briefings with lead officers.

8. Provide challenge and scrutiny, internally and externally, on equality, diversity, inclusion and culture issues.

9. Following approval from the Chair and in line with the Members' Allowance Scheme attend conferences, seminars, and events to represent the Authority where appropriate.

10. Undertake awareness training, as necessary, in respect of equality, diversity, inclusion and culture issues.

11. In conjunction with the designated LFRS lead officers, allocate member champion funding to equality, diversity, inclusion and culture initiatives.

12. Report the work of the member champion for equality, diversity, inclusion and culture to the full Authority.

13. Work with other emergency services and partners to create, develop and deliver equality, diversity, inclusion and culture initiatives.

Health and Wellbeing Champion – role description

1. Promote and take an active interest in health and wellbeing issues and related fire and rescue service work.

2. Ensure health and wellbeing issues are taken into account in the preparation of key plans, for the organisations they have influence with.

3. Ensure health and wellbeing issues are taken into account during decision making processes, in the organisations they have influence with.

4. Advocate good practice within the Authority on health and wellbeing issues.

5. Engage with other Authority members to promote awareness of health and wellbeing issues and to seek their views.

6. Engage with relevant community groups on health and wellbeing issues regarding the Authority.

7. Engage with relevant partners on health and wellbeing issues regarding the Fire Authority.

8. Work with relevant Lancashire Fire and Rescue Service (LFRS) officers to promote better understanding of health and wellbeing issues including regular briefings with the lead officer as appropriate.

9. Provide challenge, internally and externally, on health and wellbeing issues.

10. To be made aware of climate related issues and risks affecting LFRS, demonstrate a commitment to tackling severe weather events, and hold LFRS to account regarding its responsibilities.

11. Following approval from the Chair and in line with the Members' Allowance Scheme attend conferences, seminars, and events to represent the Authority where appropriate.

12. Undertake awareness training, as necessary, in respect of health and wellbeing issues.

13. In conjunction with the designated lead officer, allocate member champion funding to health and wellbeing initiatives.

14. Report the work of the member champion for health and wellbeing to the full Authority.

15. Work with other emergency services and partners to create, develop and deliver severe weather event initiatives.

Road Safety Champion – role description

1. Promote and take an active interest in road safety issues and related fire and rescue service work.

2. Work with other emergency services and partners in the Lancashire Road Safety Partnership to create, develop and deliver road safety initiatives across Lancashire.

3. Ensure road safety issues are taken into account in the preparation of key plans, for the organisations they have influence with.

4. Ensure road safety issues are taken into account during decision-making processes, in the organisations they have influence with.

5. Advocate good practice within the Combined Fire Authority on road safety issues.

6. Engage with other Authority members to promote awareness of road safety issues and to seek their views.

7. Engage with relevant community groups on road safety issues regarding the Authority.

8. Engage with relevant partners on road safety issues.

9. Work with relevant Lancashire Fire and Rescue Service (LFRS) officers to promote better understanding of road safety issues including regular briefings with the lead officer.

10. Provide challenge, internally and externally, on road safety issues.

11. Following approval from the Chair and in line with the Members' Allowance Scheme attend conferences, seminars and events to represent the Authority where appropriate.

12. Undertake awareness training, as necessary, in respect of road safety issues.

13. In conjunction with the designated LFRS lead officer, allocate member champion funding to road safety initiatives.

14. Report the work of the member champion for road safety to the full Authority.

Contract Standing Orders

1 Background

1.1 These Standing Orders set out how Lancashire Fire Authority will contract its various requirements in line with governance legislation.

1.2 Completing any Procurement Process, the Authority must have regard to the objectives set out in the relevant Public Procurement Legislation, National Procurement Policy Statement (NPPS) and internal Contract Standing Orders. Objectives include:

1.2.1 Delivering value for money

1.2.2 Maximising public benefit

1.2.3 Remove barriers for Small and Medium Enterprises (SMEs), Voluntary Community and Social Enterprises (VCSE) and start-ups

1.2.4 Acting with integrity, transparency and proportionality

1.2.5 Sharing information and helping suppliers to better understand the authority procurement policies and decisions

1.2.6 Consideration for the inclusion of the Social Value Objectives

1.3 Contract Standing Orders aim to explain in simple terms the rules and procedures for obtaining written quotations and competitive tenders from Suppliers for the provision of Works, Goods and Services.

1.4 The Authority’s constitution incorporates Financial Regulations and Financial Procedure Rules that provide a framework for managing the Authority’s financial affairs. They apply to every Member and Officer of the Authority and anyone acting on its behalf.

2 Governance

2.1 These Contract Standing Orders (“the CSOs”) are made further to Section 135 of the Local Government Act 1972. These CSOs set out how the Contracting Authority will deliver against the obligation.

2.2 All procurement for contracts, by Authority staff (including where managed by an external organisation or public body on the Authority’s behalf), must comply with these CSOs, the Authority’s Financial Regulations, applicable Public Procurement Legislation and all other relevant UK legislation; with ‘applicable’ relating to the date on which the procurement is commenced or advertised, the Framework or Dynamic Market was established or where no competitive process is required, a purchase order is raised.

2.3 The Authority will comply with Procurement Policy Notes (PPNs) and the National Policy Procurement Statements (NPPS).

2.4 These CSOs should be read in conjunction with both the Financial Regulations and the Scheme of Delegation.

3 Officer responsibilities

3.1 Officers must ensure that each procurement requirement is dealt with in accordance with any statutory requirements including relevant legislation, is within budgetary provision and is in accordance with the constitution, these rules and all Service policies, procedures and strategies.

3.2 To ensure timely procurement activity, Chief Officers will delegate authority to appropriate employees within their Directorate, Services, Sections or Groups to procure on their behalf. Each Director must however provide and maintain a list of the officers authorised to initiate procurement, place orders and make payments specifying a maximum financial limit for each transaction within any pre-defined limits. The Scheme of Financial Delegation should be reviewed regularly. Officers must ensure before beginning any procurement that they have the appropriate authority to undertake it by means of delegated authority.

3.3 Chief Officers will ensure that all employees authorised to initiate procurement, place orders and make payments have the appropriate knowledge, skills and training to undertake the same.

3.4 The Procurement team is responsible for all procurement processes and compliance, including ownership of the project initiation documents, procurement option appraisals and process design, procurement training, procurement process management (including responsibilities for all notices up to the publication of the Contract Award Notice), ownership of the e-tendering portal, ownership and provision of all procurement templates, completion and approval of procurement templates and reports, and oversight of all activities to waivers, contract modifications or termination.

3.5 The Contract owner or Head of Service is responsible for supporting the planning for and management of all contracts (regardless of how they are procured); forward planning for re-procurement of cyclical requirements (including writing specifications for goods and services to be procured); overseeing all technical documents (including specifications); organising any legal documents that are required; supporting all stages of the procurement process; co-ordinating the resourcing of tender evaluation and moderation sessions; completing any procurement related reports and any pre-contract governance requirements.

4 Procurement thresholds and processes

4.1 Procurement thresholds determine which routes to market are available and what rules must be followed. Thresholds come from applicable Public Procurement Legislation and are based on the Government Procurement Agreement (GPA); these values are updated every other year.

4.2 The rules and available routes to market are determined by whether the estimated contract value is deemed to be "Above Threshold" (Covered Procurements or Public Contracts) or "Below Threshold."

4.3 The Procurement Thresholds (see table 1) apply to all spend where it is not included within the scope of the waiver category detailed in section 6.

4.4 All spend must be classified by type and regime before a procurement process can be designed; this is due to different types and regimes having different financial thresholds and obligations.

Types:

4.4.1 Goods (supplies or products)
4.4.2 Services (labour, consultants, or technical resources)
4.4.3 Works (Construction Projects)

Regimes:

4.4.4 Utilities (gas, electricity, water)

4.4.5 Light Touch (legal services)

4.4.6 Concession (supplier risk or aid by service users)

4.4.7 Exempt or Excluded (not covered)

4.5 Before a procurement process can be designed or commenced:

4.5.1 Officers need to decide both the initial and maximum contract durations (including any optional extension) and what might be the justification to apply those extensions.

4.5.2 Depending on the value and nature of the contract being procured, the duration may be limited by the Applicable Public Procurement Legislation. Officers must check with Procurement Manager before finalising the decision.

4.5.3 The estimated contract value must include the total value that could be paid over the maximum life span of the contract regardless of the chosen route to market. The value must incorporate all planned costs, additional requirements, fee or commissions, aggregate or associated goods and services or works, parts and labour, contract extensions. The contract value must include any applicable VAT.

4.5.4 Where the estimated total value of a Contract exceeds or is within 10% of the relevant threshold (as set out below), the procurement must be conducted in accordance with the appropriate Procurement Rules and the appropriate UK guidelines. The application of the Procurement Rules and the appropriate UK guidelines cannot be waived by the Authority.

4.5.5 When considering the above, the Authority have a duty to consider the use of lots and the potential benefits this may offer such as removing barriers to local SMEs, achieve economies of scale and to manage the potential market.

Table 1 – Threshold Procurement Process

Threshold Banding (including VAT)	**Requirement**	**Procurement Type**	**Method to Procure**
Up to £30,000: Goods and Services, Up to £50,000 Works.	Minimum of one written quote	Unregulated	Procurement portal for £30,000 and over.
Between £30,001 and £100,000:	Minimum of three written quotes	Regulated below threshold	Procurement Department, Procurement Portal and Find a Tender Service
Between £100,001 and £214,904:	Open Tender	Regulated below threshold	Procurement Department, Procurement Portal and Find a Tender Service
Over £214,904:	Open Tender Procedure or Competitive Flexi Procedure	Regulated above threshold	Procurement Department, Procurement Portal and Find a Tender Service

5 Excluded or exempt contracts (not regulated)

5.1 In line with the Public Procurement Legislation these standing orders do not apply to contracts that are classified as excluded or exempt as defined by the applicable public procurement legislation Exemptions include:

5.1.1 Contracting Authority to Contracting Authority (Subsidiary) arrangements, vertical or horizontal – subject to approval by the Monitoring Officer, for example:

5.1.1.1 Vertical - The Contracting Authority exercises a parent or similar control or joint control with other Contracting Authorities on the entity as it does with its own departments, the entity carries out more that 80% of its activities for the controlling Contracting Authorities and there is no private sector money in the entity.

5.1.1.2 Horizontal - Contracting Authority to Contracting Authority cooperation to achieve objectives which the Contracting Authorities have in common, through an arrangement that is solely for the public interest, and no more than 20% of the activities envisaged by the arrangement are intended to be carried out for reasons other than for the purposes of their public functions.

5.1.2 Subject matter exemptions:

5.1.2.1 Certain types of legal advice, such as relating to judicial proceedings or dispute resolution.

5.1.2.2 Certain types of financial advice, such as funding or financing arrangements, investment services.

5.1.2.3 Employment contracts.

5.1.2.4 Purchases made at public auction or of goods sold due to insolvency.

5.1.2.5 Land contracts (including leases, licenses, and transfers.

5.1.2.6 Grants of money, these cannot be contracts as there is no consideration, and they are not services required to be delivered by the Authority.

5.1.2.7 Any other arrangements excluded by the Applicable Public Procurement Legislation.

6 Waiver to Contract Standing Orders procedure

6.1 Any Officer requesting the right to waiver Contract Standings Orders must seek advice from the Procurement Team before engaging with any supplier. Any request to waiver the relevant procedure must be the form of a written report identifying the justification for requesting exemption. The waiver value must include all aggregated spend with the supplier and be inclusive of VAT. All exemption requested must be submitted to the Deputy Head of Procurement using the Waiver Request form.

6.2 Circumstances a waiver can be considered:

6.2.1 Effective competition is prevented due to government control.

6.2.2 The supply or service is unique to a single supplier such as proprietary or patented goods or is deemed necessary due to the requirements of operational alignment and there is no satisfactory alternative.

6.2.3 The service or works are of a specialist nature and can only be carried out by one supplier.

6.2.4 The emergency requirements are brought about by events that could not have reasonably been foreseen.

6.2.5 If the goods or services are not procured there is a risk of danger to life or property or a major impact on the Authority or the public.

6.2.6 The market is such that effective competition does not exist, and it can clearly be demonstrated that the proposed award represents best value for the Authority.

6.3 It is the responsibility of the Procurement Department to record any waivers on the contracts register and publish the award notice in accordance with the applicable Procurement Legislation.

6.4 For all procurement projects with a total Contract value under £100,000 (including VAT) the Chief Fire Officer and Treasurer (Director of Corporate

Services) can approve a waiver. The Procurement Department will facilitate the request approvals from the relevant Officers.

6.5 Any waiver relating to procurement projects in excess of £100,000 but not exceeding the relevant Procurement Threshold (including VAT) must be approved in consultation with the Chair of Combined Fire Authority.

6.6 Please refer to table 2 below for authorisation signatories required in regard to financial limits for waivers:

Table 2 – Financial Limits

Financial Limit	**Head of Procurement**	**CFO**	**Treasurer and Executive Board**	**Combined Fire Authority**
Under £100,000 (including VAT)	Y	Y	Y	-
Over £100,001 (including VAT)	Y	Y	Y	Y

7 Contracts awarded under framework

7.1 The Authority may award a public contract or a regulated below threshold contract that is covered by a framework which the Authority has concluded, or which another Contracting Authority has concluded and which the Authority is permitted to use. Such contracts are also known as Call Off Contracts.

7.2 Any Call Off Contract must be signed by all parties no later than the last date of the enabling framework.

7.3 Any decision to award a Call Off Contract from a framework shall be taken in accordance with the terms and conditions of the relevant framework.

8 Pre-procurement and tender requirements

8.1 A full set of procurement or associated tender documents must be published alongside the tender notice of which suppliers can access on the Central Digital Platform and the Procurement Portal.

8.2 All competitive procedures must be managed and shared through the e-tendering portal including, supplier communications, and clarifications (with the exception of anything commercially sensitive).

8.3 The Procurement team will hold an organisation Pipeline. For all procurements valued at (£2 million including VAT) the authority must publish a Pipeline notice no later than the 26th of May each financial year.

8.4 Before publishing a tender notice for a Regulated Procurement, the Authority shall consider whether to undertake preliminary market engagement. Where the Authority undertakes preliminary market engagement, it shall, unless it has good reason not to publish a preliminary market engagement notice. Officers must ensure that any preliminary market engagement does not put any suppliers at an unfair advantage; or otherwise distort competition.

8.5 The Authority may undertake preliminary market engagement for any Unregulated Procurement in such a manner as it deems appropriate, provided such engagement does not put any supplier at an unfair advantage or otherwise distort competition.

8.6 Before commencing a Regulated Procurement, the Authority shall consider whether the requirement could reasonably be supplied under more than one contract and whether such contracts could appropriately be awarded by reference to Lots. Any reason to not include Lots must be recorded in the Tender Notice.

8.7 The Authority may make a direct award if the award meets the requirements of the Direct Award Justifications of Schedule 5 of the PA and must publish a transparency notice.

9 Regulated Procurement - tenders

9.1 Regulated Procurement shall be undertaken in a way which is fully compliant with the PA.

9.2 The scope of this section covers all of the Authority's above PA threshold requirements, except where the contract is awarded under a Framework or a Dynamic Market or a justification exists for a Direct Award.

9.3 Regulated Procurements shall be conducted applying either the Open Procedure or the Competitive Flexible Procedure. A decision to follow the Competitive Flexible Procedure shall be made only after consultation with the Procurement Team.

9.4 All tender opportunities must be commenced by the publication of a tender notice and be placed on the Procurement Portal and the UK E-notification service. In the case of a Competitive Flexible Procedure, the tender notice shall either invite suppliers to submit a request to participate in the process or invite suppliers to submit their first or only tender as part of the procedure. Officers shall seek the advice of the Procurement Team as to which of the forms of tender shall be used in those circumstances.

9.5 No tender opportunity shall be placed on the Procurement Portal and the UK E-notification service until the Authority has prepared a specification for the goods, works or services, the conditions of contract, the conditions of participation and the invitation to tender (Open Procedure) or participate in the Competitive Flexible Procedure.

9.6 Each invitation to tender or participate shall contain the following information:

9.6.1 A statement of the validity of a submitted tender (which shall not be less than 90 days).

9.6.2 An anti-collusion certificate.

9.6.3 A form of tender.

9.6.4 The evaluation criteria, the weighting to be applied to such criteria and the scoring methodology for assessing the evaluation.

9.6.5 In the case of a competitive flexible procedure a statement as to whether the procedure will be conducted in successive stages and if so whether the Authority intends to refine the evaluation criteria or the weightings.

9.6.6 A statement as to whether a parent company guarantee, a performance bond or other security is required from the suppliers.

9.6.7 A statement that the Authority is not bound to accept any tender.

9.6.8 Notification that tenders are submitted at the bidder’s expense.

9.7 Clarification questions relating to the procurement may be asked by bidders up to six days prior to the tender submission deadline. The Authority shall respond to all clarifications as soon as reasonably possible and no later than four days prior to the tender submission deadline. All responses to clarification questions shall be provided to all bidders, unless the bidder requesting the clarification has indicated that the question is confidential. Where a bidder has indicated that a question is confidential, the officers shall seek confirmation from the Procurement Team as to whether it is agreed that the information is confidential. If the Authority agrees, the response shall be sent to the bidder who submitted the clarification question only. If the Authority disagrees, the bidder which submitted the question shall be given the opportunity to withdraw the question. If the question is not withdrawn, the response shall be provided to all bidders.

9.8 All communication with bidders in an Open Procedure shall be conducted through the Procurement Portal. Officers and members shall make no direct contact in person, telephone or email with suppliers under any circumstances.

9.9 All communication with bidders in a Competitive Flexible Procedure shall be conducted through the portal, except to the extent that the Authority has determined the formal structure of the procedure to include face to face or online meetings.

9.10 No post-tender clarification shall be undertaken in an Open Procedure except with the agreement of the Procurement Team.

9.11 Post-tender clarification may be undertaken in a Competitive Flexible Procedure provided it has been allowed for as part of the procedure or is authorised by the Procurement Team.

9.12 Post-tender negotiations are not permitted in an Open Procedure. Negotiations may be undertaken at any stage in a Competitive Flexible Procedure, provided that they have been allowed for as part of the procedure. However, even where such negotiations have been allowed for in the procurement as part of the outlined procedure, they shall not be undertaken without the presence of the Procurement Team.

10 Opening of tenders and quotations

10.1 After the designated deadline stipulated for submission of responses, the Procurement Department will co-ordinate the opening of all submissions which will be retained in a virtual ‘sealed box’ until the designated opening time.

10.2 All tender responses via the e-portal must be opened by the Procurement Department. A representative from the budget holders department can also attend if they wish to.

10.3 The Procurement Department is responsible for making arrangements to receipt, store and open tender documents.

11 Regulated Procurement – participation conditions and supplier exclusion

11.1 It is not a requirement of the PA to set Conditions of Participation, which assess a potential supplier’s legal and financial and technical ability to carry out the contract. However, the Authority ordinarily will set Conditions of

Participation to ensure that a potential supplier has the requisite capacity and technical ability to perform the contract. The approval of the Procurement Team will be required to proceed with a procurement without the Authority setting Conditions of Participation as part of the procedure. Where Conditions of Participation are required, the PA does not prescribe the means of proof relating to these conditions, but any conditions set must be a proportionate means of ensuring suppliers have the relevant capacity or ability, having regard to the nature, cost and complexity of the contract. The Authority may not request information, as a Condition of Participation, which is expressly prohibited by section 22(4) of the PA.

11.2 The Authority may exclude a supplier from participating or progressing in a competitive tendering procedure when the supplier has not satisfied the Conditions of Participation.

11.3 The Authority shall disregard any tender from a supplier that is an Excluded Supplier. An Excluded Supplier is defined within the PA.

11.4 Before conducting the evaluation of an Open Procedure tender, the Authority shall consider whether the supplier is an Excludable Supplier.

11.5 Where the Authority receives a tender from an Excludable Supplier, it shall consider whether it shall allow or disregard that tender. No decision to allow or exclude an Excludable Supplier shall be taken without the agreement of the Head of Procurement.

11.6 As part of every tendering procedure, the Authority shall request information about whether a supplier is intending to subcontract any part of the performance of the contract and shall request that such information as is deemed necessary to determine whether the subcontractor is an Excluded Supplier or an Excludable Supplier.

11.7 Where a proposed subcontractor is an Excludable Supplier, the Authority shall treat the supplier as an Excludable Supplier.

11.8 Where the Authority determines to exclude the supplier it shall notify the supplier of its intention and give the supplier a reasonable opportunity to find an alternative subcontractor.

11.9 The Authority shall exclude a supplier if it acts improperly, and its behaviour puts it at an unfair advantage in relation to the award. A supplier is deemed to have acted improperly where it:

11.9.1 Fails to provide information requested by the Authority,

11.9.2 Provides incomplete, inaccurate or misleading information.

11.9.3 Accesses the Authority’s confidential information; or

11.9.4 Unduly influences the Authority’s decision making in relation to any contract.

11.10 Where the Authority excludes a supplier, it shall notify the Cabinet Office.

11.11 The Authority shall exclude a supplier which is on the Debarment List or is an Associated Person of a supplier on the Debarment List.

12 Regulated Procurement – evaluation

12.1 Officers are required to design and effectively communicate the evaluation or assessment methodology that will be applied to the tender responses submitted by suppliers. This must include detailing whether the assessment methodology will be based on lowest price (where permitted), price per quality point or a price to quality ration. In each case, the following with apply:

12.1.1 For quality and social value – the detailed questions include specific response guidance, the scoring methodology or matrix, and the importance or weighting to be applied to each question.

12.1.2 For price – details on how the value will be calculated and how it will be evaluated or divided by the quality score.

12.2 A public contract shall be awarded to the most advantageous tender which satisfies the Authority's requirements, and award criteria. The award criteria must relate to the subject matter of the contract and be clear, measurable, specific and proportionate having considered the nature, complexity and cost of the contract. Technical specifications of contracts must satisfy PA requirements.

12.3 Award criteria must not be amended after the Tender Notice had been published.

12.4 An evaluation must be made of all tender or quotation responses by an evaluation panel. The number of people on the evaluation panel will be a minimum of two but it can vary depending on the type and complexity of the Contract.

12.5 The evaluation will include a comparison of the tender sum against the estimate for the Goods, Services or Works prepared in advance of the Suppliers being invited to tender or quote. Where errors or discrepancies are found that may affect the tender or quote sum, the Supplier may be notified in writing and afforded an opportunity to confirm the submitted sum without amendment, amend their bid to correct an arithmetical error, or withdraw their bid. A written record of any revisions or withdrawals must be maintained.

12.6 The Authority will evaluate and award Contracts to the Supplier(s) it considers offers the best value having regard to both price and quality factors. This is referred to as the 'most advantageous tender' (MAT) and provides for the Contract to be awarded to the Supplier best able to meet the Authority's requirement, specification and budget.

12.7 Both supplier tender and quotation responses must be delivered to the designated e-tendering system by the date and time specified. Late tender and quotation responses should be rejected unless it is proven that the reason for the late submission was due to technical failure of the portal.

12.8 The Authority has the right (but is not obliged) to seek clarification on the submissions as part of the evaluation process. Where this prerogative is utilised, all suppliers will be treated equally.

13 Clarification and negotiations

13.1 After the receipt of responses, officers may need to contact bidders to clarify technical and contractual information as part of the evaluation process. Any such communication must be confidential, and a written record made of the reason for contact and the outcome.

13.2 Any negotiation with a bidder to specifically discuss the pricing submitted in their tender response should:

13.2.1 Be undertaken only by the Procurement representative in the presence of at least one officer who isn't involved in the project (the Independent Observer). All negotiations must be conducted confidentially and in a manner which provides equal opportunity for all Suppliers who have provided responses, and which maintains the highest levels of probity;

13.2.2 At the conclusion of negotiations each Supplier must be invited to submit a best and final price.

13.3 Where post-tender negotiation results in a fundamental change in specification (or contract terms) the contract must not be awarded and must be re-tendered.

13.4 If a supplier attempts to negotiate a contract post award, where this is not permitted, the Authority may disregard the supplier and award the contract to the next ranked compliant supplier.

14 Contract award – tenders and quotations

14.1 The award of a Contract to the successful Supplier(s) must be conditional upon the tender costs being within budgetary limits and subject to the appropriate approval being granted to proceed.

14.2 Following completion of the evaluation of responses to an opportunity with a value above £30,000, a tender evaluation report must be completed. The report will validate best practice and the requirements of the Authority's Financial Regulations and Financial Procedure Rules.

14.3 A contract rewards report must be completed and authorised as outlined in the table below (on the basis that the relevant managers have been consulted with):

Financial Limit (including VAT)	Department Head	Relevant Director	Treasurer
Up to £30,000	Y	-	-
£30,001 - £100,000	Y	Y	Y
Over £100,000	Y	Y	Y

14.4 For all above threshold or covered procurements, the Authority must apply a minimum eight-day standstill period before entering into the contract (excluding Utilities, Light Touch or contracts awarded under Framework, in which case a standstill period is optional). This provides the opportunity for unsuccessful suppliers to request debrief information and to potentially challenge the decision formally before a Contract is signed.

14.5 All unsuccessful suppliers must be notified of the outcome of the procurement promptly in writing providing the reasons for elimination from the process including:

14.5.1 The criteria for the award of the contract.

14.5.2 The reason for the decision, including the characteristics and relative advantages of the successful tender.

14.5.3 The score (if any) obtained by the bidder to whom the notice is addressed and that of the successful bidder.

14.5.4 Social Value commitments.

14.5.5 Any reason why the unsuccessful bidder did not meet the technical specifications.

14.5.6 The name of the successful bidder.

14.6 Disclosure may be withheld if any of the following apply:

14.6.1 Impede law enforcement.

14.6.2 Otherwise be contrary to public interest.

14.6.3 Prejudice the legitimate commercial interests of any economic operator.

14.6.4 Might prejudice fair competition.

14.7 The formal contract award notice must be published on the Central Digital Platform within 30 days of the award of the contract.

14.8 The successful Supplier(s) should be notified promptly in writing following acceptance of the tender or quote response and the Contract must be issued to the Supplier with a formal request to sign and return two copies. On receipt of the signed Contracts from the Supplier, the Authority will sign the Contract to form the legally binding agreement, returning one copy to the Supplier(s). All Contracts and orders shall be in writing and made in the name of the Authority.

15 Contracts awarded under Dynamic Markets

15.1 The Authority may establish arrangements for the purpose of awarding public contracts known as a Dynamic Market by submitting a Dynamic Market Notice to the UK E-notification service and Procurement Portal.

15.2 In establishing a Dynamic Market, the Authority shall set conditions for participation relating to the legal and financial capacity to perform contracts to be awarded by reference to membership of the Dynamic Market and which have the technical ability to perform the contract. Such conditions shall be proportionate to the requirements, having regard to the nature, complexity and cost of the contract to be awarded.

15.3 To award a public contract under a Dynamic Market, the Authority must utilise the Competitive Flexible Procedure.

15.4 If a tender is submitted by a supplier which is not a member of the Dynamic Market, the Authority shall exclude the supplier unless the supplier has made an application for membership of the Dynamic Market and the Authority has accepted the application.

16 Purchasing from a Centralised Procurement Authority

16.1 The Authority may purchase goods, services or works from a Centralised Procurement Authority without the need for additional competition. Note this is not the same as a procurement framework which a Centralised Procurement Authority has set up.

17 Collaborative procurements

17.1 Where the Authority is required under its own powers or at the request of a partner authority to procure on its behalf, those procurements must apply with Applicable Public Procurement Legislation and other relevant legislation more generally.

17.2 Each Authority must comply with its own Contract Standing Orders with regards to financial, procurement and delegated authority requirements and its owner scheme of delegation for contract signing.

17.3 The Policing and Crime Act 2017 places a duty on police, fire and ambulance services to seek opportunities through collaboration where it is efficient or effective to do so.

17.4 The Procurement team will review all new procurement requirements, ensuring all opportunities to collaborate with partner organisations are exploited where they offer benefits to the Authority and collaborate with partners to develop new joint contracts.

18 Sealed contracts and record keeping

18.1 All Contracts which relate to the purchase of land or have potential long-term liabilities and would benefit from the added legal protection afforded by the process of sealing shall be made by affixing the Common Seal. This shall only be attested by the Monitoring Officer to the Authority, the Authority solicitor, the CFO (Chief Fire Officer), DoCS (Director of Corporate Services) or DoPD (Director of People and Development). All other contracts will be signed by either the DoCS or relevant Head of Department; Area Manager or member of the Executive Board.

18.2 In every written Contract for the execution of Works or the supply of Goods or Services the Supplier shall be prohibited from transferring or assigning or novating directly or indirectly to any person or persons whatever, any portion of that Contract without the written permission of the Authority. Sub-letting, other than that which may be customary in the trade concerned, shall be prohibited.

18.3 All submissions and supporting documentation for any procurement must be retained for seven years from the commencement of the Contract by the Procurement Team.

18.4 All ordinary contracts must be retained for seven years after expiry and contracts under seal thirteen years after contract expiry.

19 Contract management

19.1 All contracts must be managed in accordance with the Procurement Legislation. The Contract manager is the Budget Holder or Project Owner, and is responsible for meetings and Performance Management.

19.2 The Contract Manager will set up a series of meetings to kick off, administer and manage delivery of the contract. These meetings will as a minimum monitor and report on the following:

- 19.2.1 Supplier and Supply Chain Suitability – ensure that the Contracting Authority is not contracting directly or indirectly with unsuitable (Excluded or Excludable) suppliers.
- 19.2.2 Key Performance Indicators – delivery against the agreed criteria. KPIs are mandatory for all contracts over £5 million and must include a minimum of three KPIs.
- 19.2.3 Contract Performance, for example satisfactory delivery of the contract.

19.2.4 Contracting Authority Payment Performance –the Contracting Authority is required to pay the Supplier within 30 days of receiving a valid or undisputed invoice.

19.2.5 Supplier Payment Performance - the Supplier is required to pay their supply chain within 30 days of receiving a valid or undisputed invoice.

19.2.6 Supplier Contracts – the supplier is required to enter into a legally binging agreement with suppliers on whom they are relying on to meet the technical, legal, or financial conditions of participation.

19.2.7 Modifications – all modifications to a contract must be documented, along with the value and justification.

20 Term of Contract

20.1 The term of a Contract may be extended with the approval of the budget holder if there is provision within the Contract Terms and Conditions to extend and the agreement of the Director of Corporate Services has been given with regards to budgetary provision. If the Contract has already been extended to the full extent within the provisions of the existing Contract, it cannot be extended further.

20.2 If there is no provision within the Contract Terms and Conditions for the Contract to be extended the approval of the Monitoring Officer to the Authority, and the Treasurer must be sought to any proposed extension of the term of the Contract and a record kept of the reasons.

20.3 The Contract term cannot be extended where this would result in the total contract value exceeding the procurement thresholds.

20.4 In order to avoid any issues with the above it is best practice to ensure that Contracts are re-tendered in line with these Contract Standing Orders well in advance of their completion date.

21 Contract modifications

21.1 All modifications must be managed in accordance with the contract and in compliance of what is permitted under the applicable Public Procurement Legislation, namely Schedule 8 of PA.

21.2 It is necessary to publish a contract change notice for any modification except for a below threshold modification and a modification which increases or decreases the term of the contract by less than 10%.

22 Termination

22.1 In the event any performance requirements are not being met, the Contracting Authority may terminate the contract in accordance with the stated contract clauses. Where required, this is to be reported in accordance with Applicable Public Procurement Legislation.

23 Notices

23.1 Where required under Applicable Public Procurement Legislation, the Contracting Authority may be required to publish a notice. The notices that may be required include the following:

23.1.1 Contract Performance Notice – used to report on KPIs and whether the contract is being delivered to the required standards.

23.1.2 Payment Compliance Notice – used to publish the Contracting Authority's payment performance.

23.1.3 Contract Modification Notice – used to publish details of a proposed modification to a contract where there is an increase or decrease in the estimated contract value over a specific value.

23.1.4 Contract Termination Notice – used where the Contracting Authority terminates a contract in full.

24 Corrupt practices

24.1 In every written Contract a clause must be inserted to ensure that the Authority is entitled to terminate the Contract and recover from the Supplier the amount of any loss resulting from such termination, if the Supplier has:

24.1.1 Offered, given or agreed to give to any person a gift or consideration of any kind as an inducement or reward for doing or not doing anything related to the Contract or any other Contract with the Authority.

24.1.2 For favouring or not favouring any person in relation to a Contract, by any person employed by the Supplier or acting on their behalf.

24.1.3 The Supplier, or any person employed by them or acting on their behalf, has committed an offence under the Bribery Act (2010) or any amendment of the Act.

24.1.4 Shall have given any fee or reward, the receipt of which is an offence under the Local Government Act 1972.

24.1.5 All Authority members and officers must comply with the Authority's anti-fraud or anti-bribery policies and relevant codes of conduct.

25 Third parties

25.1 In cases where a third party, such as a local authority, private architect or consultant is employed to act for the Authority in the carrying out of Works or purchase of supplies, it shall be a term of their appointment that they shall:

- 25.1.1 Observe or otherwise secure the observance of the procedures prescribed within these Contract Standing Orders;
- 25.1.2 Produce on demand, all records maintained by them in relation to the Contract; and
- 25.1.3 On completion of a Contract, transmit all such records to the Procurement department.

Appendix A	-
Term	**Definition**
Assessment Summary	A letter detailing the outcome of the assessment of any Tenders received. For the winning Supplier it will include their scores and reasons for those scores against each of the published Award Criteria. For all losing Suppliers, the letter will include their scores and the reason for those scores against each of the published Award Criteria and the same information for the winning Supplier.
Authority	Lancashire Combined Fire Authority (CFA) Lancashire Fire and Rescue Service (LFRS).
Award Criteria and Assessment Methodology	Criteria set in accordance with section 23 of the Procurement Act 2023 against which Tenders may be assessed for the purpose of awarding a Public Contract. These criteria must: • relate to the subject-matter of the Contract, • be sufficiently clear, measurable, and specific, • not break the rules on technical specifications in section 56, and • be a proportionate means of assessing Tenders, having regard to the nature, complexity, and cost of the Contract. Where there are several criteria, their weighting or relative importance must be stated. Tender documents must include a scoring matrix and where required detail the minimum score required by a supplier which if this isn't met they could be excluded from the process.

Below Thresholds Procurement	A procurement which is below the Covered Procurement threshold and not exempt from the Procurement Act 2023. PPN-11_23-New-Thresholds.pdf (publishing.service.gov.uk)
Best Value	The Best Value Duty relates to the statutory requirement for a local authority as defined in Part 1 of the Local Government Act 1999 to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness".
Breach of Contract	Failure to meet and conditions of the contract
Budget Holder	The Authority representative with budgetary responsibility.
Capital Expenditure	Expenditure involving the acquisition or enhancement of fixed assets with a long-term value to the Authority, such as land, buildings, and major items of plant, equipment, or vehicles.
Capital Programme	The programme of Capital expenditure agreed by Fire Authority.
Categories	Where establishing a dynamic market, the Authority may divide the DM into categories (lots or specialism) to facilitate access by SMEs and drive effective competition.
Central Digital Platform (CDP)	The Central Digital Platform will be where all UK Contracting Authorities publish information relating to procurement. It is also the place where identifiers are recorded or issued and for suppliers to input their commonly used information.
Closed Framework	A framework that opens for competition, one or more bidders are appointed and then the framework is closed for any new submissions for a period of time.
Code of Conduct	The code of conduct binding on all Officers of the Authority.
Common Assessment Standard	A standardised pre-qualification questionnaire (PQQ) for the construction sector. It aims to streamline the construction procurement process by providing a unified set of questions for assessing suppliers.

Competitive Flexible Procedure	This is a multi-staged procurement which can include: a discrete Conditions Of Participation stage, limiting Suppliers (following the SQ or other assessments), one or more Tender rounds (and intermediate assessments), refinement of the Award Criteria, modification of the Tender procedure, interaction with the Suppliers (negotiations, presentations, site visits) and then following a final submission, there is a potential to finesse the submission and subsequent staged awards – all of this being subject to what was specified in the Invitation to Tender document.
Competitive Selection Process	A procurement process where all the Suppliers on the Framework (or a specific Lot) are invited to submit a Tender in line with the Framework rules and in line with the Specification for the Contract to be let, and the Specification of the Framework.
Competitive Tendering Procedures	This includes the Open Procedure and the Competitive Flexible Procedure.
Concession Contracts	A Contract for the supply, for pecuniary interest, of works or services to an Authority where: a. at least part of the consideration for that supply is a right to exploit, and b. under the Contract the Supplier is exposed to a real operating risk. (It may also be paid for by service users rather than the Authority)
Conditions of Participation	These are conditions that a Supplier must satisfy if the Supplier is to be awarded the Contract. These conditions must be a proportionate means of assuring that a Supplier has: • the legal and financial capacity to perform the Contract, or • the technical ability to perform the Contract.

Conditions of Tendering	The rules and conditions by which a competitive procurement process will be conducted, and with which a Supplier must comply if they are not to be excluded from the procurement process.
Conflict Assessment	An assessment that has been carried out by the Authority and in which it identifies all and any potential or actual conflicts and the actions taken or to be taken to mitigate them to ensure equal treatment.
Conflict of Interest	The Act requires Contracting Authorities to identify and keep under review actual and potential conflicts of interest. Contracting Authorities must also mitigate conflicts of interest and address circumstances which they consider are likely to cause a reasonable person to wrongly believe there to be a conflict or potential conflict of interest ('perceived conflict of interest').
Contract	An agreement to be made or concluded in writing between the Authority and a Supplier for a specific set of requirements. For a low value contract, this may be made by way of raising a Purchase Order (PO) and attaching the Authority's standard PO terms and conditions.
Contract Award Notice	A notice that is published on the Central Digital Platform and that informs the market of and intent to award and where a Mandatory Standstill Period (or Voluntary Standstill Period) is required. This notice initiates that Standstill Period. There is a different form of notice for below and above threshold procurements.
Contract Change Notice	For Contracts let under the Procurement Act 2023, this is a notice that must be published before a Contract modification is applied in accordance with Section 75. For Contracts let under the Public Contracts Regulations 2015, a modification notice must be published where a modification is made under Regulation72(b) or 72(c).

Contract Details Notice	A notice that confirms that the Contract has been entered into in accordance with Section 53 of the Procurement Act 2023. There is a different form of notice for below and above threshold procurements.
Contract Management	Contract Management is the active management of the relationship between the Authority and the Supplier over the term of the Contract for the provision of services, goods or works to a set of agreed standards.
Contract Management Notice	For Contracts valued over £5 million, under the Procurement Act 2023, the Authority is required to publish KPIs and an assessment of performance against those KPIs. In addition, the Authority must publish a poor performance notice where the Supplier has breached a Public Contract and that breach has resulted in termination, partial termination, award of damages, or a settlement agreement; or the Authority considers that a Supplier is not performing a Public Contract to the Authority's satisfaction (even if the Supplier is not in breach of the contract); and having been given a proper opportunity to improve performance has failed to do so.
Contract Managers or Contracting Officer	An Officer with responsibility for conducting the purchasing processes for the purchase of works, goods or services on behalf of the Authority and that manages the resultant Contract and ensures day-to-day activities are conducted in accordance with its terms and conditions.
Contract Modification	For Contracts let under the Procurement Act 2023, this is a modification permitted under Section 74 and Schedule 8 of the Act or is not a substantial modification or is a below-threshold modification. For Contracts let under the Public Contracts Regulations 2015, this is a modification permitted under Regulation 72.
Contract Standing Orders (CSOs)	The key document which sets out the Authority's principles of procurement, roles and responsibilities, contract procedure

	rules and processes involved in purchasing services, goods, and works contracts.
Contracts Register	A register of the Authority’s Contracts that exceed £30,000, including VAT, made publicly available via the Authority’s E-Procurement System.
Contract Value	The estimated total monetary value of a Contract over its full duration and any extensions or potential variations. (N.B. not just the annual value.) Where the duration of a Contract is indeterminate, this will be taken to be the estimated value of the Contract over a period of four years.
Covered Procurement	An above threshold procurement that is intended to result in a Public Contract. PPN-11_23-New Thresholds.pdf (publishing.service.gov.uk)
Data Protection Act 2018	The legislation that controls how personal information is used by organisations, businesses, or the Government.
Dialogue	A discussion between the Authority and Suppliers about any aspect of the procurement.
Direct Award	The award of a Contract without a competitive process.
Discretionary Exclusion Grounds	These are set out in Schedule 7 of the Procurement Act 2023.
Dynamic Market	A list of Suppliers who have met the published conditions of membership and are eligible to submit a Tender against a competition let under the market. These markets can be set up to purchase any requirements that the Authority may wish to purchase and require the use of the competitive flexible procedure to award the Contract.
E-Procurement System	A system for the end-to-end tendering process. Both suppliers and buyers submit and respond to tenders electronically.
Equalities Act 2010	Protects individuals from various forms of discrimination and harassment relating to disability, age, gender, religion, belief, and sexuality.

Estimated Contract Value	The value being estimated by the Authority for the entire possible scope (including any optional extras) and duration (including any possible extensions) of the potential contract requirements including all other options, premiums, fees etc as may become due under the contract. This must include the anticipated whole life costs and be inclusive of VAT.
Excludable Supplier	An Excludable Supplier is a Supplier to whom a discretionary exclusion ground applies, and such exclusion ground circumstances are continuing or likely to occur again; or they are on the debarment list by virtue of a discretionary exclusion ground. Tenders from excludable Suppliers may be disregarded in any Competitive Tendering Process (PA s.26(2)) and Contracting Authorities may exclude an Excludable Supplier from participating in a Competitive Flexible Procedure (PA s.27(1)(b)). The Authority may also terminate a Contract with a Supplier who becomes an excluded Supplier after the award of the Contract or where one of their sub-Contractors is an excluded Supplier.
Excluded Supplier	An Excluded Supplier is a supplier to which a mandatory exclusion ground applies and the circumstances giving rise to the application of that exclusion ground are likely to occur again; or the supplier is on the debarment list by virtue of a mandatory exclusion ground.
Exempt Contracts	The kind of Contract listed in Schedule 2 of the Procurement Act 2023.
Financial Regulations	The Authority’s rules relating to financial procedures.
Framework	Frameworks help public sector buyers to procure goods and services from a list of pre-approved suppliers, with agreed terms and conditions and legal protections.
Freedom of Information Act	Freedom of Information Act 2000 is an act defining the ways in which the public may obtain access to government-held information.

Head of Service	An Officer of the Authority employed to manage and lead a particular service area.
Invitation to Tender (IIT)	The document that invites Suppliers to submit a Request to Participate or a Tender in response to a Tender Notice. It must include clear instructions of what is required, a description of the procurement process, the Conditions of Tendering, and the Award Criteria or Assessment Methodology as a minimum.
Key Performance Indicators (KPI's)	A factor or measure against which a Supplier's performance of a Contract can be assessed during the life cycle of the Contract.
Light Touch Regime	These are Contracts or procurements which cover Health, Social Care, Community Service, legal and Education related requirements.
Lots	Splitting the goods, services or works to be supplied into more than one Contract to make them accessible to SMEs with the aim of promoting effective competition.
Mandatory Exclusion Grounds	Schedule 6 of the Procurement Act 2023 sets out the grounds for mandatory exclusions.
Most Advantageous Tender (MAT)	Is the Tender that the Authority considers— a. Satisfies the Authority's requirements, and b. Best satisfies the Award Criteria when assessed against them.
Member	An elected Member to the Fire Authority.
Monitoring Officer	The statutory officer responsible for the legal governance of the Authority.
National Policy Procurement Statement (NPPS)	National procurement policy statement outlining the strategic priorities for public procurement.
Negotiation	A discussion between the Authority and a Supplier with a view to improving the content of Tenders.
Officer	Any member of staff within the Authority.
Open Framework	A scheme of Frameworks where the initial Framework is open for three years or less, and the subsequent Frameworks

	cannot last for more than five years before it must be re-opened. The maximum overall term being eight years.
Open Procedure	This is a single stage procedure where any interested Supplier can submit a Tender; and a Supplier's suitability, capacity and capability and their Tender response are all evaluated together.
Performance Bond	A performance bond is issued to the Authority as a guarantee against the failure of the Supplier to meet the obligations of the Contract. A performance bond is usually issued by a bank or an insurance company.
Pipeline Notice	The annual notice to be published by Contracting Authorities to inform the market of the Contracts to be procured or awarded in the coming reporting period. It is only relevant for Contracting Authorities that will pay more than £100 million under relevant contracts in the coming financial year.
Preliminary Market Engagement	This can be used for the purpose of developing the Authority's requirements and approach to the planned procurement.
Presentation Demonstration	A meeting with a Supplier where they present their proposed delivery methodology or demonstrate a specific element or product within their proposal to aid the Authority in understanding the proposed solution and how it meets the Specification.
Procurement Award Report	Document that details the procurement process including the evaluation.
Procurement Initial Report	Document that details the proposed procurement process including the budget, evaluation criteria, sourcing options.
Procurement Legislation guidance	The guidance issued by the Cabinet Office that is to be considered in the development and delivery of the procurement process. Procurement Act 2023 - Guidance documents - GOV.UK (www.gov.uk) Procurement policy notes - GOV.UK (www.gov.uk).

Procurement Thresholds	The values that determine the available routes to market, set by the Cabinet Office and reviewed every two years.
Procurement Request Form	Document that outlines the key steps and requirements for initiating a procurement process.
Public Contract	This is a contract that is above the relevant threshold (for goods, services and works) and which is not an exempted contract.
Public Services (Social Value Act) 2012	The Act that places a requirement to consider the economic, environmental, and social benefits of the procurement.
Procurement Policy Notes	Documents that provide guidance on best practices for public sector procurement. They are issued by Government bodies, such as the Cabinet Office and Crown Commercial Service in the UK, to help public sector organisations and suppliers understand and comply with procurement regulations and policies.
Purchase Order	A commercial document issued by the Authority to a seller, specifying the types, quantities and agreed prices for products or services the Authority intends to purchase.
Quotation	The provision of a price to deliver the Authority's requirements (may include a method statement too), without the conduct of a formal (advertised) procurement process.
Relevant Public Sector Legislation	Including but not limited to • Local Government Act 1988 Part II, • Local government Act 1999, • Local Government Act 2000, • Local Government (Contracts) Act 1997 • Equalities Act 2010 • TUPE 2006 • Localism Act 2011 • Small Business, Enterprise, and Employment Act 2015 • Modern Slavery Act 2015 • The Public Services (Social Value) Act 2012 • Local Government Transparency Code 2015

	• The Health and Safety at Work etc. Act 1974.
Relevant Procurement Legislation	• Public Contracts Regulations 2015 or Concession Contracts Regulations 2016 • Procurement Act 2023, Procurement Regulations 2024 • Provider Services Regime 2023 where the procurement relates to health care services.
Request to Participate	The submission of a response to the Conditions of Participation published with a Tender Notice where these Conditions of Participation are a discrete stage in a Competitive Flexible Procedure.
Sensitive Commercial Information	Information that constitutes a trade secret or would be likely to prejudice the commercial interests of any person if it were published or otherwise disclosed.
Site Visit	A visit to an office, or project location to aid a Supplier in understanding the Contract requirements or specification and to aid in putting in an effective and compliant Tender.
Specification	The document that sets out the Authority's specific requirements for a specific contract or project.
SMEs	Small and Medium Enterprises – fewer than 250 employees and annual turnover not exceedingly approximately £50 million.
Standstill Period	A period of eight working days commencing on the day that the Contract Award Notice was published on the Central Digital Platform. Mandatory for all Covered Procurements other than for the following exceptions, for which a Voluntary Standstill Period of eight working days may still be applied. • Direct Award • Award under a Framework • Award by reference to a Dynamic Market • A light touch Contract
Suppliers	Economic operators, tenderers, bidders, contractors (or subcontractors), third party organisations supplying goods, services or works to the Authority.

Tender Notices	An invitation issued by the Authority to Suppliers to submit proposals or bids to provide goods or services.
Tender Records	A record of all decision made during the life of a Covered Procurement.
Tender Stages	Initial, intermediate, or final Tender stage in a Competitive Flexible Procedure.
Treaty State Supplier	A supplier that is entitled to the benefits of an internation agreement (part of the WTO or other formal arrangement).
Utilities Contracts	A Contract for the supply of goods, services or works wholly or mainly for the purpose of a utility activity (gas, electricity, water).
Value for Money	The balance of quality and price deemed representative of the Most Advantageous Tender.

Financial Regulations

Introduction

1.1 The Authority's governance structure is laid down in its Constution, which sets out how the Authority operates, how decisions are made and the procedures that are followed.

1.2 Financial Regulations provide the framework for managing the Authority's financial affairs. They apply to every member and officer of the Authority and anyone acting on its behalf.

1.3 The Regulations identify the financial responsibilities of the Authority, the Chief Fire Officer, the Monitoring Officer, the Treasurer (Director of Corporate Services) and other members of the Senior Management Team (SMT). SMT Officers should maintain a written record where decision making has been delegated to members of their staff, including seconded staff. Where decisions have been delegated or devolved to other responsible officers references to the SMT officer in the Regulations should be read as referring to them.

1.4 All members and staff have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, is properly authorised, provides value for money and achieves best value.

1.5 The Treasurer (Director of Corporate Services) is responsible for maintaining a continuous review of the Financial Regulations and submitting any additions or changes necessary to the Authority for approval. The Treasurer (Director of Corporate Services) is also responsible for reporting, where appropriate, breaches of the Financial Regulations to the Authority.

1.6 The Authority’s detailed financial procedures, setting out how the Regulations will be implemented, are contained in the appendices to the Financial Regulations.

1.7 SMT Officers and budget managers are responsible for ensuring that all staff in their departments are aware of the existence and content of the Authority’s Financial Regulations and other internal regulatory documents and that they comply with them. They must also ensure that an adequate number of copies are available for reference within their departments.

1.8 The Treasurer (Director of Corporate Services) is 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. He is also responsible for ensuring that adequate training is available to allow SMT Officers and managers to comply with their duties.

Financial Regulation A: Financial Management

Introduction

A.1 Financial management covers all financial accountabilities in relation to the running of the Authority, including the policy framework and budget.

The Authority

A.2 The Authority is responsible for approving the policy framework and budget within which the Authority operates. It is also responsible for approving and monitoring compliance with the Authority's overall framework of accountability and control. The framework is set out in its Standing Orders. The Authority is also responsible for monitoring compliance with the agreed policy and related decisions.

A.3 The Authority is responsible for approving procedures for the delegation of powers to committees and officers and recording and reporting decisions taken. These delegations and details of who has responsibility for which decisions are set out in the scheme of delegation and powers and duties of committees contained with the Authority's Procedural Standing Orders or Committee Terms of Reference.

A.4 The Authority is ultimately responsible for ensuring that the financial management arrangements and systems of internal controls are adequate and effective, and will amongst other things:

A.4.1 Appoint a responsible financial officer (Treasurer)
A.4.2 Approve the financial control framework, including financial regulations
A.4.3 Set a budget and agree a precept
A.4.4 Review spending against budget, and take appropriate action where required
A.4.5 Monitor financial outcomes

A.4.6 Determine an affordable borrowing limit having regard to the Prudential code for Capital Finance in Local Authorities
A.4.7 Approve the Statement of Accounts and publish it with an Annual Governance Statement
A.4.8 Maintain an adequate and effective system of internal audit of its accounting records and systems of internal control
A.4.9 Adopt a member code of conduct

The Statutory Officers

Chief Fire Officer

A.5 The Chief Fire Officer is responsible for the corporate and overall strategic management of the Authority as a whole. They must report to and provide information for the Authority and its committees. They are responsible for establishing a framework for management direction, style and standards and for monitoring the performance of the organisation.

Monitoring Officer

A.6 The Monitoring Officer is responsible for promoting and maintaining high standards of member conduct. The Monitoring Officer is also responsible for reporting any actual or potential breaches of the law or maladministration to the Authority, and for ensuring that procedures for recording and reporting key decisions are operating effectively.

A.7 The Monitoring Officer must ensure that Authority decisions and the reasons for them are made public. They must also ensure that members are aware of decisions made by the Authority, its committees and of those made by officers who have delegated responsibility.

A.8 The Monitoring Officer is responsible for advising all members and officers about who has authority to take a particular decision.

A9 The Monitoring Officer is responsible for advising the Authority about whether a decision is likely to be considered contrary or not wholly in accordance with the policy framework.

A.10 The Monitoring Officer (together with the Treasurer (Director of Corporate Services)) is responsible for advising the Authority about whether a decision is likely to be considered contrary or not wholly in accordance with the budget. Actions that may be 'contrary to the budget' include:

A.10.1 Initiating a new policy
A.10.2 Committing expenditure in future years to above the budget level
A.10.3 Incurring interdepartmental transfers above virement limits
A.10.4 Causing the total expenditure financed from council tax, grants and Corporately held reserves to increase, or to increase by more than a specified amount.

Treasurer and Director of Corporate Services

A.11 The Treasurer (Director of Corporate Services) has statutory duties in relation to the financial administration and stewardship of the Authority. This statutory responsibility cannot be overridden. The statutory duties arise from:

A.11.1 Section 73 and 105(1) of the Local Government Act 1985
A.11.2 The Local Government Finance Act 1988
A.11.3 The Local Government and Housing Act 1989
A.11.4 The Accounts and Audit Regulations 2015

A.12 The Treasurer (Director of Corporate Services) has a statutory responsibility to:

A.12.1 Ensure the proper administration of the Authority's financial affairs.

A.12.2 Nominate a properly qualified member of staff to deputise should they be unable to perform the duties.

A.12.3 Ensure that adequate systems and procedures exist to account for all income due and expenditure made and that controls operate to protect the Authorities assets form loss, waste, fraud or other impropriety.

A.12.4 Report to the Authority or external auditor if it appears that the Authorities expenditure is likely to exceed available resources.

A.12.5 Report to the Authority or external auditor any decisions or actions made or taken (or about to be made or taken) which involves incurring unlawful expenditure.

A.12.6 Produce the Statement of Accounts in accordance with appropriate codes of practice and reporting standards.

A.12.7 Report to the Authority on the robustness of the estimates produced for the purpose of budget calculations and the adequacy of reserves.

A.12.8 Report to the Authority where reserves are likely to be inadequate, outlining the reasons and the actions to be taken.

A.12.9 Ensure that all matters required to be taken into account in respect of the Prudential Code for Capital Finance in Local Authorities are reported to the Authority for consideration.

A.12.10 Establish procedures to monitor and report performance against all prudential indicators.

A.13 The Treasurer (Director of Corporate Services) has delegated responsibility, under the Accounts and Audit Regulations, to maintain a continuous adequate and effective internal audit of the Authorities accounting, financial and other processes, including the approval of the strategic and annual audit plans.

A.14 The Treasurer (Director of Corporate Services) is the Authorities professional adviser on financial matters, which involves a responsibility to:

A.14.1 Provide financial advice to the Authority on all aspects of its activity, including the budget, strategic planning and policy making process

A.14.2 Advise the Authority on financial propriety

A.14.3 Ensure that accurate financial information is provided to the Authority

A.14.4 Prepare statutory and other accounts

A.14.5 Make all banking arrangement

A.14.6 Provide a treasury management function

A.14.7 Advise on security of assets including risk management and insurance

A.14.8 Determine issue and receive the precept

Senior Management Team (SMT)

A15 Officers on the SMT are responsible for ensuring that Authority members are advised of the financial implications of all proposals and that the financial implications have been agreed by the Treasurer (Director of Corporate Services).

A16 It is the responsibility of SMT Officers to consult with the Treasurer (Director of Corporate Services) and seek approval on any matter liable to affect the Authority's finances materially, before any commitments are incurred.

Other financial accountabilities

Virement

A.17 The Authority is responsible for agreeing procedures for virement of expenditure between budget headings.

A.18 SMT Officers are responsible for agreeing in-year virements within delegated limits, in consultation with the Treasurer (Director of Corporate Services) where required. They must notify the Treasurer (Director of Corporate Services) of all virements.

Treatment of Year- End Balances

A.19 The Authority is responsible for agreeing procedures for carrying forward under- and overspendings on budget headings.

Accounting Policies

A.20 The Treasurer (Director of Corporate Services) is responsible for selecting accounting policies and ensuring that they are applied consistently.

Accounting Records and Returns

A.21 The Treasurer (Director of Corporate Services) is responsible for determining the accounting procedures and records for the Authority.

The Annual Statement of Accounts

A.22 The Treasurer (Director of Corporate Services) is responsible for ensuring that the annual statement of accounts is prepared in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom (the Code) (CIPFA and LASAAC). The Authority is responsible for approving the annual statement of accounts.

Financial Regulation B: Financial Planning

Introduction

B.1 The Authority is responsible for agreeing the policy framework and budget. In terms of financial planning, the key elements are:

B.1.1 The Community Risk Management Plan
B.1.2 The budget
B.1.3 The capital programme

Policy framework

B.2 The Authority is responsible for approving the policy framework and budget. The policy framework comprises the following plans and strategies:

B.2.1 Revenue budget (incorporating the Medium-Term Financial Strategy)
B.2.2 Capital programme
B.2.3 Treasury management policy statement and strategy
B.2.4 Community Risk Management Plan (CRMP)

B.3 The Authority is also responsible for approving procedures for agreeing variations to approved budgets, plans and strategies forming the policy framework and for determining the circumstances in which a decision will be deemed to be contrary to the budget or policy framework. Decisions should be referred to the Authority by the Monitoring Officer.

B.4 The Authority is responsible for setting the level at which officers may reallocate budget funds from one service to another. SMT Officers are responsible for taking in-year decisions on resources and priorities in order to deliver the budget policy framework within the financial limits set by the Authority.

Preparation of the Corporate Plan and Community Risk Management Plan

B.5 The Chief Fire Officer is responsible for proposing the corporate plan and CRMP to the Authority for approval.

Budgeting

Budget Format

B.7 The general format of the budget will be approved by the Authority on the advice of the Treasurer (Director of Corporate Services). The draft budget should include allocation to different services and projects, proposed precept and business rates charges and contingency funds.

Budget Preparation

B.8 The Treasurer (Director of Corporate Services) is responsible for ensuring that a revenue budget is prepared on an annual basis and a medium term financial strategy is incorporated into this for consideration by the Authority. The Authority may amend the budget before approving it.

B.9 The Treasurer (Director of Corporate Services) is responsible for issuing guidance on the general content of the budget in consultation with the Chief Fire Officer as soon as possible following approval by the Authority.

B.10 It is the responsibility of SMT Officers to ensure that budget estimates reflecting agreed service plans are submitted and that these estimates are prepared in line with guidance issued.

Budget Monitoring and Control

B.11 The Treasurer (Director of Corporate Services) is responsible for providing appropriate financial information to enable budgets to be monitored effectively. They must monitor and control expenditure against budget allocations and report to the Authority on the overall position on a regular basis.

B.12 It is the responsibility of SMT Officers to control income and expenditure within their area and to monitor performance, taking account of financial information provided by the Treasurer (Director of Corporate Services). They should report on variances within their own areas. They should also take any action necessary to avoid exceeding their budget allocation and alert the Treasurer (Director of Corporate Services) to any problems.

B.13 The Treasurer (Director of Corporate Services) is responsible for regularly reporting to the Authority on expenditure against budget allocations and in the event that expenditure cannot be contained within the overall budget allocation.

Resource Allocation

B.14 The Treasurer (Director of Corporate Services) is responsible for developing and maintaining a resource allocation process that ensures due consideration of the Authority's policy framework.

Preparation of the Capital Programme

B.15 The Treasurer (Director of Corporate Services) is responsible for ensuring that a capital programme is prepared on an annual basis for consideration by the Authority.

B.16 The Treasurer (Director of Corporate Services) must assess the affordability of the proposed capital programme and advise the authority in setting an affordable borrowing limit in accordance with the Prudential Code for Capital Finance in Local Authorities.

B.17 The Treasurer (Director of Corporate Services) is responsible for regularly reporting to the Authority on expenditure compare to the approved capital programme.

Maintenance of Reserves

B.18 It is the responsibility of the Treasurer (Director of Corporate Services) to advise the Authority on prudent levels of reserves for the Authority.

Financial Regulation C: Risk Management and Control of Resources

Introduction

C.1 It is essential that robust, integrated systems are developed and maintained for identifying and evaluating all significant operational risks to the Authority. This should include the proactive participation of all those associated with planning and delivering services.

Risk Management

C.2 The Authority is responsible for approving the Authority's risk management policy statement and strategy and for reviewing the effectiveness of risk management.

C.3 The Treasurer (Director of Corporate Services) is responsible for preparing the Authority's risk management policy statement, for promoting it throughout the Authority.

C.4 SMT members are responsible for reviewing risks, developing appropriate risk management controls in their own areas of responsibility.

C.5 The Treasurer (Director of Corporate Services) is responsible for maintaining a corporate risk register, and reporting this to the Audit Committee at least annually.

C.6 The Treasurer (Director of Corporate Services) is responsible for advising the Authority on insurance matters and is responsible for ensuring that proper insurance cover exists and that adequate resources are available to fund uninsured risks.

Internal Control

C.7 Internal control refers to the systems of control devised by management to help ensure 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.

C.8 The Treasurer (Director of Corporate Services) 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 of 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.

C.9 It is the responsibility of SMT Officers to establish sound arrangements for planning, appraising, authorising and controlling their operations in order to achieve continuous improvement, economy, efficiency and effectiveness and for achieving their financial performance targets.

C.10 The Treasurer (Director of Corporate Services) and Chief Fire Officer must ensure that the system of internal control is reviewed at least annually and that an Annual Governance Statement is submitted to the Authority for approval and inclusion in the Statement of Accounts.

Audit Requirements

C.11 The Accounts and Audit Regulations 2015 issued by the Secretary of State require every local authority to maintain an adequate and effective internal audit.

C.12 Public Sector Audit Appointments Ltd is responsible for appointing external auditors to each local Authority. The basic duties of the external auditor are governed by the Local Audit and Accountability Act 2014.

C.13 The Authority may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Revenue and Customs (HMRC), who have statutory rights of access.

Preventing Fraud and Corruption

C.14 The Monitoring Officer (in consultation with the Treasurer (Director of Corporate Services)) is responsible for the development and maintenance of an anti-fraud and whistle-blowing policy.

C15 SMT Officers must ensure that disposals and write-offs of redundant or surplus assets, stock and inventory are actioned in accordance with financial procedures.

Assets

C.16 SMT Officers should ensure that records and assets are properly maintained and securely held. They 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.

Treasury Management

C.17 The Authority has adopted CIPFA's Code of Practice for Treasury Management in Local Authorities.

C.18 The Authority is responsible for approving the Treasury Management Policy Statement, in accordance with the CIPFA Treasury Management Code of Practice for the Public Services. The Treasurer (Director of Corporate Services) is responsible for the implementation and ongoing monitoring of the approved policy and associated practices.

C.19 All money in the hands of the Authority is controlled by the officer designated for the purposes of section 73 and 105(1) of the Local Government Act 1985, referred to in the code as the Director of Corporate Services.

C.20 The Treasurer (Director of Corporate Services) is responsible for reporting to the Authority a proposed treasury management strategy for the coming financial year at or before the start of each financial year.

C.21 All executive decisions on borrowing, investment or financing shall be delegated to the Treasurer (Director of Corporate Services), who is required to act in accordance with CIPFA's Code of Practice for Treasury Management in Local Authorities.

C.22 The Treasurer (Director of Corporate Services) is responsible for reporting to the Authority on the activities of the treasury management operation; one such report will comprise an annual report on treasury management for presentation by 30 June of the succeeding financial year.

Staffing

C.23 The Authority is responsible for determining how officer support for executive and non-executive roles within the Authority will be organised.

C.24 The Chief Fire Officer is responsible for providing overall management to staff. They are also responsible for ensuring that there is proper use of the evaluation or other agreed systems for determining the remuneration of a job.

C.25 SMT Officers are responsible for controlling total staff numbers by:

C.25.1 Advising the Authority on the budget necessary in any given year to cover estimated staffing levels.

C.25.2 Adjusting the staffing to a level that can be funded within approved budget provision, varying the provision as necessary within that constraint in order to meet changing operational needs.
C.25.3 The proper use of appointment procedures.

Financial Regulation D: Systems and Procedures

Introduction

D.1 Sound systems and procedures are essential to an effective framework of accountability and control.

General

D.2 The Treasurer (Director of Corporate Services) is responsible for the operation of the Authority's accounting systems, the form of accounts and the supporting financial records. Any changes made by SMT Officers to the existing financial systems or the establishment of new systems must be approved by the Treasurer (Director of Corporate Services). However, SMT Officers are responsible for the proper operation of financial processes in their own departments.

D.3 Any changes to agreed procedures by SMT Officers to meet their own specific service needs should be agreed with the Treasurer (Director of Corporate Services).

D.4 SMT Officers should ensure that their staff receive relevant financial training that has been approved by the Treasurer (Director of Corporate Services).

D.5 SMT Officers must ensure that, where appropriate, computer and other systems are registered in accordance with data protection legislation. SMT Officers must ensure that staff are aware of their responsibilities under freedom of information legislation.

Income and expenditure

D.6 It is the responsibility of SMT Officers to ensure that a proper scheme of delegation has been established within their area and is operating effectively. The scheme of delegation should identify staff authorised to act on the SMT officer's behalf in respect of payments, income collection and placing orders, together with the limits of their Authority. The Authority is responsible for approving procedures for writing off debts as part of the overall control framework of accountability and control.

Payments to employees and Members

D.7 The Director of People and Development is responsible for all payments of salaries and wages to all staff, including payments for overtime, and for payment of allowances to members. They are also responsible for the payment of pensions to retired firefighters.

Taxation

D.8 The Treasurer (Director of Corporate Services) is responsible for advising SMT Officers, in the light of guidance issued by appropriate bodies and relevant legislation as it applies, on all taxation issues that affect the Authority.

D.9 The Treasurer (Director of Corporate Services) is responsible for maintaining the Authority's tax records, making all tax payments, receiving tax credits and submitting tax returns by their due date as appropriate.

Trading Accounts and Business Units

D.10 It is the responsibility of the Treasurer (Director of Corporate Services) to advise on the establishment and operation of trading accounts and business units.

Financial Regulation E: External Arrangements

Introduction

E.1 The Authority provides a distinctive leadership role for the community and brings together the contributions of the various stakeholders. It must also act to achieve the promotion or improvement of the economic, social or environmental well being of its area.

Partnerships

E.2 The Authority is responsible for approving delegations, including a Partnership Protocol for partnerships. The Authority is the focus for forming partnerships with other local public, private, voluntary and community sector organisations to address local needs.

E.3 The Authority can delegate functions – including those relating to partnerships – to officers. These are set out in the Authority scheme of delegation. Where functions are delegated, the responsible officer remains accountable for them to the Authority.

E.4 The Monitoring Officer and Treasurer (Director of Corporate Services) are responsible for promoting and maintaining the same high standards of conduct with regard to financial administration in partnerships that apply throughout the Authority.

E.5 The Treasurer (Director of Corporate Services) must ensure that the accounting arrangements to be adopted relating to partnerships and joint ventures are satisfactory. They must also consider the overall corporate governance arrangements and legal issues when arranging contracts with external bodies. They must ensure that the risks have been fully appraised before agreements are entered into with external bodies.

E.6 SMT Officers are responsible for ensuring that risks relating to significant partnership working has been properly assessed and that appropriate approvals are obtained before any negotiations are concluded in relation to work with external bodies.

E.7 SMT Officers are responsible for evaluating the contribution of partnership working to the achievement of the Authority objectives.

External funding

E.8 The Treasurer (Director of Corporate Services) is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the Authority's accounts.

Work for third parties

E.9 SMT Officers are responsible for approving the contractual arrangements for any work for third parties or external bodies, subject to any advice provided by the Treasurer (Director of Corporate Services) following advice.

Appendix A

Financial Management

Financial Management Standards

Why is this important?

1.01 All staff and members have a duty to abide by the highest standards of probity in dealing with financial issues. This is facilitated by ensuring everyone is clear about the standards to which they are working and the controls that are in place to ensure that these standards are met.

Key controls

1.02 The key controls and control objectives for financial management standards are:

> 1.02.1 Their promotion throughout the Authority.
>
> 1.02.2 A monitoring system to review compliance with financial standards, and regular comparisons of performance indicators and benchmark standards that are reported to the Authority.

Responsibilities of the Treasurer (Director of Corporate Services)

1.03 To ensure the proper administration of the financial affairs of the Authority.

1.04 To act as the Authority's professional advisor on financial matters, including the budget, financial planning, strategy and policy making.

1.05 To ensure that all reports to the Authority have full and clear financial implications identified.

1.06 To set the financial management standards and to monitor compliance with them.

1.07 To ensure proper professional practices are adhered to and to act as head of profession in relation to the standards, performance and development of finance staff throughout the Authority.

1.08 To advise on the key strategic controls necessary to secure sound financial management.

1.09 To ensure that financial information is available to enable accurate and timely monitoring and reporting of comparisons of national and local financial performance indicators.

Responsibilities of SMT Officers

1.10 To promote the financial management standards set by the Treasurer (Director of Corporate Services) in their departments and to monitor adherence to the standards and practices, liaising as necessary with the Treasurer (Director of Corporate Services).

1.11 To promote sound financial practices in relation to the standards, performance and development of staff in their departments.

Managing expenditure

Scheme of virement

Why is this important?

1.12 The scheme of virement is intended to enable the SMT Officers and their staff to manage budgets with a degree of flexibility within the overall policy framework determined by the Authority, and therefore to optimise the use of resources.

Key controls

1.13 Key controls for the scheme of virement are:

1.13.1 It is administered by the Treasurer (Director of Corporate Services) within guidelines set by the Authority. Any variation from this scheme requires the approval of the Authority.

1.13.2 The overall budget is approved by the Authority. SMT Officers and budget managers are therefore authorised to incur expenditure in accordance with the estimates that make up the budget. The rules below cover virement; that is, switching resources between approved estimates or heads of expenditure. For the purposes of this scheme, a budget head is considered to be a line in the approved estimates report.

1.13.3 Virement does not create additional overall budget liability. SMT Officers are expected to exercise their discretion in managing their budgets responsibly and prudently. For example, they should aim to avoid supporting recurring expenditure from one-off sources of savings or additional income, or creating future commitments, including full-year effects of decisions made part way through a year, for which they have not identified future resources. SMT Officers must plan to fund such commitments from within their own budgets.

Responsibilities of the Treasurer (Director of Corporate Services)

1.14 To issue instructions and guidelines to all budget managers in order that the scheme of virement can operate within the policies set by the Authority.

1.15 To issue documentation for completion by budget holders for the satisfactory management control of the virement process.

1.16 To prepare jointly with the SMT Officer a report to the Authority where virements in excess of £200,000 are proposed.

Responsibilities of SMT Officers

1.17 Virements can be exercised within the limits shown below, subject to the provisions in paragraphs 1.18 to 1.20 below:

Limit	**Department Head**	**Director**	**Chief Fire Officer**	**Treasurer (Director of Corporate Services)**	**Authority**
Up to £50,000	Y	-	-	-	-
£50,000-£100,000	Y	Y		-	-
£100,000-£200,000	Y	Y	Y	Y	-
Over £200,000	Y	Y	Y	Y	Y

Table 1 – Virements limits

1.18 The prior approval of the Authority is required for any virement, of whatever amount, where it is proposed to change Authority policy.

1.19 Virement that is likely to impact on the level of service activity of another SMT Officer should be implemented only after agreement with the relevant SMT Officer.

1.20 No virement relating to a specific financial year should be made after 31 March in that year.

1.21 Where an approved budget is a lump-sum budget or contingency intended for allocation during the year, its allocation will not be treated as a virement, provided that the amount is used in accordance with the purposes for which it has been established.

Treatment of Year-End Balances

Why is this important?

1.22 The rules below cover arrangements for the transfer of resources between accounting years, also known as a carry-forward.

1.23 These are administered by the Treasurer (Director of Corporate Services) within guidelines set by the Authority. Any variation from the scheme requires the approval of the Authority.

Key controls

1.24 Appropriate accounting procedures are in operation to ensure that carried-forward totals are correct.

Responsibilities of the Treasurer (Director of Corporate Services)

1.25 To approve carry forward requests of up to £100,000 in respect of specific items of expenditure. Such sums to be included in specific earmarked reserves and included in the Statement of Accounts.

1.26 To administer the scheme of carry-forward within the guidelines approved by the Authority.

1.27 To report all overspendings and underspending on service estimates carried forward to the executive and to the Authority.

Responsibilities of SMT officers

1.28 Any overspending on service estimates in total on budgets must be carried forward to the following year, and will constitute the first call on service estimates in the following year. The Treasurer (Director of Corporate Services) will report the extent of overspendings carried forward to the Authority.

1.29 Net underspending on service estimates under the control of the SMT Officer may be carried forward, subject to:

- 1.29.1 50% of the underspend being transferred to general reserves.
- 1.29.2 A maximum limit of £50,000, any carry forward in excess of this requires approval of Treasurer (Director of Corporate Services).
- 1.29.3 An annual review of the reasonableness of individual balances created this way.

Accounting policies

Why is this important?

1.30 The Treasurer (Director of Corporate Services) is responsible for the preparation of the Authority's statement of accounts, in accordance with proper practices as set out in the format required by the Code of Practice on Local Authority Accounting in the United Kingdom (CIPFA and LASAAC), for each financial year ending 31 March.

Key controls

1.31 The key controls for accounting policies are:

1.31.1 Systems of internal control are in place that ensure that financial transactions are lawful.

1.31.2 Suitable accounting policies are selected and applied consistently.

1.31.3 Proper accounting records are maintained.

1.31.4 Financial statements are prepared which present fairly the financial position of the Authority and its expenditure and income.

Responsibilities of the Treasurer (Director of Corporate Services)

1.32 To select suitable accounting policies and to ensure that they are applied consistently. The accounting policies are set out in the statement of accounts, which is prepared at 31 March each year, and covers such items as:

1.32.1 Separate accounts for capital and revenue transactions.

1.32.2 The basis on which debtors and creditors at year end are included in the accounts.

1.32.3 Details on substantial provisions and reserves

1.32.4 Non-current assets

1.32.5 Depreciation

1.32.6 Capital charges

1.32.7 Work in progress

1.32.8 Stocks and stores

1.32.9 Deferred charges

1.32.10 Government grants

1.32.11 Leasing

1.32.12 Pensions

Responsibilities of SMT officers

1.33 To adhere to the accounting policies and guidelines approved by the Treasurer (Director of Corporate Services).

Accounting records and returns

Why is this important?

1.34 Maintaining proper accounting records is one of the ways in which the Authority discharges its responsibility for stewardship of public resources. The Authority has a statutory responsibility to prepare its annual accounts to present fairly its operations during the year. These are subject to external audit. This audit provides assurance that the accounts are prepared properly, that proper accounting practices have been followed and that quality arrangements have been made for securing economy, efficiency and effectiveness in the use of the Authority's resources.

Key controls

1.35 The key controls for accounting records and returns are:

1.35.1 All members, finance staff and budget managers operate within the required accounting standards and timetables.

1.35.2 All the Authority's transactions, material commitments and contracts and other essential accounting information are recorded completely, accurately and on a timely basis.

1.35.3 Procedures are in place to enable accounting records to be reconstituted in the event of systems failure.

1.35.4 Reconciliation procedures are carried out to ensure transactions are correctly recorded.

1.35.5 Prime documents are retained in accordance with legislative and other requirements.

Responsibilities of the Treasurer (Director of Corporate Services)

1.36 To determine the accounting procedures and records for the Authority. Where these are maintained outside the finance department, the Treasurer (Director of Corporate Services) should consult the SMT Officer concerned.

1.37 To arrange for the compilation of all accounts and accounting records under his or her direction, including statistical and government returns.

1.38 To comply, as far as practicable, with the following principles when allocating accounting duties:

1.38.1 Separating the duties of providing information about sums due to or from the Authority and calculating, checking and recording these sums from the duty of collecting or disbursing them.

1.38.2 Employees with the duty of examining or checking the accounts of cash transactions must not themselves be engaged in these transactions.

1.38.3 Where such arrangements are not practical alternative controls must be agreed with the Treasurer (Director of Corporate Services).

1.39 To make proper arrangements for the audit of the Authority's accounts in accordance with the Accounts and Audit Regulations 2015.

1.40 To ensure that all claims for funds including grants are made by the due date.

1.41 To prepare and publish the audited accounts of the Authority for each financial year, in accordance with the statutory timetable and with the requirement for the Authority to approve the statement of accounts in line with statutory deadlines.

1.42 To administer the Authority's arrangements for under and overspendings to be carried forward to the following financial year.

1.43 To ensure the proper retention of financial documents in accordance with all legal requirements and as set out in the Authority's document retention schedule.

Responsibilities of SMT officers

1.44 To consult and obtain the approval of the Treasurer (Director of Corporate Services) before making any changes to accounting records and procedures.

1.45 To comply with the principles outlined in paragraph 1.38 above when allocating accounting duties.

1.46 To maintain adequate records to provide a management trail leading from the source of income and expenditure through to the accounting statements.

1.47 To supply information required to enable the statement of accounts to be completed in accordance with guidelines issued by the Treasurer (Director of Corporate Services).

1.48 To ensure that all claims for funds, including grant funds, are made by the due date.

The Annual Statement of Accounts

Why is this important?

1.49 The Authority has a statutory responsibility to prepare its own accounts to present fairly its operations during the year. The Authority is responsible for approving the statutory annual statement of accounts.

Key controls

1.50 The key controls for the annual statement of accounts are:

1.50.1 The Authority is required to make arrangements for the proper administration of its financial affairs and to secure that one of its officers has the responsibility for the administration of these affairs. In this Authority, that officer is the Treasurer (Director of Corporate Services).

1.50.2 The Authority's statement of accounts must be prepared in accordance with proper practices as set out in the Code of Practice on Local Authority Accounting in the United Kingdom (CIPFA and LASAAC).

Responsibilities of the Treasurer (Director of Corporate Services)

1.51 To select suitable accounting policies and to apply them consistently.

1.52 To make judgements and estimates that are reasonable and prudent.

1.53 To comply with the Code, financial reporting standards and Accounts and Audit Regulations.

1.54 To sign and date the statement of accounts, stating that it presents fairly the financial position of the Authority at the accounting date and its income and expenditure for the year ended 31 March.

1.55 To draw up the timetable for final accounts preparation and to advise staff and external auditors accordingly.

1.56 To liaise with external auditors during the audit of accounts.

Responsibilities of SMT officers

1.57 To comply with accounting guidance provided by the Treasurer (Director of Corporate Services) and to supply the Treasurer (Director of Corporate Services) with information when required.

Appendix B

Financial Planning

Performance plans

Why is this important?

2.01 The Authority has a statutory responsibility to publish various performance plans such as the risk management plans. The purpose of performance plans is to explain overall priorities and objectives, current performance, and proposals for further improvement.

Key controls

2.02 The key controls for performance plans are:

- 2.02.1 To ensure that all relevant plans are produced and that they are consistent.
- 2.02.2 To produce plans in accordance with statutory requirements to meet the timetables set.
- 2.02.3 To ensure that all performance information is accurate, complete and up to date.
- 2.02.4 To provide improvement targets which are meaningful, realistic and challenging.

Responsibilities of the Treasurer (Director of Corporate Services)

2.03 To advise and supply the financial information that needs to be included in performance plans in accordance with statutory requirements and agreed timetables.

2.04 To contribute to the development of corporate and service targets and objectives and performance information.

Responsibilities of the Director of Service Delivery

2.05 To ensure that systems are in place to measure activity and collect accurate information for use as performance indicators.

2.06 To ensure that performance information is monitored sufficiently frequently to allow corrective action to be taken if targets are not likely to be met.

Responsibilities of SMT officers

2.07 To contribute to the development of performance plans in line with statutory requirements.

2.08 To contribute to the development of corporate and service targets and objectives and performance information.

Budgeting

Format of the Budget

Why is this important?

2.09 The format of the budget determines the level of detail to which financial control and management will be exercised. The format shapes how the rules around virement operate, the operation of cash limits and sets the level at which funds may be reallocated within budgets.

Key controls

2.10 The key controls for the budget format are:

- 2.10.1 The format complies with all legal requirements.
- 2.10.2 The format complies with CIPFA’s Service Reporting Code of Practice (SeRCOP).
- 2.10.3 The format reflects the accountabilities of service delivery.

Responsibilities of the Treasurer (Director of Corporate Services)

2.11 To advise the Authority on the format of the budget that is approved.

Responsibilities of SMT officers

2.12 To comply with accounting guidance provided by the Treasurer (Director of Corporate Services).

Revenue budget preparation, monitoring and control

Why is this important?

2.13 Budget management ensures that once the budget has been approved by the Authority, resources allocated are used for their intended purposes and are properly accounted for. Budgetary control is a continuous process, enabling the Authority to review and adjust its budget targets during the financial year. It also provides the mechanism that calls to account managers responsible for defined elements of the budget.

2.14 By continuously identifying and explaining variances against budgetary targets, the Authority can identify changes in trends and resource requirements at the earliest opportunity. The Authority itself operates within an annual cash limit, approved when setting the overall budget. To ensure that the Authority in total does not overspend, each service is required to manage its own expenditure within the cash-limited budget allocated to it.

2.15 For the purposes of budgetary control by managers, a budget will normally be the planned income and expenditure for a service area or cost centre. However, budgetary control may take place at a more detailed level if this is required by the SMT Officer's scheme of delegation.

Key controls

2.16 The key controls for managing and controlling the revenue budget are:

- 2.16.1 Budget managers should be responsible only for income and expenditure that they can influence.
- 2.16.2 There is a nominated budget manager for each cost centre heading.
- 2.16.3 Budget managers accept accountability for their budgets and the level of service to be delivered and understand their financial responsibilities.
- 2.16.4 Budget managers follow an approved certification process for all expenditure.
- 2.16.5 Income and expenditure are properly recorded and accounted for.

2.16.6 Performance levels and levels of service are monitored in conjunction with the budget and necessary action is taken to align service outputs and budget, for example by budgetary virement.

Responsibilities of the Treasurer (Director of Corporate Services)

2.17 To establish an appropriate framework of budgetary management and control that ensures that:

2.17.1 Budget management is exercised within annual cash limits unless the Authority agrees otherwise.

2.17.2 Each SMT Officer has available timely information on receipts and payments on each budget which is sufficiently detailed to enable managers to fulfil their budgetary responsibilities.

2.17.3 Expenditure is committed only against an approved budget head.

2.17.4 All officers responsible for committing expenditure comply with relevant guidance, Contract Standing Orders and the Financial Regulations.

2.17.5 Each cost centre has a single named manager, determined by the relevant SMT Officer. As a general principle, budget responsibility should be aligned as closely as possible to the decision-making processes that commits expenditure.

2.17.6 Significant variances from approved budgets are investigated and reported by budget managers regularly.

2.18 To administer the Authority's scheme of virement.

2.19 To submit reports to the Authority, in consultation with the relevant SMT Officer, where a SMT Officer is unable to balance expenditure and resources within existing approved budgets under their control.

2.20 To prepare and submit reports on the Authority's projected income and expenditure compared with the budget on a regular basis.

Responsibilities of SMT officers

2.21 To maintain budgetary control within their departments, in adherence to the principles in 2.17, and to ensure that all income and expenditure are properly recorded and accounted for.

2.22 To ensure that an accountable budget manager is identified for each item of income and expenditure under the control of the SMT Officer (grouped together in a series of cost centres). As a general principle, budget responsibility should be aligned as closely as possible to the decision-making that commits expenditure.

2.23 To ensure that spending remains within the Service's overall cash limit, and that individual budget heads are not overspent, by monitoring the budget and taking appropriate corrective action where significant variations from the approved budget are forecast.

2.24 To ensure that a monitoring process is in place to review performance levels and levels of service in conjunction with the budget and is operating effectively.

2.25 To prepare and submit to the Authority reports on projected expenditure compared with its budget, in consultation with the Treasurer (Director of Corporate Services) .

2.26 To ensure prior approval by the Authority for new proposals* of whatever amount, that:

2.26.1 Create financial commitments in future years.

2.26.2 Change existing policies, initiate new policies or cease existing policies.

2.26.3 Materially extend or reduce the Authority's services.

*A report on new proposals should explain the full financial implications, following consultation with the Treasurer (Director of Corporate Services) . Unless the Authority has agreed otherwise, SMT Officers must plan to contain the financial implications of such proposals within their cash limit.

2.27 To ensure compliance with the scheme of virement.

2.28 To agree with the relevant SMT Officer where it appears that a budget proposal, including a virement proposal may impact materially on another service area or SMT Officer's level of service activity.

Budgets and medium-term planning

Why is this important?

2.29 The Authority is a complex organisation responsible for delivering a wide variety of services. It needs to plan effectively and to develop systems to enable scarce resources to be allocated in accordance with carefully weighed priorities. The budget is the financial expression of the Authority's plans and policies.

2.30 The revenue budget must be constructed so as to ensure that resource allocation properly reflects the service plans and priorities of the Authority. Budgets (spending plans) are needed so that the Authority can plan, authorise, monitor and control the way money is allocated and spent. It is illegal for an Authority to budget for a deficit.

2.31 Medium-term planning (the Authority has adopted a five-year planning system) involves a planning cycle in which managers develop their own plans. As each year passes, another future year will be added to the medium-term plan. This ensures that the Authority is always preparing for events in advance.

Key controls

2.32 The key controls for budgets and medium-term planning are:

2.32.1 Specific budget approval for all expenditure.

2.32.2 Budget managers are consulted in the preparation of the budgets for which they will be held responsible and accept accountability within delegations set by the Authority for their budgets and the level of service to be delivered.

2.32.3 A monitoring process is in place to review regularly the effectiveness and operation of budget preparation and to ensure that any corrective action is taken.

Responsibilities of the Treasurer (Director of Corporate Services)

2.33 To prepare and submit reports on budget prospects for the executive, including resource constraints set by the Government. Reports should take account of medium-term prospects, where appropriate.

2.34 To determine the detailed form of revenue estimates and the methods for their preparation, consistent with the budget approved by the Authority, and after consultation with SMT Officers.

2.35 To prepare and submit reports to the Authority on the aggregate spending plans of departments and on the resources available to fund them, identifying, where appropriate, the implications for the level of council tax to be levied.

2.36 To advise on the medium-term implications of spending decisions.

2.37 To encourage the best use of resources and value for money by working with SMT Officers to identify opportunities to improve economy, efficiency and effectiveness, and by encouraging good practice in conducting financial appraisals of development or savings options, and in developing financial aspects of service planning.

2.38 To advise the Authority on proposals in accordance with their responsibilities under section 73 of the Local Government Act 1985.

Responsibilities of SMT officers

2.39 To prepare estimates of income and expenditure, in consultation with the Treasurer (Director of Corporate Services), to be submitted to the Authority.

2.40 To prepare budgets that are consistent with any relevant cash limits, with the Authority's annual budget cycle and with guidelines issued by the Authority. The format should be prescribed by the Treasurer (Director of Corporate Services) in accordance with the Authority's general directions.

2.41 To integrate financial and budget plans into service planning, so that budget plans can be supported by financial and non-financial performance measures.

2.42 In consultation with the Treasurer (Director of Corporate Services) and in accordance with the laid-down guidance and timetable, to prepare detailed draft revenue and capital budgets for consideration by the appropriate committee.

2.43 When drawing up draft budget requirements, to have regard to:

- 2.43.1 Spending patterns and pressures revealed through the budget monitoring process.
- 2.43.2 Legal requirements.
- 2.43.3 Policy requirements as defined by the Authority in the approved policy framework.
- 2.43.4 Initiatives already under way.

Resource allocation

Why is this important?

2.44 A mismatch often exists between available resources and required resources. A common scenario is that available resources are not adequate to fulfil need and desire. It is therefore imperative that needs and desires are carefully prioritised and that resources are fairly allocated, in order to fulfil all legal responsibilities. Resources may include staff, money, equipment, goods and materials.

Key controls

2.45 The key controls for resource allocation are:

- 2.45.1 Resources are acquired in accordance with the law and using an approved authorisation process.
- 2.45.2 Resources are used only for the purpose intended, to achieve the approved policies and objectives, and are properly accounted for.
- 2.45.3 Resources are securely held for use when required.
- 2.45.4 Resources are used with the minimum level of waste, inefficiency or loss for other reasons.

Responsibilities of the Treasurer (Director of Corporate Services)

2.46 To advise on methods available for the funding of resources, such as grants from central government and borrowing requirements.

2.47 To assist in the allocation of resources to budget managers.

Responsibilities of SMT officers

2.48 To work within budget limits and to utilise resources allocated, and further allocate resources, in the most efficient, effective and economic way.

2.49 To identify opportunities to minimise or eliminate resource requirements or consumption without having a detrimental effect on service delivery.

Capital Programmes

Why is this important?

2.50 Capital expenditure involves acquiring or enhancing fixed assets with a long-term value to the Authority, such as land, buildings, and major items of plant, equipment or vehicles. Capital assets shape the way services are delivered in the long term and create financial commitments for the future in the form of financing costs and revenue running costs.

2.51 The Government places strict controls on the financing capacity of the Authority. This means that capital expenditure should form part of an investment strategy and should be carefully prioritised in order to maximise the benefit of scarce resources.

Key controls

2.52 The key controls for capital programmes are:

- 2.52.1 Specific approval by the Authority for the programme of capital expenditure.
- 2.52.2 Expenditure on capital schemes is subject to the approval of the Treasurer (Director of Corporate Services).
- 2.52.3 A capital scheme appraisal, including links to Authority objectives, associated risks, cost estimates including associated revenue expenditure, is prepared for each capital project prior to inclusion in the programme, this requires the approval of the relevant Director.
- 2.52.4 Approval by the Authority where capital schemes are to be financed from the revenue budget.
- 2.52.5 Proposals for improvements and alterations to buildings must be approved by the appropriate SMT Officer.

2.52.6 Schedules for individual schemes within the overall capital programme approved by the Authority must be submitted to the Executive Board for approval, or under other arrangements approved by the Authority.

2.52.7 The development and implementation of asset management plans.

2.52.8 Accountability for each proposal is accepted by a named manager.

2.52.9 Monitoring of progress in conjunction with expenditure and comparison with approved budget.

Responsibilities of the Treasurer (Director of Corporate Services)

2.53 To prepare capital estimates jointly with SMT Officers and to report them to the Authority for approval. The Treasurer (Director of Corporate Services) will make recommendations on the capital estimates and on any associated financing requirements to the Authority. Authority approval is required where a SMT Officer proposes to bid for or exercise additional borrowing approval not anticipated in the capital programme. This is because the extra borrowing may create future commitments to financing costs.

2.54 To prepare and submit reports to the executive on the projected income, expenditure and resources compared with the approved estimates.

2.55 To issue guidance concerning capital schemes and controls, for example, on project appraisal techniques. The definition of ‘capital’ will be determined by the Treasurer (Director of Corporate Services), having regard to Government regulations and accounting requirements.

2.56 To provide advice to allow responsible officers to obtain authorisation from the Authority for individual schemes where the estimated expenditure exceeds the capital programme provision by more than the agreed criteria set out in section 2.63.

2.57 To report progress on capital contracts valued in excess of £100,000 to Resources Committee (this only relates to the capital element of any contract not any on-going revenue costs associated with-it, such as ICT licenses and support).

Responsibilities of SMT officers

2.58 To comply with guidance concerning capital schemes and controls issued by the Treasurer (Director of Corporate Services).

2.59 To ensure that, where appropriate, all capital proposals have undergone a project appraisal in accordance with guidance issued by the Treasurer (Director of Corporate Services).

2.60 To prepare a quarterly return of progress to date and estimated final costs of schemes in the approved capital programme for submission to the Treasurer (Director of Corporate Services) and relevant Director.

2.61 To ensure that adequate records are maintained for all capital contracts.

2.62 To proceed with projects only when there is adequate provision in the capital programme and with the agreement of the Treasurer (Director of Corporate Services), where required.

2.63 Where variations in estimated or contract costs occur the following shall apply:

Cumulative Variance	**Action**
Less than £10,000 or 5%, whichever is the greater	Retrospective notification to Treasurer (Director of Corporate Services) and relevant Director. No requirement to report to the Authority. (Where costs cannot be contained within overall capital programme or through an additional revenue contribution to the capital programme prior approval of the Authority is required).
Between £10,000 and £50,000 or 5% and 10%, whichever is the greater	Report to Treasurer (Director of Corporate Services) and relevant Director to seek approval, before any cost increases incurred. (Where costs cannot be contained within overall capital programme or through an additional revenue contribution to the capital programme prior approval of the Authority is required).
Between £50,000 and £100,000 or 10% and 15%, whichever is the greater	Report to Executive Board to seek approval, before any cost increases incurred. (Where costs cannot be contained within overall capital programme or through an additional revenue contribution to the capital programme prior approval of the Authority is required).
Over £100,000 or 15%, whichever is the greater	Approval required from the Authority before any cost increases incurred, other than in exceptional circumstances when the delay incurred would, in the option of the CFO and Treasurer (Director of Corporate Services), be impractical in which case this must be reported retrospectively to the Authority.

Table 2 – Variations in estimated or contract costs

(Note, the approval by either Executive Board or the Authority means that all variations to date are incorporated into the revised contract sum. For the purpose of monitoring and reporting of future variations the cumulative value of variations begins again at zero).

2.64 To ensure that credit arrangements, such as leasing agreements, are not entered into without the prior approval of the Treasurer (Director of Corporate Services) and, if applicable, approval of the scheme through the capital programme.

Maintenance of reserves

Why is this important?

2.65 The Authority must decide the level of general reserves it wishes to maintain before it can decide the level of council tax. Reserves are maintained as a matter of prudence. They enable the Authority to provide for unexpected events and thereby protect it from overspending, should such events occur. Reserves for specific purposes may also be maintained, such as the purchase or renewal of capital items.

Key controls

2.66 To maintain reserves in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom (CIPFA and LASAAC) and agreed accounting policies.

2.67 For each reserve established, the purpose, usage and basis of transactions should be clearly identified.

2.68 Authorisation and expenditure from reserves by the appropriate SMT Officer in consultation with the Treasurer (Director of Corporate Services).

Responsibilities of the Treasurer (Director of Corporate Services)

2.69 To advise the Authority on prudent levels of reserves for the Authority, and to take account of the advice of the external auditor in this matter.

Responsibilities of SMT officers

2.70 To ensure that resources are used only for the purposes for which they were intended.

Appendix C

Risk management and control of resources

Risk management

Why is this important?

3.01 All organisations, whether private or public sector, face risks to people, property and continued operations. Risk is the chance or possibility of loss, damage, injury or failure to achieve objectives caused by an unwanted or uncertain action or event. Risk management is the planned and systematic approach to the identification, evaluation and control of risk. Its objectives are to secure the assets of the organisation and to ensure the continued financial and organisational well being of the organisation. In essence it is, therefore, an integral part of good business practice. Risk management is concerned with evaluating the measures an organisation already has in place to manage identified risks and then recommending the action the organisation needs to take to control these risks effectively.

3.02 It is the overall responsibility of the Authority to approve the risk management strategy, and to promote a culture of risk management awareness throughout the Authority.

Key controls

3.03 The key controls for risk management are:

- 3.03.1 Procedures are in place to identify, assess, prevent or contain material known risks, and these procedures are operating effectively throughout the Authority.
- 3.03.2 A monitoring process is in place to review regularly the effectiveness of risk reduction strategies and the operation of these controls. The risk management process should be conducted on a continuing basis.
- 3.03.3 Managers know that they are responsible for managing relevant risks and are provided with relevant information on risk management initiatives.

3.03.4 Provision is made for losses that might result from the risks that remain.

3.03.5 Procedures are in place to investigate claims within required timescales.

3.03.6 Acceptable levels of risk are determined and insured against where appropriate.

3.03.7 The Authority has identified business continuity plans for implementation in the event of disaster that results in significant loss or damage to its resources.

Responsibilities of the Treasurer (Director of Corporate Services)

3.04 To prepare and promote the Authority's risk management policy statement and strategy.

3.05 To develop risk management controls in conjunction with other SMT Officers.

3.06 To effect corporate insurance cover, through external insurance and internal funding, and to negotiate all claims in consultation with other officers, where necessary.

Responsibilities of SMT officers

3.07 To notify the Treasurer (Director of Corporate Services) immediately of any loss, liability or damage that may lead to a claim against the Authority, together with any information or explanation required by those officers or the Authority's insurers.

3.08 To take responsibility for risk management, having regard to advice from the Treasurer (Director of Corporate Services) and other specialist officers (such as crime prevention, fire prevention, health and safety).

3.09 To ensure that there are regular reviews of risk within their departments.

3.10 To notify the Treasurer (Director of Corporate Services) promptly of all new risks, properties or vehicles that require insurance and of any alterations affecting existing insurance’s.

3.11 To consult the Treasurer (Director of Corporate Services) and the Monitoring Officer on the terms of any indemnity that the Authority is requested to give.

3.12 To ensure that employees, or anyone covered by the Authority’s insurance’s, do not admit liability or make any offer to pay compensation that may prejudice the assessment of liability in respect of any insurance claim.

Internal controls

Why is this important?

3.13 The Authority is complex and beyond the direct control of individuals. It therefore requires internal controls to manage and monitor progress towards strategic objectives.

3.14 The Authority has statutory obligations, and, therefore, requires internal controls to identify, meet and monitor compliance with these obligations.

3.15 The Authority faces a wide range of financial, administrative and commercial risks, both from internal and external factors, which threaten the achievement of its objectives. Internal controls are necessary to manage these risks.

3.16 The system of internal controls is established in order to provide measurable achievement of:

3.16.1 Efficient and effective operations

3.16.2 Reliable financial information and reporting

3.16.3 Compliance with laws and regulations

3.16.4 Risk management

Key controls

3.17 The key controls and control objectives for internal control systems are:

3.17.1 Key controls should be reviewed on a regular basis and the Authority should make a formal statement annually to the effect that it is satisfied that the systems of internal control are operating effectively.

3.17.2 Managerial control systems, including defining policies, setting objectives and plans, monitoring financial and other performance and taking appropriate anticipatory and remedial action. The key objective of these systems is to promote ownership of the control environment by defining roles and responsibilities.

3.17.3 Financial and operational control systems and procedures, which include physical safeguards for assets, segregation of duties, authorisation and approval procedures and information systems.

3.17.4 An effective internal audit function that is properly resourced. It should operate in accordance with the principles contained in CIPFA's Public Sector Internal Audit Standards and with any other statutory obligations and regulations.

Responsibilities of the Treasurer (Director of Corporate Services)

3.18 To assist the Authority to put in place an appropriate control environment and effective internal controls which provide reasonable assurance of effective and efficient operations, financial stewardship, probity and compliance with laws and regulations.

3.19 To prepare the Annual Governance Statement for approval by the Authority.

Responsibilities of SMT officers

3.20 To manage processes to check that established controls are being adhered to and to evaluate their effectiveness, in order to be confident in the proper use of resources, achievement of objectives and management of risks.

3.21 To review existing controls in the light of changes affecting the Authority and to establish and implement new ones in line with guidance from the Treasurer (Director of Corporate Services). SMT Officers should also be responsible for removing controls that are unnecessary or not cost or risk effective, for example, because of duplication.

3.22 To ensure staff have a clear understanding of the consequences of lack of control.

Audit requirements

Internal audit

Why is this important?

3.23 The requirement for an internal audit function for local authorities is implied by section 151 of the Local Government Act 1972, which requires that authorities "make arrangements for the proper administration of their financial affairs". The Accounts and Audit Regulations 2015, more specifically require that a "relevant Authority shall maintain an adequate and effective system of internal audit of their accounting records and financial control systems".

3.24 Accordingly, internal audit is an independent and objective appraisal function established by the Authority for reviewing the system of internal control. It examines, evaluates and reports on the adequacy of internal control as a contribution to the proper, economic, efficient and effective use of resources.

Key controls

3.25 The key controls for internal audit are:

3.25.1 That it is independent in its planning and operation.

3.25.2 The internal audit service has direct access to the Chief Fire Officer, all levels of management and directly to elected members.

3.25.3 The internal auditors comply with CIPFA's Public Sector Internal Audit Standards.

Responsibilities of the Treasurer (Director of Corporate Services)

3.26 To ensure that internal auditors have the authority to:

3.26.1 Access Authority premises at reasonable times.

3.26.2 Access all assets, records, documents, correspondence and control systems.

3.26.3 Receive any information and explanation considered necessary concerning any matter under consideration.

3.26.4 Require any employee of the Authority to account for cash, stores or any other Authority asset under his or her control.

3.26.5 Access records belonging to third parties, such as contractors, when required.

3.26.6 Directly access the Chief Fire Officer, the Authority and its members.

3.27 To submit to the Authority for approval the strategic and annual audit plans, which take account of the characteristics and relative risks of the activities involved.

3.28 To ensure that effective procedures are in place to investigate promptly any fraud or irregularity.

Responsibilities of SMT officers

3.29 To ensure that internal auditors are given access at all reasonable times to premises, personnel, documents and assets that the auditors consider necessary for the purposes of their work.

3.30 To ensure that auditors are provided with any information and explanations that they seek in the course of their work.

3.31 To consider and respond promptly to recommendations in audit reports.

3.32 To ensure that any agreed actions arising from audit recommendations are carried out in a timely and efficient fashion.

3.33 To notify the Treasurer (Director of Corporate Services) immediately of any suspected fraud, theft, irregularity, improper use or misappropriation of the Authority's property or resources. Pending investigation and reporting, the SMT Officer should take all necessary steps to prevent further loss and to secure records and documentation against removal or alteration.

3.34 To ensure that new systems for maintaining financial records, or records of assets, or changes to such systems, are discussed with and agreed by the head of internal audit prior to implementation.

External Audit

Why is this important?

3.35 The Local Audit and Accountability Act 2014 set up Public Sector Audit Appointments Ltd, which is responsible for appointing external auditors to each local authority in England and Wales. The external auditor has rights of access to all documents and information necessary for audit purposes.

3.36 The basic duties of the external auditor are defined in the Local Audit and Accountability Act 2014. In particular, part 5 of the 2014 Act requires the Comptroller and Auditor General of the National Audit Office to prepare a code of audit practice, which external auditors follow when carrying out their duties. The code of audit practice sets out the auditor's objectives to review and report upon:

3.36.1 The financial aspects of the audited body's corporate governance arrangements.

3.36.2 The audited body's financial statements.

3.36.3 Aspects of the audited body's arrangements to manage its performance.

3.37 The Authority's accounts are scrutinised by external auditors, who must be satisfied that the statement of accounts 'presents fairly' the financial position of the Authority and its income and expenditure for the year in question and complies with the legal requirements.

Key controls

3.38 External auditors are appointed by Public Sector Audit Appointments Ltd. The National Audit Office prepares a code of audit practise, which external auditors follow when undertaking their audit.

Responsibilities of the Treasurer (Director of Corporate Services)

3.39 To ensure that external auditors are given access at all reasonable times to premises, personnel, documents and assets that the external auditors consider necessary for the purposes of their work.

3.40 To ensure there is effective liaison between external and internal audit.

3.41 To work with the external auditor and advise the Authority and SMT Officers on their responsibilities in relation to external audit.

Responsibilities of SMT officers

3.42 To ensure that external auditors are given access at all reasonable times to premises, personnel, documents and assets which the external auditors consider necessary for the purposes of their work.

3.43 To ensure that all records and systems are up to date and available for inspection.

Preventing fraud and corruption

Why Is It This Important?

3.44 The Authority will not tolerate fraud and corruption in the administration of its responsibilities, whether from inside or outside the Authority.

3.45 The Authority's expectation of propriety and accountability is that members and staff at all levels will lead by example in ensuring adherence to legal requirements, rules, procedures and practices.

3.46 The Authority also expects that individuals and organisations (such as suppliers, contractors, service providers) with whom it comes into contact will act towards the Authority with integrity and without thought or actions involving fraud and corruption.

Key controls

3.47 The key controls regarding the prevention of financial irregularities are that:

- 3.47.1 The Authority has an effective anti-fraud and whistle-blowing policy and maintains a culture that will not tolerate fraud or corruption.
- 3.47.2 All members and staff act with integrity and lead by example.
- 3.47.3 Senior managers are required to deal swiftly and firmly with those who defraud or attempt to defraud the Authority or who are corrupt.
- 3.47.4 High standards of conduct are promoted amongst members as required in the Member Code of Conduct

3.47.5 The maintenance of a register of interests in which any hospitality or gifts accepted must be recorded.

3.47.6 Whistle blowing procedures are in place and operate effectively legislation including the Public Interest Disclosure Act 1998 is adhered to.

Responsibilities of the Treasurer (Director of Corporate Services)

3.48 To develop and maintain an anti-fraud and whistle-blowing policy.

3.49 To maintain adequate and effective internal control arrangements.

3.50 To ensure that all suspected irregularities are reported to the Head of Internal Audit, the Chief Fire Officer, the Monitoring Officer and the Authority as appropriate.

Responsibilities of SMT officers

3.51 To ensure that all suspected irregularities are reported to the Treasurer (Director of Corporate Services) or the Monitoring Officer.

3.52 To instigate the Authority’s disciplinary procedures where the outcome of an audit investigation indicates improper behaviour.

3.53 To ensure that where financial impropriety is discovered, the Treasurer (Director of Corporate Services) is informed, and, in consultation with the Head of Internal Audit, where sufficient evidence exists to believe that a criminal offence may have been committed, the police are called in to determine with the Crown Prosecution Service whether any prosecution will take place.

3.54 To ensure compliance with the Employee Code of Conduct and maintain a departmental register of both financial and non-financial interests declared by the employees which they consider could bring them into conflict with the Authority's interests.

3.55 To retain a record of gifts and hospitality received in accordance with the Code of Conduct and the relevant service order.

3.56 To ensure that the register of interests is kept up to date.

Assets

Security

Why is this important?

3.57 The Authority holds assets in the form of property, vehicles, equipment, furniture and other items worth many millions of pounds. It is important that assets are safeguarded and used efficiently in service delivery, and that there are arrangements for the security of both assets and information required for service operations. An up-to-date asset register is a prerequisite for proper accounting and sound asset management.

Key controls

3.58 The key controls for the security of resources such as land, buildings, fixed plant machinery, equipment, software and information are:

- 3.58.1 Resources are used only for the purposes of the Authority and are properly accounted for.
- 3.58.2 Resources are available for use when required.
- 3.58.3 Resources no longer required are disposed of in accordance with the law and the regulations of the Authority so as to maximise benefits.
- 3.58.4 An asset register is maintained for the Authority, assets are recorded when they are acquired by the Authority and this record is updated as changes occur with respect to the location and condition of the asset.

3.58.5 All staff are aware of their responsibilities with regard to safeguarding the Authority's assets and information, including the requirements of the Data Protection Act and software copyright legislation.

3.58.6 All staff are aware of their responsibilities with regard to safeguarding the security of the Authority's computer systems, including maintaining restricted access to the information held on them and compliance with the Authority's computer and internet security policies.

Responsibilities of the Treasurer (Director of Corporate Services)

3.59 To ensure that an asset register is maintained in accordance with good practice for all non-current assets. The function of the asset register is to provide the Authority with information about non-current assets so that they are:

3.59.1 Safeguarded

3.59.2 Used efficiently and effectively

3.59.3 Adequately maintained

3.60 To receive the information required for accounting, costing and financial records from each SMT Officer.

3.61 To ensure that assets are valued in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom (CIPFA and LASAAC).

Responsibilities of SMT officers

3.62 The appropriate SMT Officer shall maintain a property database for all land and property currently owned or used by the Authority. Any use of property by a department or establishment other than for direct service delivery should be supported by documentation identifying terms, responsibilities and duration of use.

3.63 To ensure that leasees and other prospective occupiers of Authority land are not allowed to take possession or enter the land until a lease or agreement, in a form approved by the SMT Officer in consultation with the Treasurer (Director of Corporate Services) and legal services, has been established as appropriate.

3.64 To ensure the proper security of all buildings and other assets under their control.

3.65 Where land or buildings are surplus to requirements, a recommendation for sale should be the subject of a joint report by the SMT Officer and the Treasurer (Director of Corporate Services).

3.66 To pass title deeds to the appropriate officer, who is responsible for custody of all title deeds.

3.67 To ensure that no Authority asset is subject to personal use by an employee without proper Authority.

3.68 To ensure the safe custody of vehicles, equipment, furniture, stock, stores and other property belonging to the Authority.

3.69 To ensure that the department maintains a register of moveable assets in accordance with arrangements defined by the Treasurer (Director of Corporate Services).

3.70 To ensure that assets are identified, their location recorded and that they are appropriately marked and insured.

3.71 To consult the Treasurer (Director of Corporate Services) in any case where security is thought to be defective or where it is considered that special security arrangements may be needed.

3.72 To ensure cash holdings on premises are kept to a minimum.

3.73 To ensure that keys to safes and similar receptacles are held securely, loss of any such keys must be reported to the Treasurer (Director of Corporate Services) as soon as possible.

3.74 To record all disposal or part exchange of assets that should normally be by competitive tender or public auction, unless, following consultation with the Treasurer (Director of Corporate Services), the SMT agrees otherwise.

3.75 To arrange for the valuation of assets for accounting purposes to meet requirements specified by the Treasurer (Director of Corporate Services).

3.76 To ensure that all employees are aware that they have a personal responsibility with regard to the protection and confidentiality of information, whether held in manual or computerised records. Information may be sensitive or privileged, or may possess some intrinsic value, and its disclosure or loss could result in a cost to the Authority in some way.

Inventories

3.77 To maintain inventories and record an adequate description of furniture, fittings and equipment valued at £1,000 or more.

3.78 To carry out an annual check of all items on the inventory in order to verify location, review, and condition and to take action in relation to surpluses or deficiencies, annotating the inventory accordingly.

3.79 To make sure that property is only used in the course of the Authority's business, unless the SMT Officer concerned has given permission otherwise.

Stocks and Stores

3.80 To make arrangements for the care and custody of stocks and stores in the department.

3.81 To ensure stocks are maintained at reasonable levels and are subject to a regular independent physical check. All discrepancies should be investigated and pursued to a satisfactory conclusion.

3.82 To investigate and seek approval to remove from the Authority's records (write off) discrepancies as necessary from the Treasurer (Director of Corporate Services), or to obtain Authority approval if they are in excess of £10,000.

3.83 To authorise or write off disposal of redundant stocks and equipment (following approval by the Treasurer (Director of Corporate Services)). Procedures for disposal of such stocks and equipment, valued in excess of £1,000, should be by competitive quotations or auction, unless, following consultation with the Treasurer (Director of Corporate Services), the officer decides otherwise in a particular case. The most appropriate means of disposal should be used for stocks and equipment valued at less than £1,000, as determined by the Head of Procurement.

3.84 To seek the approval of the Authority to the write-off of redundant stocks and equipment in excess of £20,000.

Intellectual property

Why is this important?

3.85 Intellectual property is a generic term that includes inventions and writing. If these are created by the employee during the course of employment, then, as a general rule, they belong to the employer, not the employee. Various Acts of Parliament cover different types of intellectual property.

3.86 Certain activities undertaken within the Authority may give rise to items that may be patentable, for example, software development. These items are collectively known as intellectual property.

Key controls

3.87 In the event that the Authority decides to become involved in the commercial exploitation of inventions, the matter should proceed in accordance with the Authority's approved intellectual property procedures. Guidance may be sought from the Head of Procurement.

Responsibilities of SMT officers

3.88 To ensure that controls are in place to ensure that staff do not carry out private work in Authority time and that staff are aware of an employer's rights with regard to intellectual property.

3.89 To develop and disseminate good practice through the Authority's intellectual property procedures.

Asset disposal

Why is this important?

3.90 It would be uneconomic and inefficient for the cost of assets to outweigh their benefits. Obsolete, non-repairable or unnecessary resources should be disposed of in accordance with the law and the regulations of the Authority.

Key controls

3.91 Assets for disposal are identified and are disposed of at the most appropriate time, and only when it is in the best interests of the Authority, and best price is obtained, bearing in mind other factors, such as environmental issues or reputational issues. For items of significant value, disposal should be by competitive tender or public auction.

3.92 Fire appliances will be disposed of for humanitarian purposes, linked to the organisational objectives, priorities and values of the Service, at, or below, market value, or crushed and sold as scrappage (subject to the appliance having a market value of less than £10,000).

3.93 Procedures protect staff involved in the disposal from accusations of personal gain.

Responsibilities of the Treasurer (Director of Corporate Services)

3.94 To provide guidance on best practice for disposal of assets.

3.95 To ensure appropriate accounting entries are made to remove the value of disposed assets from the Authority’s records and to include the sale proceeds if appropriate.

Responsibilities of SMT officers

3.96 To seek advice from procurement on the disposal of surplus or obsolete materials, stores or equipment.

3.97 To ensure that income received for the disposal of an asset is properly banked and coded.

Treasury management

Why is this important?

3.98 Many millions of pounds pass through the Authority’s books each year. This led to the establishment of codes of practice. These aim to provide assurances that the Authority’s money is properly managed in a way that balances risk with return, but with the overriding consideration being given to the security of the Authority’s capital sum.

Key controls

3.99 That the Authority's borrowings and investments comply with the CIPFA Code of Practice on Treasury Management and with the Authority's treasury management strategy.

Responsibilities of Treasurer (Director of Corporate Services), treasury management and banking

3.100 To arrange the borrowing and investments of the Authority in such a manner as to comply with the CIPFA Code of Practice on Treasury Management and the Authority's treasury management strategy.

3.101 To report the following to the Authority, as a minimum:

- 3.101.1 An annual treasury management strategy, before the commencement of the new financial year.
- 3.101.2 A mid-year update on treasury management activity
- 3.101.3 An annual report on treasury management activity in the preceding year, before 30 June.
- 3.101.4 The outcome of any debt restructuring undertaken.

3.102 To operate bank accounts as are considered necessary opening or closing any bank account shall require the approval of the Treasurer (Director of Corporate Services). All arrangements for the opening of bank accounts in the name of the Authority and for the ordering and issue of cheques shall be made by the Treasurer (Director of Corporate Services). All cheques drawn on behalf of the Authority shall be signed by the Treasurer (Director of Corporate Services) or by such officers as may be nominated by him for that purpose. Any indemnity required by the Authority's bankers regarding the signature of cheques by a computer or mechanical means, or where the services of a security firm are used for the deposit or receipt of cash at the bank shall be given by the Treasurer (Director of Corporate Services) on behalf of the Authority.

Responsibilities of SMT officers - treasury management and banking

3.103 To follow guidance provided by the Treasurer (Director of Corporate Services) on banking arrangements

Responsibilities of Treasurer (Director of Corporate Services) - investments and borrowing

3.104 To ensure that all investments of money are made in the name of the Authority or in the name of nominees approved by the Authority.

3.105 To ensure that all securities that are the property of the Authority or its nominees and the title deeds of all property in the Authority's ownership are held in the custody of the appropriate SMT Officer.

3.106 To effect all borrowings in the name of the Authority.

3.107 To act as the Authority's registrar of stocks, bonds and mortgages and to maintain records of all borrowing of money by the Authority.

Responsibilities of SMT officers – investments and borrowing

3.108 To ensure that loans are not made to third parties and that interests are not acquired in companies, joint ventures or other enterprises without the approval of the Authority, following consultation with the Treasurer (Director of Corporate Services).

Responsibilities of SMT officers – trust funds and funds held for third parties

3.109 To arrange for all trust funds to be held, wherever possible, in the name of the Authority. All officers acting as trustees by virtue of their official position shall deposit securities, etc relating to the trust with the Treasurer (Director of Corporate Services), unless the deed otherwise provides.

3.110 To arrange, where funds are held on behalf of third parties, for their secure administration, approved by the Treasurer (Director of Corporate Services), and to maintain written records of all transactions

3.111 To ensure that trust funds are operated within any relevant legislation and the specific requirements for each trust.

Responsibilities of the Treasurer (Director of Corporate Services) - imprest accounts

3.112 To provide employees of the Authority with cash or bank imprest accounts to meet minor expenditure on behalf of the Authority and to prescribe rules for operating these accounts. Minor items of expenditure should not exceed the prescribed amount of £50 per transaction, other than in circumstance agreed by the Treasurer (Director of Corporate Services).

3.113 To determine the petty cash limit and to maintain a record of all transactions and petty cash advances made, and periodically to review the arrangements for the safe custody and control of these advances.

3.114 To reimburse imprest holders as often as necessary to restore the imprests, but normally not more than monthly.

Responsibilities of SMT officers - imprest accounts

3.115 To ensure that employees operating an imprest account:

3.115.1 Obtain and retain vouchers to support each payment from the imprest account. Where appropriate, an official receipted VAT invoice must be obtained.

3.115.2 Make adequate arrangements for the safe custody of the account.

3.115.3 Produce upon demand by the Treasurer (Director of Corporate Services) cash and all vouchers to the total value of the imprest amount.

3.115.4 Record transactions promptly.

3.115.5 Reconcile and balance the account at least monthly; reconciliation sheets to be signed and retained by the imprest holder.

3.115.6 Provide the Treasurer (Director of Corporate Services) with a certificate of the value of the account held at 31 March each year.

3.115.7 Ensure that the float is never used to cash personal cheques or to make personal loans and that the only payments into the account are the reimbursement of the float and change relating to purchases where an advance has been made.

3.115.8 On leaving the Authority's employment or otherwise ceasing to be entitled to hold an imprest advance, an employee shall account to the Treasurer (Director of Corporate Services) for the amount advanced to him or her.

Staffing

Why is this important?

3.116 In order to provide the highest level of service, it is crucial that the Authority recruits and retains high calibre, knowledgeable staff, qualified to an appropriate level.

Key controls

3.117 The key controls for staffing are:

3.117.1 An appropriate staffing strategy and policy exists, in which staffing requirements and budget allocation are matched.

3.117.2 Procedures are in place for forecasting staffing requirements and cost.

3.117.3 Controls are implemented that ensure that staff time is used efficiently and to the benefit of the Authority.
3.117.4 Checks are undertaken prior to employing new staff to ensure that they are appropriately qualified, experienced and trustworthy.

Responsibilities of the Treasurer (Director of Corporate Services)

3.118 To ensure that budget provision exists for all existing and new employees.

3.119 To act as an advisor to SMT Officers on areas such as National Insurance and pension contributions, as appropriate.

Responsibilities of SMT officers

3.120 To produce an annual staffing budget.

3.121 To ensure that the staffing budget is an accurate forecast of staffing levels and is equated to an appropriate revenue budget provision (including on-costs and overheads).

3.122 To monitor staff activity to ensure adequate control over such costs as sickness, overtime, training and temporary staff.

3.123 To ensure that the staffing budget is not exceeded without due Authority and that it is managed to enable the agreed level of service to be provided.

3.124 To ensure that the Treasurer (Director of Corporate Services) is immediately informed if the staffing budget is likely to be materially over or underspent.

Appendix D

Financial systems and procedures

General

Why is this important?

4.01 Departments have many systems and procedures relating to the control of the Authority's assets, including purchasing, costing and management systems. Departments are increasingly reliant on computers for their financial management information. The information must therefore be accurate and the systems and procedures sound and well administered. They should contain controls to ensure that transactions are properly processed and errors detected promptly.

4.02 The Treasurer (Director of Corporate Services) has a professional responsibility to ensure that the Authority's financial systems are sound and should therefore be notified of any new developments or changes.

Key controls

4.03 The key controls for systems and procedures are:

- 4.03.1 Basic data exists to enable the Authority's objectives, targets, budgets and plans to be formulated.
- 4.03.2 Performance is communicated to the appropriate managers on an accurate, complete and timely basis.
- 4.03.3 Early warning is provided of deviations from target, plans and budgets that require management attention.
- 4.03.4 Operating systems and procedures are secure.
- 4.03.5 Appropriate segregation of duties.

Responsibilities of the Treasurer (Director of Corporate Services)

4.04 To make arrangements for the proper administration of the Authority's financial affairs, including to:

- 4.04.1 Issue advice, guidance and procedures for officers and others acting on the Authority's behalf.
- 4.04.2 Determine the accounting systems, form of accounts and supporting financial records.
- 4.04.3 Establish arrangements for audit of the Authority's financial affairs.
- 4.04.4 Approve any new financial systems to be introduced
- 4.04.5 Approve any changes to be made to existing financial systems.

Responsibilities of SMT officers

4.05 To ensure that accounting records are properly maintained and held securely.

4.06 To ensure that vouchers and documents with financial implications are not destroyed, except in accordance with arrangements approved by the Treasurer (Director of Corporate Services).

4.07 To ensure that a complete management trail, allowing financial transactions to be traced from the accounting records to the original document, and vice versa, is maintained.

4.08 To incorporate appropriate controls to ensure that, where relevant:

- 4.08.1 All input is genuine, complete, accurate, timely and not previously processed.
- 4.08.2 All processing is carried out in an accurate, complete and timely manner.
- 4.08.3 Output from the system is complete, accurate and timely.

4.09 To ensure that the organisational structure provides an appropriate segregation of duties to provide adequate internal controls and to minimise the risk of fraud or other malpractice.

4.10 To ensure there is a documented and tested disaster recovery plan to allow information system processing to resume quickly in the event of an interruption.

4.11 To ensure that systems are documented and staff trained in operations.

4.12 To consult with the Treasurer (Director of Corporate Services) before changing any existing financial system or introducing new systems.

4.13 To establish a scheme of delegation identifying officers authorised to act upon the SMT Officer's behalf in respect of payments, income collection and placing orders, including variations, and showing the limits of their authority.

4.14 To maintain an appropriate finance system approval hierarchy and supply lists of authorised officers, with specimen signatures and delegated limits, to the Treasurer (Director of Corporate Services), together with any subsequent variations.

4.15 To ensure that effective contingency arrangements, including back-up procedures, exist for computer systems. Wherever possible, back-up information should be securely retained in a fireproof location, preferably off site or at an alternative location within the building.

4.16 To ensure that, where appropriate, computer systems are registered in accordance with data protection legislation and that staff are aware of their responsibilities under the legislation.

4.17 To ensure that relevant standards and guidelines for computer systems issued by the SMT Officer are observed.

4.18 To ensure that computer equipment and software are protected from loss and damage through theft or vandalism, for example.

4.19 To comply with the copyright, designs and patents legislation and, in particular, to ensure that:

- 4.19.1 Only software legally acquired and installed by the Authority is used on its computers.
- 4.19.2 Staff are aware of legislative provisions.
- 4.19.3 In developing systems, due regard is given to the issue of intellectual property rights.

Income and expenditure

Income

Why is this important?

4.20 Income can be a vulnerable asset and effective income collection systems are necessary to ensure that all income due is identified, collected, receipted and banked properly. It is preferable to obtain income in advance of supplying goods or services as this improves the Authority's cashflow and also avoids the time and cost of administering debts.

Key controls

4.21 The key controls for income are:

- 4.21.1 All income due to the Authority is identified and charged correctly, in accordance with an approved charging policy, which is regularly reviewed.
- 4.21.2 All income is collected from the correct person, at the right time, using the correct procedures and the appropriate stationery.

4.21.3 All money received by an employee on behalf of the Authority is paid without delay to the Treasurer (Director of Corporate Services) or, as they direct, to the Authority's bank account, and properly recorded. The responsibility for cash collection should be separated from that:

- For identifying the amount due
- For reconciling the amount due to the amount received

4.21.4 Effective action is taken to pursue non-payment within defined timescales.

4.21.5 Formal approval for debt write-off is obtained.

4.21.6 Appropriate write-off action is taken within defined timescales.

4.21.7 Appropriate accounting adjustments are made following write-off action.

4.21.8 All appropriate income documents are retained and stored for the defined period in accordance with the document retention schedule.

4.21.9 Money collected and deposited is reconciled to the bank account by a person who is not involved in the collection or banking process.

Responsibilities of the Treasurer (Director of Corporate Services)

4.22 To agree arrangements for the collection of all income due to the Authority and to approve the procedures, systems and documentation for its collection.

4.23 To satisfy themselves regarding the arrangements for the control of all receipt forms, books or tickets and similar items.

4.24 To establish and initiate appropriate recovery procedures, including legal action where necessary, for debts that are not paid promptly.

4.25 To approve all debts to be written off, up to £20,000, in consultation with the relevant SMT Officer and to keep a record of all sums written off up to the approved limit and to adhere to the requirements of the Accounts and Audit Regulations 2015.

4.26 To obtain the approval of the Authority in consultation with the relevant SMT Officer for writing off debts in excess of the approved limit of £20,000.

4.27 To ensure that appropriate accounting adjustments are made following write-off action.

Responsibilities of SMT officers

4.28 To establish a charging policy for the supply of goods or services, including the appropriate charging of VAT, and to review it regularly, in line with corporate policies.

4.29 To separate the responsibility for identifying amounts due and the responsibility for collection, as far as is practicable.

4.30 To issue official receipts or to maintain other documentation for income collection.

4.31 To ensure that when post is opened that money received by post is properly identified and recorded.

4.32 To hold securely receipts, tickets and other records of income for the appropriate period.

4.33 To lock away all income to safeguard against loss or theft, and to ensure the security of cash handling.

4.34 To ensure that income is paid fully and promptly into the appropriate Authority bank account in the form in which it is received. Appropriate details should be recorded on to paying-in slips to provide an audit trail. Money collected and deposited must be reconciled to the bank account on a regular basis.

4.35 To ensure income is not used to cash personal cheques or other payments.

4.36 To supply the Treasurer (Director of Corporate Services) with details relating to work done, goods supplied, services rendered or other amounts due, to enable the Treasurer (Director of Corporate Services) to record correctly the sums due to the Authority and to ensure accounts are sent out promptly. SMT Officers have a responsibility to assist the Treasurer (Director of Corporate Services) in collecting debts that they have originated, by providing any further information requested by the debtor, and in pursuing the matter on the Authority's behalf.

4.37 Levels of cash held on the premises must be minimised.

4.38 To recommend to the Treasurer (Director of Corporate Services) all debts to be written off and to keep a record of all sums written off up to the approved limit. Once raised, no bona fide debt may be cancelled, except by full payment or by its formal writing off. A credit note to replace a debt can only be issued to correct a factual inaccuracy or administrative error in the calculation or billing of the original debt.

4.39 To obtain the approval of the Treasurer (Director of Corporate Services) when writing off debts, and the approval of the Authority where required.

4.40 To notify the Treasurer (Director of Corporate Services) of outstanding income relating to the previous financial year as soon as possible after 31 March in line with the timetable determined by the Treasurer (Director of Corporate Services).

Ordering and paying for work, goods and services

Why is this important?

4.41 Public money should be spent with demonstrable probity and in accordance with the Authority’s policies. Authorities have a statutory duty to achieve best value in part through economy and efficiency. The Authority’s procedures should help to ensure that services obtain value for money from their purchasing arrangements. These procedures should be read in conjunction with the Authority’s Contract Standing Orders.

General

4.42 Every officer and member of the Authority has a responsibility to declare any links or personal interests that they may have with purchasers, suppliers or contractors if they are engaged in contractual or purchasing decisions on behalf of the Authority, in accordance with appropriate codes of conduct.

4.43 Official orders must be in a form approved by the Treasurer (Director of Corporate Services). Official orders must be issued for all work, goods or services to be supplied to the Authority, except for supplies of utilities, periodic payments such as rent or rates, petty cash purchases or other exceptions specified by the Treasurer (Director of Corporate Services). Telephone orders should not be placed in advance of the official order.

4.44 Each order must conform to the guidelines set by the Head of Procurement (in consultation with the Treasurer (Director of Corporate Services). Standard terms and conditions must not be varied without the prior approval of the Head of Procurement.

4.45 The normal method of payment from the Authority shall be by automated electronic payments (BACS), cheque or other instrument or approved method, drawn on the Authority's bank account by the Treasurer (Director of Corporate Services). The use of direct debit shall require the prior agreement of the Treasurer (Director of Corporate Services).

4.46 Official orders must not be raised for any personal or private purchases, nor must personal or private use be made of Authority contracts.

Key controls

4.47 The key controls for ordering and paying for work, goods and services are:

- 4.47.1 All goods and services are ordered only by appropriate persons and are correctly recorded.
- 4.47.2 All goods and services shall be ordered in accordance with the Authority's Contract Standing Orders unless they are purchased from sources within the Authority.
- 4.47.3 Goods and services received are checked to ensure they are in accordance with the order. Goods should not be received by the person who placed the order.
- 4.47.4 Payments are not made unless goods have been received by the Authority to the correct price, quantity and quality standards, apart from under exceptional circumstances (such as examples listed in 4.60 (i)).
- 4.47.5 All payments are made to the correct person, for the correct amount and are properly recorded, regardless of the payment method.
- 4.47.6 All appropriate evidence of the transaction and payment documents are retained and stored for the defined period, in accordance with the document retention schedule.
- 4.47.7 All expenditure, including VAT, is accurately recorded against the right budget and any exceptions are corrected.

4.47.8 In addition, the effect of e-business, e-commerce and electronic purchasing requires that processes are in place to maintain the security and integrity of data for transacting business electronically.

Responsibilities of the Treasurer (Director of Corporate Services)

4.48 To ensure that all the Authority’s financial systems and procedures are sound and properly administered.

4.49 To approve any changes to existing financial systems and to approve any new systems before they are introduced.

4.50 To approve the form of official orders and associated terms and conditions.

4.51 To make payments from the Authority’s funds on the SMT Officer’s authorisation that the expenditure has been duly incurred in accordance with financial regulations.

4.52 To make payments, whether or not provision exists within the estimates, where the payment is specifically required by statute or is made under a court order.

4.53 To make payments to contractors on the certificate of the appropriate SMT Officer, which must include details of the value of work, retention money, amounts previously certified and amounts now certified.

4.54 To provide advice and encouragement on making payments by the most economical means.

4.55 To report progress on contracts valued in excess of £200,000 to Resources Committee.

Responsibilities of SMT officers

4.56 SMT Officers are required to comply with the Contract Standing Orders, which outline how Lancashire Fire Authority contracts its requirements in accordance with governance legislation and relevant procurement objectives, including value for money, transparency, and the inclusion of social value principles.

4.57 To ensure that employees are aware of the Employee code of conduct.

4.58 To ensure that loans, leasing or rental arrangements are not entered into without prior agreement from the Treasurer (Director of Corporate Services). This is because of the potential impact on the Authority's borrowing powers, to protect the Authority against entering into unapproved credit arrangements and to ensure that value for money is being obtained.

4.59 To notify the Treasurer (Director of Corporate Services) of outstanding expenditure relating to the previous financial year as soon as possible after 31 March in line with the timetable determined by the Treasurer (Director of Corporate Services).

4.60 With regard to contracts for construction and alterations to buildings and for civil engineering works, to document and agree with the Treasurer (Director of Corporate Services) the systems and procedures to be adopted in relation to financial aspects, including certification of interim and final payments, checking, recording and authorising payments, the system for monitoring and controlling capital schemes and the procedures for validation of subcontractors' tax status. Under no circumstances should a pre-payment be agreed without prior consent of the Treasurer (Director of Corporate Services).

4.61 To notify the Treasurer (Director of Corporate Services) immediately of any expenditure to be incurred as a result of statute or court order where there is no budgetary provision.

4.62 To ensure that all appropriate payment records are retained and stored for the defined period, in accordance with the document retention schedule.

Payments to employees and members

Why is this important?

4.63 Staff costs are the largest item of expenditure for Authority services. It is therefore important that payments are accurate, timely, made only where they are due for services to the Authority and that payments accord with individuals' conditions of employment. It is also important that all payments are accurately and completely recorded and accounted for and that members' allowances are authorised in accordance with the scheme adopted by the Authority.

Key controls

4.64 The key controls for payments to employees and members are:

4.64.1 Proper authorisation procedures are in place and that there is adherence to corporate timetables in relation to:

- Starters
- Leavers
- Variations
- Enhancements

4.64.2 and that payments are made on the basis of time records or claims.

4.64.3 Frequent reconciliation of payroll expenditure against approved budget and bank account.

4.64.4 All appropriate payroll documents are retained and stored for the defined period in accordance with the document retention schedule.

4.64.5 That HMRC Regulations are complied with.

Responsibilities of the Director of People and Development

4.65 To arrange and control secure and reliable payment of salaries, wages, compensation or other emoluments to existing and former employees, in accordance with procedures prescribed by them, on the due date.

4.66 To record and make arrangements for the accurate and timely payment of tax, superannuation (pension) and other deductions.

4.67 To make arrangements for payment of all travel and subsistence claims or financial loss allowance.

4.68 To make arrangements for paying members travel or other allowances upon receiving the prescribed form, duly completed and authorised.

4.69 To provide advice and encouragement to secure payment of salaries and wages by the most economical means.

Responsibilities of SMT officers

4.70 To ensure appointments are made in accordance with the regulations of the Authority and approved establishments, grades and scale of pay and that adequate budget provision is available.

4.71 To notify the Director of People and Development of all appointments, terminations or variations which may affect the pay or pension of an employee or former employee, in the form and to the timescale required by the Director of People and Development.

4.72 To ensure that adequate and effective systems and procedures are operated, so that:

- 4.72.1 Payments are only authorised to bona fide employees
- 4.72.2 Payments are only made where there is a valid entitlement
- 4.72.3 Conditions and contracts of employment are correctly applied
- 4.72.4 Employees' names listed on the payroll are checked at regular intervals to verify accuracy and completeness

4.73 To maintain an up-to-date list of the names of officers authorised to submit electronic records to the Human Resources Department for payment. Appropriate checks are carried out by the officers whilst compiling the electronic records for submission.

4.74 To ensure that payroll transactions are processed only through the payroll system. SMT Officers should give careful consideration to the employment status of individuals employed on a self-employed consultant or subcontract basis. The HMRC applies a tight definition for employee status, and in cases of doubt, advice should be sought from the Director of People and Development.

4.75 To certify travel and subsistence claims and other allowances. Certification is taken to mean that journeys were authorised and expenses properly and necessarily incurred, and that allowances are properly payable by the Authority, ensuring that cost-effective use of travel arrangements is achieved. Due consideration should be given to tax implications and that the Treasurer (Director of Corporate Services) is informed where appropriate.

4.76 To ensure that the Treasurer (Director of Corporate Services) is notified of the details of any employee benefits in kind, to enable full and complete reporting within the income tax self-assessment system and HMRC regulations.

4.77 To ensure that all appropriate payroll documents are retained and stored for the defined period in accordance with the document retention schedule.

4.78 To ensure that there are adequate arrangements for administering superannuation matters on a day-to-day basis.

Responsibilities of members

4.79 To submit claims for members' travel and subsistence allowances on a monthly basis and, in any event, within one month of the year end.

Taxation

Why is this important?

4.80 Like all organisations, the Authority is responsible for ensuring its tax affairs are in order. Tax issues are often very complex and the penalties for incorrectly accounting for tax are severe. It is therefore very important for all officers to be aware of their role.

Key controls

4.81 The key controls for taxation are:

- 4.81.1 Budget managers are provided with relevant information and kept up to date on tax issues.
- 4.81.2 Budget managers are instructed on required record keeping.
- 4.81.3 All taxable transactions are identified, properly carried out and accounted for within stipulated timescales.
- 4.81.4 Records are maintained in accordance with instructions.
- 4.81.5 Returns are made to the appropriate authorities within the stipulated timescale.

Responsibilities of the Treasurer (Director of Corporate Services)

4.82 To complete all HMRC returns regarding PAYE.

4.83 To complete a monthly return of VAT inputs and outputs to HMRC.

4.84 To provide details to the HMRC regarding the construction industry tax deduction scheme.

4.85 To provide guidance for Authority employees on taxation issues

4.86 To maintain and monitor the Authorities partial exemption position.

Responsibilities of officers

4.87 To ensure that the correct VAT liability is attached to all income due and that all VAT recoverable on purchases complies with HMRC regulations.

4.88 To ensure that, where construction and maintenance works are undertaken, the contractor fulfils the necessary construction industry tax deduction requirements.

4.89 To ensure that all persons employed by the Authority are added to the Authority's payroll and tax deducted from any payments, except where the individuals are bona fide self-employed or are employed by a recognised staff agency.

4.90 To follow guidance on taxation issued by the Treasurer (Director of Corporate Services).

Trading accounts and business units

Why is this important?

4.91 Trading accounts and business units have become more important as local authorities have developed a more commercial culture. Under best value, authorities are required to keep trading accounts for services provided on a basis other than straightforward recharge of cost. They are also required to disclose the results of significant trading operations in the Statement of Accounts. The Authority no longer has a trading account.

Responsibilities of the Treasurer (Director of Corporate Services)

4.92 To advise on the establishment and operation of trading accounts and business units.

Responsibilities of SMT officers

4.93 To observe all statutory requirements in relation to business units, including the maintenance of a separate revenue account to which all relevant income is credited and all relevant expenditure, including overhead costs, is charged, and to produce an annual report in support of the final accounts.

4.94 To ensure that the same accounting principles are applied in relation to trading accounts as for other services or business units.

4.95 To ensure that each business unit prepares an annual business plan.

Appendix E

External arrangements

Partnerships

Why is this important?

5.01 Partnerships are likely to play a key role in delivering community strategies and in helping to promote and improve the well being of the area. Local authorities are working in partnership with others, public agencies, private companies, community groups and voluntary organisations. Local authorities still deliver some services, but their distinctive leadership role is to bring together the contributions of the various stakeholders. They therefore need to deliver a shared vision of services based on user wishes.

5.02 Local authorities will mobilise investment, bid for funds, champion the needs of their areas and harness the energies of local people and community organisations. Local authorities will be measured by what they achieve in partnership with others.

General

5.03 The main reasons for entering into a partnership are:

- 5.03.1 The desire to find new ways to share risk
- 5.03.2 The ability to access new resources
- 5.03.3 To provide new and better ways of delivering services
- 5.03.4 To forge new relationships

5.04 A partner is defined as either:

- 5.04.1 An organisation (private or public) undertaking, part funding or participating as a beneficiary in a project; or
- 5.04.2 A body whose nature or status give it a right or obligation to support the project.

5.05 Partners participate in projects by:

5.05.1 Acting as a project deliverer or sponsor, solely or in concert with others.

5.05.2 Acting as a project funder or part funder.

5.05.3 Being the beneficiary group of the activity undertaken in a project.

5.06 Partners have common responsibilities:

5.06.1 To be willing to take on a role in the broader programme appropriate to the skills and resources of the partner organisation.

5.06.2 To act in good faith at all times and in the best interests of the partnership's aims and objectives.

5.06.3 Be open about any conflict of interests that might arise.

5.06.4 To encourage joint working and promote the sharing of information, resources and skills between public, private and community sectors.

5.06.5 To hold confidentially any information received as a result of partnership activities or duties that is of a confidential or commercially sensitive nature.

5.06.6 To act wherever possible as ambassadors for the project.

Key controls

5.07 The key controls for Authority partners are:

5.07.1 If appropriate, to be aware of their responsibilities under the Authority's Financial Regulations and Contract Standing Orders.

5.07.2 To ensure that risk management processes are in place to identify and assess all known risks.

5.07.3 To ensure that project appraisal processes are in place to assess the viability of the project in terms of resources, staffing and expertise.

5.07.4 To agree and accept formally the roles and responsibilities of each of the partners involved in the project before the project commences.

5.07.5 To communicate regularly with other partners throughout the project so that problems can be identified and shared to achieve their successful resolution.

Responsibilities of the Treasurer (Director of Corporate Services)

5.08 To advise on effective controls that will ensure that resources are not wasted.

5.09 To advise on the key elements of funding a project. They include:

5.09.1 A scheme appraisal for financial viability in both the current and future years.

5.09.2 Risk appraisal and management.

5.09.3 Resourcing, including taxation issues.

5.09.4 Audit, security and control requirements.

5.09.5 Carry-forward arrangements.

5.10 To ensure that the accounting arrangements are satisfactory.

Responsibilities of SMT officers

5.11 To maintain a register of all significant partnerships.

5.12 To maintain a register of all contracts entered into with external bodies in accordance with procedures specified by the Treasurer (Director of Corporate Services).

5.13 To ensure all partnerships entered into contribute to the achievement of the Authority’s objectives.

5.14 To ensure that, before entering into significant agreements with external bodies, a risk management appraisal has been prepared for the Treasurer (Director of Corporate Services).

5.15 To ensure that such agreements and arrangements do not impact adversely upon the services provided by the Authority.

5.16 To ensure that all agreements and arrangements are properly documented.

5.17 To provide appropriate information to the Treasurer (Director of Corporate Services) to enable a note to be entered into the Authority's statement of accounts concerning material items.

External funding

Why is this important?

5.18 External funding is potentially a very important source of income, but funding conditions need to be carefully considered to ensure that they are compatible with the aims and objectives of the Authority. Local authorities are increasingly encouraged to provide seamless service delivery through working closely with other agencies and private service providers. Funds from external agencies provide additional resources to enable the Authority to deliver services to the local community. However, in some instances, although the scope for external funding has increased, such funding is linked to tight specifications and may not be flexible enough to link to the Authority's overall plan.

Key controls

5.19 The key controls for external funding are:

5.19.1 To ensure that key conditions of funding and any statutory requirements are complied with and that the responsibilities of the accountable body are clearly understood.

5.19.2 Arrangements are in place to ensure that all relevant grant claims are identified, accurate and prepared on a timely basis.

5.19.3 To ensure that funds are acquired only to meet the priorities approved in the policy framework by the Authority.

5.19.4 To ensure that any match-funding requirements are given due consideration prior to entering into long-term agreements and that future revenue budgets reflect these requirements.

5.19.5 To ensure that the consequences of withdrawal of funding at the end of the period is given appropriate consideration.

Responsibilities of the Treasurer (Director of Corporate Services)

5.20 To ensure that all funding notified by external bodies is received and properly recorded in the Authority's accounts.

5.21 To ensure that the match-funding requirements are considered prior to entering into the agreements and that future revenue budgets reflect these requirements.

5.22 To ensure that audit requirements are met.

5.23 To ensure that the consequences of withdrawal of funding at the end of the period are considered and plans are in place to ensure that this does not affect future service provision.

Responsibilities of SMT officers

5.24 In respect of external funding bids valued in excess of £25,000, to submit details of proposals to SMT or Executive Board prior to bidding, such reports to state how the proposed funding will contribute towards achievement of the Authorities objectives.

5.25 To ensure that all claims for funds are made by the due date.

5.26 To ensure that the project progresses in accordance with the agreed project and that all expenditure is properly incurred and recorded.

Work for third parties

Why is this important?

5.27 Current legislation enables the Authority to provide a range of services to other bodies. Such work may enable a unit to maintain economies of scale and existing expertise. Arrangements should be in place to ensure that any risks associated with this work is minimised and that such work is intra vires.

Key controls

5.28 The key controls for working with third parties are:

5.28.1 To ensure that proposals are costed properly in accordance with guidance provided by the Treasurer (Director of Corporate Services).

5.28.2 To ensure that contracts are drawn up using guidance provided by the Treasurer (Director of Corporate Services) and that, where required, the formal approvals process is adhered to.

5.28.3 To issue guidance with regard to the financial aspects of third party contracts and the maintenance of the contract register.

Responsibilities of Treasurer (Director of Corporate Services)

5.29 To issue guidance with regard to the financial aspects of third party contracts and the maintenance of the contract register.

Responsibilities of SMT officers

5.30 To ensure that appropriate approvals are obtained before any negotiations are concluded to work for third parties.

5.31 To maintain a register of all contracts entered into with third parties in accordance with procedures specified by the Treasurer (Director of Corporate Services) .

5.32 To ensure that appropriate insurance arrangements are made.

5.33 To ensure that the Authority is not put at risk from any bad debts.

5.34 To ensure that no contract is subsidised by the Authority.

5.35 To ensure that, wherever possible, payment is received in advance of the delivery of the service.

5.36 To ensure that the department or unit has the appropriate expertise to undertake the contract.

5.37 To ensure that such contracts do not impact adversely upon the services provided for the Authority.

5.38 To ensure that all contracts are properly documented.

5.39 To provide appropriate information to the Treasurer (Director of Corporate Services) to enable a note to be entered into the Statement of Accounts.

Lancashire Combined Fire Authority Members' Allowance Scheme

Lancashire Combined Fire Authority, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003, hereby makes the following Scheme:

1.0 This Scheme shall have effect for the year commencing 1st April 2026

2.0 In this Scheme

"Authority" means Lancashire Combined Fire Authority.

"Member" means a Member of the Combined Fire Authority who is an elected Member of one of the constituent Authorities.

"Year" means the twelve months commencing 1st April.

"Meetings" means a meeting of the Authority, its Committees or a body of Members formally established by the Authority or its Committees.

3.0 In this scheme, the total allowances shall consist of Basic Allowance, Special Responsibility Allowances and Co-optees' Allowance. (For the avoidance of doubt, Attendance Allowance shall not be payable under this Scheme.)

3.1 These total allowances shall be index linked on an annual basis in line with the annual local government pay percentage increase at new spinal column point 43 (formerly point 49).

4.0 Basic Allowance

4.1 Subject to paragraph 7.0 below, an equal Basic Allowance shall be paid to every Member. The amount of Basic Allowance is detailed in paragraph 1.0 of Schedule 'A' of this Scheme.

4.2 This Basic Allowance is intended to recognise the time commitment expected of Members to enable them to carry out their duties effectively and to recognise that Members use their own homes and facilities in carrying out their work.

5.0 Special Responsibility Allowance

5.1 Subject to paragraph 7.0 below, each Member who holds a special responsibility as specified within this Scheme, will normally receive a Special Responsibility Allowance as detailed in paragraph 2.1 of Schedule 'A' of this Scheme in addition to the Basic Allowance. If they hold more than one special responsibility, they will receive an Allowance for each role.

6.0 A Member (including a co-opted Member) may elect to forego any part of their entitlement to an Allowance under this Scheme. Such election shall be in the form of a written notice delivered to the Treasurer to the Authority (Director of Corporate Services.)

7.0 The provisions of this section shall regulate the entitlements of a Member (including a Co-opted Member) to Allowances where, in the course of a year:

(a) The scheme is amended.

(b) A person becomes, or ceases to be, a Member.

(c) A Member accepts or relinquishes a special responsibility in respect of which a Special Responsibility Allowance is payable.

(d) A Member is suspended from the Authority.

7.1 If, during the year, the Scheme is amended and this results in a change to a Member's entitlement to a Special Responsibility Allowance, Basic Allowance or Co-optees' Allowance, the actual entitlement shall be based on:

(a) A proportion of the original annual Allowance based on the number of days up to the date of amendment plus;

(b) A proportion of the revised annual Allowance based on the number of days from the date of amendment.

7.2 When the term of office of a Member either begins or ends during the course of a year, the entitlement to a Basic or Co-optees' Allowance shall be based on the number of days in office during that year. Similar pro rata entitlements will apply in situations where a Basic or Co-optees' Allowance is amended under sub-paragraph 7.1 above.

7.3 Where a Member has special responsibilities (as defined within this Scheme) for part of a year, the entitlement to a Special Responsibility Allowance shall be based on the number of days during that year that the Member has held such special responsibilities. The entitlement shall be pro rata to a full year. Similar pro rata entitlement will apply in situations where Special Responsibility Allowances have been amended under sub-paragraph 7.1 above.

7.4 A member must not receive an allowance from any other authority for their duties as a Member of the Combined Fire Authority.

8.0 Travel Allowances

8.1 Members (including Co-opted Members) may be reimbursed for reasonable and necessary travelling expenses by public transport (at Standard Class), including the actual and receipted cost of taxi fares, where appropriate, incurred in order to undertake Authority business.

If air travel is required, prior approval of the Clerk should be obtained. In all circumstances, Members should demonstrate where necessary they have sought best value costings in respect of all travel expenses incurred in order to avoid incurring a disproportionate and unreasonable cost for the Authority, in the best interests of the efficiency and efficacy of the Authority and the Service.

8.2 Where a Member (including a Co-opted Member) uses their own motor car, motorcycle or bicycle, an appropriate mileage rate may be claimed. These mileage rates are set out in Schedule 'B' of this Scheme.

9.0 Subsistence Allowances

9.1 Subsistence Allowances are payable where such expenditure has been actually and necessarily incurred in the performance of an approved duty (as defined in Schedule C) where a Member of the Authority or co-opted member is absent from their normal place of residence.

9.2 Where the nature of the duties being undertaken result in a Member being absent overnight from their usual place of residence, hotel accommodation will either be booked and paid for directly by the Authority or paid for by the Member and subsequently reimbursed based, on actual receipted expenditure. This reimbursement shall be subject to the maximum allowances detailed in paragraph 3.1 of Schedule 'B'.

9.3 In the case of an absence from the usual place of residence an appropriate subsistence allowance may be claimed in accordance with the rates of allowances set out in Schedule 'B' of this Scheme.

9.4 Subsistence allowances are not normally subject to taxation. However, where these allowances are paid for a period of attendance at the place where the meetings of the Authority or Committee normally take place, such payments are subject to tax and national insurance.

9.5 When main meals (full breakfast, lunch or dinner) are taken on trains during a period for which there is entitlement to day subsistence, the actual cost of meals (based on receipted expenditure and including VAT) may be reimbursed in full, provided Members can again demonstrate best value when incurring subsistence costs.

9.6 A Councillor or co-opted Member submitting a claim for subsistence allowances should, wherever possible, demonstrate best value principles in the best interests of the efficiency and efficacy of the Service, and produce receipts to accompany their claim in respect of expenditure incurred.

10.0 Co-optees' Allowance for Independent Person(s)

10.1 Subject to section 7.0 above, an annual Co-optees' Allowance shall be payable to the Independent Person(s) for attendance at meetings and conferences. The amount of this annual Allowance, which shall be the same for each Independent Person(s), is set out in paragraph 3.0 of Schedule 'A' of this Scheme.

11.0 Method of Payment

11.1 Payments of Basic Allowance, Special Responsibility Allowance and Co-optees' Allowance shall be made monthly in arrears by the last working day of each month. The monthly amount payable shall be one-twelfth of the annual allowance(s) specified in this Scheme and subject to paragraph 7.0 above.

11.2 Separately, individual claims for travel, subsistence and other incidental allowances shall be made on a monthly basis and be submitted to the Treasurer to the Authority as soon as possible at the end of each month. In particular, it should be noted that claims for allowances covering the period up to 31 March must be submitted to the Treasurer (Director of Corporate Services) by the end of May. Failure to submit these year-end claims within this time scale could result in claims for payment being rejected.

11.3 Each travel and subsistence claim shall be certified by the claiming Member that they have not made and will not make any other claim in respect of the matter to which the claim relates otherwise than under this Scheme.

11.4 Claims received by the Treasurer (Director of Corporate Services) on or before the 6th day of each month will be paid with that month's end payment of Basic or Special Responsibility Allowance(s). Claims received after the 6th day of the month will be paid with the following month end payment.

11.5 Any claims that are over three months old will only be considered under exceptional circumstances, such as when the delay is due to absence through sickness. Such claims may otherwise be rejected.

Members' Allowance Scheme Schedule 'A'

1.0 Basic Allowance

An annual Basic Allowance of £3,395.23 is payable to each Member.

2.0 Special Responsibility Allowance

The individual annual Allowances are as follows:

Office	£
Chair of the Authority	19,716.75
Vice-Chair of the Authority	9,859.69
Leader of the Ruling Group if they are not also Chair or vice-Chair of the Authority	4,929.86
Majority Opposition Group Spokesperson	4,929.86
Minority Opposition Group Spokesperson	3,943.87
North West Fire Control Board of Directors	1,518.86
Chair of Resources, Planning, Performance and Audit Committee	2,464.30
Vice-Chair of Resources, Planning, Performance and Audit Committee	1,232.16
Chair of Appeals Committee and Member Training and Development Working Group	1,232.16
Vice-Chair of Appeals Committee and Member Training and Development Working Group	616.71
Member Champions	1232.16

3.0 Co-optees' Allowance for Independent Person(s)

An annual Co-optees' Allowance of £1,143.24 is payable to each Independent Person. The allowance paid to the co-opted Independent Person to the Audit, Risk and Governance committee is £1,500 per annum.

4.0 Dependents' Carers' Allowance

4.1. Subject the rules in this section, a Dependents' Carers' Allowance may be claimed at a rate equivalent to the current value of the Living Wage Foundation "Real Living Wage" as updated from time to time, or the actual cost of providing care, whichever is the lesser amount for the care of each dependent who is a child aged 14 or under.

4.2 For the care of named dependants where there is medical or social evidence that care is required either a rate equivalent to the current value of the Living Wage Foundation "Real Living Wage" as updated from time to time, or the actual cost of providing the care, whichever is the lesser amount, or an allowance equivalent to the 'Home Care Rate' for adult social care payable at the time by Lancashire County Council's Adult Services.

4.3 In the case of an older child with special educational needs, members may claim up to the Home Care Rate with agreement in advance from the Monitoring Officer.

4.2. Payment of Dependents' Carers' Allowance shall:

a) Be based on actual additional receipted expenditure subject to a maximum hourly rate equivalent to the current value of the Living Wage.

b) Not be made where a Member already receives a carer's allowance from the Department for Works and Pensions or from their home authorities for the same care;

c) Not be payable where the care is provided by a member of the claimant's immediate family comprising members of the same household, grandparents, uncles and aunts.

4.3. The Dependents' Carers' Allowance may be claimed where the actual expenditure has been incurred in connection with the Approved Duties in line with the same criteria as set out in the Members' Allowance Scheme Schedule 'C' – Travel and Subsistence – Approved Duties (below)

Members’ Allowance Scheme Schedule ‘B’ – Travel and Subsistence Allowances

Travel Allowance – Mileage Rate

1.0 The appropriate mileage rate for travel by a Member’s own motor car is 45p per mile in line with the Lancashire County Council’s rate and any future changes to the County Council’s rate will be mirrored by changes in the CFA’s rate.

1.1 The rate set out in 1.1 above may be increased by not more than the amount of any expenditure incurred on public transport, on tolls, ferries or parking fees, including overnight garaging.

1.3 The mileage rate for use of a bicycle is 20p per mile. This rate should be revised in accordance with the maximum allowance for Income Tax purposes as determined by HM Revenue and Customs.

2.0 Subsistence Allowances

2.1 Members may claim up to the maximum amounts of the following fixed allowances when absent for the period stated below from their normal place of residence; subject to costs being actually and necessarily incurred in the performance of their duties for and on behalf of the Authority:-

a) a period less than 4 hours - £8.95

b) a period between 4 and 8 hours - £17.79

c) a period between 8 and 12 hours - £35.60

d) a period in excess of 12 hours - £53.38

Actual expenditure in excess of £53.38 may be reimbursed subject to production of receipts.

These allowances shall be reviewed annually in line with the consumer price index as published in November of the preceding year. (As agreed at the CFA meeting held 20 June 2016.)

3.0 Overnight Allowance

3.1 Wherever possible, Members should organise their accommodation requirements through the Authority, which should be pre-booked and pre-paid in advance.

In exceptional circumstances, where it is not possible for the Authority to make a direct booking on behalf of a Member, the actual receipted cost of accommodation, including breakfast will be reimbursed to the Member. Such reimbursement will be subject to a maximum allowance per night of £204.48 for London and £178.03 elsewhere in the UK. These maximum allowances shall be reviewed annually in line with the consumer price index as published in November of the preceding year. (As agreed at the CFA meeting held 20 June 2016).

Members’ Allowance Scheme Schedule ‘C’ – Travel and Subsistence – Approved Duties

Appropriate travel and subsistence allowances may be claimed in accordance with the above details where such travelling or subsistence has been undertaken in connection with one or more of the following duties:

(a) The attendance at a meeting of the Authority or of any Committee, Sub-Committee, Task Group, Working Group, Board, Forum, Panel or of any body to which the Authority makes appointments or nominations, or of any Committee or Sub-Committee of such a body.

(b) The attendance at any other meeting or event, the holding of which is authorised by the Authority, or a Committee or Sub-Committee of the Authority.

(c) For the purposes of paragraphs (a) and (b) above, claims for travel and subsistence can only be made in respect of attendance at meetings of which the Councillor claiming is a Member.

(d) The carrying out of any other duty approved by the Authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the Authority or any of its Committees or Sub-Committees. All duties which derive from a position of responsibility for which a Member receives a special responsibility allowance are approved duties for the purpose of this paragraph.

(e) Members should not assume that they have the Authority’s permission to attend any other meeting or event without the express permission of the Authority and permission should be sought in good time, prior to the meeting or event, in order to ensure contingency plans are in place, should the Authority not grant such permission. The Authority will be required to ensure that the proposed attendance is in the best interests of the Authority and its constitutional and legal obligations, as well as in the best interests of the efficiency, efficacy and betterment of the Service and the Authority.

Version 1 – with effect from 01 April 2026 – figures for Schedule A require uplifting following confirmation of the employee pay settlement for 2026-27 which will take effect from 1 April 2026, Schedule B (no change) and Schedule C has been uplifted in line with CPI Inflation Rate at November 2025, 3.2%.