North Wales Fire and Rescue Authority
Constitution

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Introduction and Summary Overview

The purpose of this Constitution is to set out in clear language how the Fire and Rescue Authority works and how it makes its decisions.

Background

The role of North Wales Fire and Rescue Authority is to perform all the duties and responsibilities of a Fire and Rescue Authority in accordance with appropriate legislation and regulations, in particular:

- the Local Government (Wales) Act 1994,
- the North Wales (Combination Scheme) Order 1995 as amended
- Fire and Rescue Services Act 2004,
- the Regulatory Reform (Fire Safety) Order 2005
- Combined Fire and Rescue Services Schemes (Variation) Wales Order 2009
- Local Government (Wales) Measure 2009
- Local Government (Wales) Measure 2011
- Welsh Government's Fire and Rescue National Framework 2012
- The Wellbeing of Future Generations (Wales) Act 2015.

The Authority has a statutory obligation to maintain a Fire and Rescue Service capable of dealing effectively with calls for assistance in the case of fire and other emergencies.

THE CONSTITUTION

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

The Constitution is divided into 11 articles that set out the basic rules governing the Authority's business. More detailed procedures and codes of practice are provided in separate rules and protocols at the end of the document.

WHAT'S IN THE CONSTITUTION?

Article 1 of the Constitution commits the Authority to providing clear leadership in relation to the provision of fire and rescue services across North Wales,

Articles 2-11 explain how the key parts of the Authority operate. These are:

Article 2 – Members of the Fire and Rescue Authority
Article 3 – Members of the public and the Authority
Article 4 – The Full Authority
Article 5 – Chairing the Authority
Article 6 – Committees
Article 7 – Officers
Article 8 – Decision Making
Article 9 – Finance, Contract and Legal Matters
Article 10 – Review and Revision of the Constitution
Article 11 – Suspension, Interpretation and Publication of the Constitution

How the Authority Operates

Members of the Fire and Rescue Authority

The Authority is composed of 28 councillors from the six unitary authorities of North Wales. The number of representatives from each constituent authority is determined on a population basis.

Members of the Authority are appointed following local authority elections; constituent authorities may decide to appoint for the whole of the term (until the next local election) or annually.. Members can resign from the Authority or will cease to be members of the Authority if they cease to be members of the constituent authority for whatever reason. The term of office will also be regulated by the provisions of the Combination Order 1995.

As Members of the Fire and Rescue Authority, councillors do not represent the individual wards/divisions for which they were elected or even the constituent authorities by whom they were appointed. Instead they have a duty to represent the interests of the community across the whole of North Wales.

The names and contact details of all members of the Fire and Rescue Authority are available on our website at www.nwales-fireservice.org.uk

Code of Conduct

The Fire and Rescue Authority, supported by the Monitoring Officer, has a duty to promote and maintain high standards of conduct by Members and has adopted a Code of Conduct to facilitate this.

Full Authority

All Members meet together as the Authority. These meetings are open to the public unless exempt or confidential information is being discussed. Here Members decide the Authority's strategic direction and future plans and set the budget each year. The Authority delegates to the Executive Panel/Audit Committee to discuss reports in detail and to make recommendations to the full Authority.

A Member is appointed at the Annual Meeting in June each year to act as the Chair of the Authority. He or she presides over the Authority's meetings and is responsible for interpreting the rules of procedure with the power to control and regulate the course of the debate. In undertaking these duties, the Chair must act impartially but the Chair has a vote on decisions and may have a second (or casting) vote where this is necessary.

How Decisions Are Made

The Authority will issue, and keep up to date, a record of what part of the organisation, or which individual, is responsible for particular types of decisions or decisions relating to particular areas or functions.

Overview and Scrutiny

Unlike many authorities, the Fire and Rescue Authority does not have a separate Overview and Scrutiny Committee but the work of the Audit and Standards Committees by their nature involve a high degree of scrutiny of the adequacy and efficiency of the Service and of its policies and procedures.

Where necessary, Member Working Groups can be utilised to support the work of the Authority. These are small working groups of Members that are established as necessary to look at particular issues in more detail and report back to the Authority. The membership and methodology of the Working Groups will be flexible to meet the needs of the particular circumstance.

The Authority's Officers

The Authority has people working for it (called 'officers') to give advice, implement decisions and manage the day-to-day delivery of its services. The Chief Fire Officer is the principal professional advisor to the Authority. Some officers have a specific duty to ensure that the Authority acts within the law and uses its resources wisely. There is a scheme of delegation whereby the Chief Fire Officer can take decisions in line with that scheme of delegation. A code of practice governs the relationships between officers and Members of the Authority.

The Public

The public have a number of rights in their dealings with the Authority. These are set out in more detail in Article 3. Some of these are legal rights, whilst others depend on the Authority's own processes. The Authority welcomes participation by members of the public in its work.

1. The Constitution

1.1. Powers of the Authority

The Authority will exercise all its powers and duties in accordance with the law and this Constitution.

1.2. The Constitution

This Constitution, with all its appendices, is the Constitution of the North Wales Fire and Rescue Authority from henceforth referred to as 'the Authority'.

1.3. Purpose of the Constitution

The purpose of the Constitution is to set out the governance of the Authority, and to regulate the way in which the Authority makes decisions and carries out its functions. It also sets out in a single document, in clear language how the Authority operates and makes its decisions.

The Authority is committed to treating the English and Welsh language equally and is committed to discharging its functions bilingually where appropriate. The Authority consults its stakeholders in a variety of ways to identify areas of most importance to users, to measure their satisfaction with its performance, and in so doing identify areas for improvement.

The purpose of the Constitution is to:

(i) support and encourage the active involvement of members of the public in the process of the Authority's decision-making;
(ii) provide a framework within which Members can represent the public interest effectively;
(iii) enable decisions to be taken efficiently and effectively;
(iv) create a powerful and effective means of holding decision-makers to public account;
(v) ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and
(vi) provide for the effective delivery of fire and rescue services within North Wales.

1.4. Interpretation and Review of the Constitution

Where the Constitution permits the Authority to choose between different courses of action, the Authority will always choose that option which it thinks is closest to the purposes stated above.

The Authority will monitor and evaluate the operation of the Constitution as set out in Article 11.

2. Members of the Authority

2.1. Composition and eligibility

The Authority is composed of 28 councillors from the six unitary authorities of North Wales: Anglesey County Council (3); Conwy County Borough Council (5); Denbighshire County Council (4); Flintshire County Council (6); Gwynedd Council (5); Wrexham County Borough Council (5). The number of representatives from each constituent authority is determined on a population basis.

2.2. Terms of Office of Members

The constituent authorities appoint Members to the Authority for whatever term those councils choose. Members come into office on the day they are appointed. They may resign from the Authority at any time by giving written notice to the Clerk. They cease to be Members of the Authority if they cease to be members of the Council by whom they were appointed.

2.3. Roles and functions of all Members

(a) **Key roles**

All Members will:

(i) be involved in decision-making and contribute to the good governance of the Authority;
(ii) collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions;
(iii) represent their communities and bring their views into the Authority's decision-making process, i.e. become the advocates of and for their communities;
(iv) balance different interests identified across North Wales and act in the interests of North Wales as a whole;
(v) respond to enquiries and representations from members of the public, fairly and impartially;
(vi) actively encourage community participation and public involvement in decision-making;
(vii) be available to represent the Authority on other bodies; and
(viii) maintain the highest standards of conduct and ethics.

(b) **Rights and duties**

(i) Members will have such rights of access to such documents, information, land and buildings of the Authority as are necessary for the proper discharge of their functions and in accordance with the law.

(ii) Members will not make public any information which is confidential or exempt without the consent of the Authority or divulge information given in confidence to anyone other than a Member or officer entitled to know it.

(iii) For these purposes, "confidential" and "exempt" information are defined in the Access to Information Rules in Part 4 of this Constitution.

2.4. Conduct

Members will at all times observe the Members' Code of Conduct and the Protocol on Member/Officer Relations set out in Part 5 of this Constitution.

2.5. Remuneration

Members will be entitled to receive remuneration and allowances in accordance with the Members' Remuneration Scheme set out in Part 6 of this Constitution.

3. Members of the Public and the Authority

3.1. Rights of the Public

Members of the public have the following rights. Their rights to information and to participate are explained in more detail in the Access to Information Rules in Part 4 of this Constitution:

(a) **Information.** Members of the public have the right to:

(i) attend meetings of the Authority and its committees except where confidential or exempt information is likely to be disclosed and the meeting is therefore held in private;
(ii) see reports and any records of decisions made by the Authority and its committees;
(iii) inspect and obtain a copy of the Authority's Code of Conduct and inspect the Register of Members' Interests; and
(iv) inspect the Authority's accounts and make their views known to the external auditor.

(b) **Complaints.** Members of the public have the right to complain to:

(i) the Authority itself under its complaints scheme;
(ii) the Local Government Ombudsman about maladministration, after first using the Authority's own complaints scheme; and
(iii) the Monitoring Officer about a breach of the Members' Code of Conduct.

3.2. Responsibilities

Members of the public must not be violent, abusing or threatening to Members or Officers and must not wilfully harm things owned by the Authority, its Members or Officers.

4. The Full Authority

4.1. Meanings

(a) **Policy Framework.** The policy framework means the following plans and strategies:-

- Combined Improvement and Wellbeing Plan
- Revenue Budget and Capital Programme
- Treasury Management Strategy
- Asset Management Plan.

(b) **Budget.** The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the control of its capital expenditure and the setting of virement limits. By the 31st December in every year the Authority is expected to notify its constituent authorities of its estimated net expenses for the next financial year. To assist with this the Authority, at its December meeting, sets the Service's budget for the following financial year. By the 15th February in every year the Authority is required to notify its constituent authorities of the level of contributions it will be requesting them to contribute to the Combined Fire Service Fund for the following financial year.

4.2. Functions of the full Authority

Only the Authority will exercise the following functions (unless otherwise resolved):

(i) adopting and changing the Constitution;
(ii) approving or adopting the policy framework and the budget;
(iii) approving the Strategic Equality Plan and the Annual Equality Plan
(iv) agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them;

(v) appointing representatives to outside bodies unless the appointment has been delegated by the Authority;
(vi) adopting a members' remuneration scheme;
(vii) confirming the permanent appointment of the Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officers, Assistant Chief Officers, Treasurer and Monitoring Officer;
(viii) approving the annual pay policy statement;
(ix) approving the audited annual statement of accounts and Annual Governance Statement;
(x) approving the Audit Wales Annual Improvement Report and the publication of the Annual Performance Assessment
(xi) approving the prudential borrowing indicators as part of the treasury management statement
(xii) Approving the Annual Report on Welsh Language Standards under the Welsh Language Measure 2011
(xiii) determining policy on local discretions under the pension
(xiv) all other matters which by law must be reserved to the Authority.

4.3. Authority meetings

There are three types of Authority meeting:

(a) annual meeting;
(b) ordinary meetings; and
(c) extraordinary meetings

and they will be conducted in accordance with the Standing Orders for the Conduct of Business in Part 4 of this Constitution.

5. Chairing the Authority

5.1. Election of Chair and Deputy Chair

The Chair and Deputy Chair will be elected by the Authority annually and shall hold office until:
(i) they resign from office;
(ii) they are no longer Members of the Authority;
(iii) they are removed from office by resolution of the Authority; or
(iv)their successors take office.

5.2. Role and function of the Chair

The Chair of the Authority and in their absence, the deputy chair will have the following responsibilities:

(i) provide overall leadership to the Authority;
(ii) chair meetings of the Authority and to ensure its overall effectiveness;
(iii) provide effective leadership in the development of the Authority's approved policies and strategies;
(iv) act as the Authority's principal member spokesperson at local, regional and national level;
(v) seek to ensure that good working relationships are established with external public and private sector bodies and networks relevant to the efficient discharge of the Authority's functions;
(vi) lead in the development of good working relationships between all councillors and councils represented on the Authority;
(vii) promote good working relationships between members and officers of the Authority so that Authority business is conducted in the most efficient and effective way;
(viii) attend and represent the Authority on the National Issues Committee.

6. Committees

The Authority will appoint the committees described in Part 3 of this Constitution and which shall each have the respective terms of reference and functions described therein. The Authority may appoint such additional committees or change any of the details described in Part 3 of this constitution as the Authority may from time to time decide.

7. Officers

7.1. Management structure

(a) The Authority shall engage such people (referred to as officers) as it considers necessary to carry out its functions. Officers may be authorised either by the Authority or a Committee to take decisions. The scope of these delegated powers is set out in the general Scheme of Delegation in Part 3 of this Constitution.

(b) Although there is no legal requirement for the Authority to appoint a Head of the Paid Service, the Authority has chosen to do so as a matter of good practice. The Head of the Paid Service will determine the overall departmental structure and deployment of staff.

(c) **Head of the Paid Service, Monitoring Officer and Chief Financial Officer**

The Authority will designate the following posts as shown:

POST	DESIGNATION
Chief Fire Officer	Head of the Paid Service
Section 151 Officer/Treasurer	Treasurer
Clerk	Monitoring Officer

7.2. Functions of the Head of the Paid Service

(a) **Discharge of functions by the Authority**

The Head of the Paid Service will report to the Authority on the manner in which the discharge of the Authority's functions are co-ordinated.

(b) **Restrictions on functions**

The Head of the Paid Service may not be the Monitoring Officer but may hold the post of Treasurer if a qualified accountant.

7.3. Functions of the Monitoring Officer

(a) **Maintaining and reviewing the Constitution**

The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Members, staff and the public. He/she will keep the constitution under review in accordance with Article 11 below.

(b) **Ensuring lawfulness and fairness of decision making**

After consulting with the Head of the Paid Service and Treasurer, the Monitoring Officer will report to the Authority if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

(c) **Ethical Standards**

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through:

(i) provision of training to Members
(ii) receiving, acting upon and where appropriate investigating complaints of alleged breaches of the Code of Conduct in accordance with the Arrangements for Code of Conduct Investigations and Decision; and
(iii) provision of advice and support to the Audit and Standards Committee.

(d) **Proper officer for access to information**

The Monitoring Officer will ensure that decisions of the Authority and its committees and relevant officer reports and background papers are made publicly available as soon as possible.

(e) **Providing advice**

The Monitoring Officer will provide advice on the scope of the Authority's powers, maladministration, financial propriety, the Codes of Conduct, Standing Orders and the protocols to all Members and will advise and support Members and officers in their respective roles.

(f) **Restrictions on posts**

The Monitoring Officer cannot be the Treasurer or the Head of the Paid Service.

7.4. Functions of the Treasurer

(a) **Ensuring lawfulness and financial prudence of decision making**

After consulting with the Head of the Paid Service and the Monitoring Officer, the Treasurer will report to the Authority and the Authority's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Authority is about to enter an item of account unlawfully.

(b) **Administration of financial affairs**

The Treasurer will have responsibility for the administration of the financial affairs of the Authority.

(c) **Providing advice**

The Treasurer will provide advice on financial impropriety, probity and budget and policy framework to all and will support and advise councillors and officers in their respective roles.

(d) **Restrictions on posts**

The Treasurer cannot be the Monitoring Officer but can be the Head of the Paid Service.

7.5. Conduct

(a) Officers will comply with the Protocol on Officer/Member relations set out in Part 5 of this Constitution.

(b) The Monitoring Officer shall record particulars of any notice given by an Officer of the Authority under Section 117 of the Local Government Act 1972, of a pecuniary interest in a contract, or proposed contract, and the record shall be available during office hours for inspection by any Member of the Authority.

7.6. Employment

The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out in Part 4 of this Constitution.

7.7 Principal Officers Remuneration

(a) The Authority approved the following principles in relation to the remuneration of Principal Officers to take effect from 1 November 2021:

i. pay scales will be linked to the average basic pay rates collated and published by the National Joint Council for Brigade Managers of Local Authority Fire and Rescue Services in order to give appropriate sector-specific comparisons;

ii. each seniority level will be employed on a three point scale with progression up the scale to be subject to satisfactory annual appraisal. Each increment in scale will be based upon £1,500 for the CFO; and a relative proportion for the other posts;

iii. the Authority will pay, at the bottom of the three point scale, the average basic pay for an authority in Population Band 2, which will be inclusive of all duties;

iv. the nationally negotiated and agreed annual pay awards will be automatically applied, as currently happens in the case of "grey book" and "green book" employees (subject to an employee choosing to forego any part of it);

v. the salary of each seniority level will be calculated as a proportion of the Chief Fire Officer's salary as follows :

Post	Proposed
Chief Fire Officer	100%
Deputy Chief Fire Officer	80%
Assistant Chief Fire Officer	75%
Assistant Chief Officer	60%

8. Decision Making

8.1. Responsibility for decision making

The Authority will issue and keep up to date a record of what part of the Authority or individual has responsibility for particular types of decisions or decisions relating to particular areas or functions.

8.2. Principles of decision making

All decisions of the Authority will be made in accordance with the following principles:
(a) proportionality (i.e. the action must be proportionate to the desired outcome);
(b) due consultation and the taking of professional advice from officers;
(c) respect for human rights;
(d) a presumption in favour of openness; and
(e) clarity of aims and desired outcomes.

8.3. Decision making by the full Authority

Subject to Article 8.5, the Authority meeting will follow the Standing Orders for the Conduct of Business set out in Part 4 of this Constitution when considering any matter.

8.4. Decision making by committees and sub-committees

Subject to Article 8.5, committees, sub-committees, working parties and panels will follow:

(a) those parts of the Standing Orders for the Conduct of Business set out in Part 4 of this Constitution as apply to them; and

(b) such other procedures set out in Part 3 of this constitution (Responsibility for Functions) as are specified in respect of that committee, sub-committee or panel

8.5. Urgent Decisions

(1) Where the Monitoring Officer, in consultation with the Chair, determines that any matter is urgent and that it would be impractical to call a meeting of the Authority, full authority to decide the matter is and shall be vested in the Chief Fire Officer in consultation with the Chair, Clerk and/or Treasurer.

(2) No decision shall be made or instructions issued under this Article 9.6 which is contrary to an expressed resolution of the Authority or an established practice.

(3) A report of all decisions taken under this Article 9.6 shall be made to the next meeting of the Authority or the relevant committee (as the case may be).

9. Finance, Contracts and Legal Matters

9.1. Financial management

The management of the Authority's financial affairs will be conducted in accordance with the Financial Regulations set out in Part 4 of this Constitution.

9.2. Contracts

Every contract made by the Authority will comply with the Contracts Standing Orders set out in Part 4 of this Constitution.

9.3. Legal proceedings

The Chief Fire Officer, after consultation with the Clerk/Monitoring Officer and Treasurer/Section 151 Officer is authorised to commence, defend, or participate in, any legal proceedings in any case, where necessary, and to give effect to decisions of the Authority, or in any case where the Chief Fire Officer after consultation with the Clerk/Monitoring Officer and Treasurer/Section 151 Officer considers it necessary to protect the Authority's interest.

9.4. Authentication of documents

In addition to any other person who may be authorised by resolution of the Authority for the purpose, the proper officer for the purpose of section 234 of the 1972 Act (authentication of documents) shall be the Clerk to the Authority or any officer authorised in writing by such officer.

9.5. Common Seal of the Authority

The Common Seal of the Authority will be kept in a safe place in the custody of the Chief Fire Officer. A decision of the Authority, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision The affixing of the common seal shall be attested by the proper officer or by a deputy authorised in writing by the proper officer.

9.6. Inspection of lands, premises etc.

(1) Unless specifically authorised to do so by the Authority, no Member of the Authority shall:
   a) issue any order or instruction on behalf of the Authority; or
   b) claim by virtue of membership of the Authority any right to inspect or to enter upon any lands or premises which the Authority have the power or duty to inspect or enter

(2) By prior arrangement made with the Chief Fire Officer a Member shall, so far as possible within the law, have the right to inspect lands and premises owned by the Authority.

9.7. Members' Rights to Inspect Documents

(1) All agenda papers and minutes relating to business at meetings of the Authority shall be open to inspection by any Member except where the business concerns a quasi-judicial matter or personal information subject to data protection legislation, or relates to legal proceedings by or against the Authority.

(2) A Member of the Authority shall be entitled to inspect such other documents of the Authority as are reasonably necessary to the exercise of the Member's functions as a member of the Authority. A written request to inspect any such document shall be submitted to the Chief Fire Officer who, after consultation with the Chair and/or the Clerk where appropriate, shall produce the document for inspection, subject to the proviso that under certain circumstances (e.g. issues of confidentiality) inspection by a Member may only be permitted with a clear understanding that the contents should not be passed to any other party and noting that Members of the Authority are bound by data protection legislation.

10. Review and Revision of the Constitution

10.1. Duty to monitor and review the constitution

The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.

10.2. Protocol for monitoring and review of constitution by Monitoring Officer

A key role for the Monitoring Officer is to be aware of the strengths and weaknesses of the Constitution adopted by the Authority, and to make recommendations for ways in which it could be amended in order better to achieve the purposes set out in Article 1. In undertaking this task the Monitoring Officer may:

(i) observe meetings of the Authority;
(ii) undertake an audit trail of a sample of decisions;
(iii) record and analyse issues raised with him/her by Members, officers, the public and other relevant stakeholders; and
(iv) compare practices in this Authority with those in other comparable authorities, or national examples of best practice.

10.3. Changes to the Constitution

Changes to the constitution will only be approved by the full Authority after consideration of a written report by the Monitoring Officer or a committee of the Authority.

11. Suspension, Interpretation and Publication of the Constitution

11.1. Suspension of the Constitution

(a) **Limit to suspension**

The Articles of this Constitution may not be suspended. The Rules specified below may be suspended by the full Authority to the extent permitted within those Rules and the law.

(b) **Procedure to suspend**

A motion to suspend any rules will not be moved without notice unless at least one half of the whole number of Members are present. The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in Article 1.

(c) **Rules capable of suspension**

The following Rules may be suspended in accordance with Article 12.1:

- Standing Orders for the Conduct of Business
- Financial Regulations
- Contracts Standing Orders

11.2. Interpretation

The ruling of the Chair as to the construction or application of this Constitution or as to any proceedings of the Authority shall not be challenged at any meeting of the Authority. Such interpretation will have regard to the purposes of this Constitution contained in Article 1.

11.3. Publication

The Monitoring Officer will:
(a) provide details of the Constitution to each Member of the Authority upon their first appointment.
(b) ensure that copies are available for inspection on the Authority's website.

Summary of Committees and Sub-Committees

Introduction

The following details are set out in this part of the Constitution:

- Summary of Committees and sub-committees appointed by the Authority;
- Diagram of the Authority's political management arrangements;
- Detailed terms of reference and procedural protocols for each committee/Sub-committee;
- Scheme of Delegation to the Chief Fire Officer.

The Authority may alter the terms of reference or composition of any committee from time to time or appoint any additional committees as appropriate.

Subject to the provisions of the constitution and any legal requirements, any function of a committee may be delegated to any Committee or Officer (but not to a single Member).

Executive Panel

The Executive Panel consists of the Chair and Deputy Chair and two members from each council. That is 14 members in total. It is chaired by the Chair or, in his/her absence, the Deputy Chair. It meets approximately four times a year, between each meeting of the Authority, although additional meetings may be held depending on workload. The role of the Panel includes the appointment of senior officers, and any associated disciplinary or pension-related matters. The Panel also monitors the performance of the Service and makes recommendations to the Authority on its key policies including the Improvement and Well-being Plan.

Audit Committee

The Committee's membership consists of all non-executive (panel) members (14 councillors) and meets a minimum of twice per year. The Chair and Deputy Chair are appointed from different constituent authorities. The Committee's primary role is to audit and scrutinise governance, financial and resource management and risk management and assurance. The Committee has the facility to set up time-limited task groups to undertake reviews and it has the discretion to co-opt Executive members with relevant expertise onto these groups.

Standards Committee

This committee is required by the Local Government Act 2000. The committee consists of 6 members, four of whom are independent. The Chair and Deputy Chair are drawn from the independent members. The committee has to meet at least twice a year. The frequency of meetings will depend on what other work the committee is required to do - for example in considering complaints or advising the Authority on issues to do with standards.

Improvement Plan Working Group

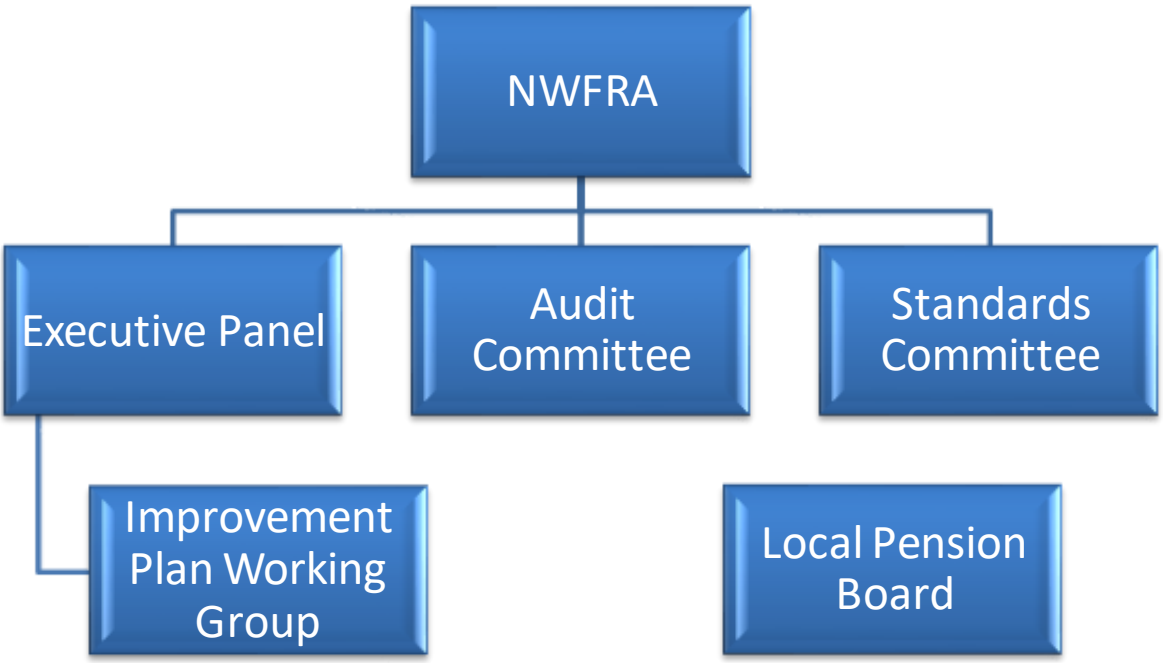
The Working Group consists of two members from each county (borough) council, including the Chair and Deputy Chair. In total 12 councillors. The Working Group deals with the detailed work in connection with the Authority's planning and budget process before it submits its observations to the Executive Panel to enable it to formulate recommendations in relation to the Improvement and Well-being Plan and budget to the Authority. The Working Group meets on a regular basis in the run-up to publication of documents.

The Working Group is not a formally constituted committee and therefore meetings are not open to the public. Although the Working Group has no powers, it undertakes detailed work in relation to certain areas of work and submits recommendations to the Executive Panel and/or the full Authority for information or approval.

Local Pension Board

Although not a committee as such the Local Pension Board is an internal body consisting of representatives of the Authority as employer (unusually both officers and councillors can represent the Authority) and officers and trade union officials representing the employees. Its role is to provide oversight and advice to the Authority in its role as pension provider.

The Democratic Structure of the Authority's Committees is as follows:



EXECUTIVE PANEL TERMS OF REFERENCE

1. Membership

1.1 The Executive Panel comprises the Chair and Deputy Chair of the Authority and two councillors per county as determined by the constituent authority.

2. Terms of Reference

2.1 The Panel shall on an ad hoc basis meet to undertake such functions as delegated to it by the Authority e.g. in the appointment of the Chief Fire Officer and other Senior Fire Officers and deal with any disciplinary matters concerning these and other posts and the postholders. The Panel shall deal with constitutional and other matters which are considered by the Clerk and Chief Fire Officer in consultation with the Chair as suitable for referral to the Panel. Other matters that will arise from time to time which are not urgent but nevertheless require consideration by a small panel of members will be dealt with by the Panel and then submitted for recommendation to a full meeting of the Authority. The approval of the Chair will always be sought before any meeting is called.

2.2 The Standing Orders governing meetings of the Authority shall also apply to meetings of the Executive Panel.

2.3 The Executive Panel shall on behalf of the Authority:

i act as the panel to hear disciplinary proceedings commenced against the Chief Fire Officer;
ii deal with certain pension matters for the post of Chief Fire Officer;
iii act as the Appointments Panel when appointing the Deputy and Assistant Chief Fire Officers;
iv make recommendations, as the need arises, for the appointment of (a) Clerk to the Authority and (b) Treasurer to the Authority;
v act as the appeal panel as set out in the Authority's procedures on discipline, capability and grievances;
vi act on behalf of the Authority in the use of discretionary powers under the Firefighters' Pension (Wales) Scheme;
vii act on behalf of the Authority in the use of discretionary powers under the Local Government Pension Scheme Regulations;
viii act on behalf of the Authority, and if necessary decide and/or make recommendations on personnel matters after consultation with the Chair;
ix deal with any policy and/or constitutional matter and any other urgent business at the discretion of the Chief Fire Officer/ Clerk/ Treasurer, following prior consultation with the Chair.

2.4 In addition the Panel shall exercise the authority's functions under sections 1 and 2 of the Local Government (Wales) Measure 2009 including:

(1) A Welsh improvement authority must make arrangements to secure continuous improvement in the exercise of its functions.

(2) In discharging its duty under subsection (1), an authority must have regard in particular to the need to improve the exercise of its functions in terms of—

(a) strategic effectiveness;
(b) service quality;
(c) service availability;
(d) fairness;
(e) sustainability;
(f) efficiency; and
(g) innovation.

AUDIT COMMITTEE: TERMS OF REFERENCE

1. Membership

(a) The Audit Committee shall comprise the members who are not on the Executive Panel. The Audit Committee shall be responsible for the following (and shall have delegated authority accordingly):

2. Governance

(a) The purpose of the Audit Committee is to provide independent assurance to the members of the adequacy of the risk management framework and the internal control environment. It provides independent review of the North Wales Fire and Rescue Authority's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal and external audit, helping to ensure efficient and effective assurance arrangements are in place.

(b) To oversee the production of the North Wales Fire and Rescue Authority's Annual Governance Statement and consider whether it properly reflects the governance, risk and control environment and supporting assurances and identify any actions required for improvement.

(c) To maintain an overview of the North Wales Fire and Rescue Authority's constitution, particularly in respect of the contract procedure rules and financial procedure rules.

(d) To review any issue referred to it by the Chief Fire Officer, S. 151 Officer or Clerk, the North Wales Fire and Rescue Authority or the Executive Panel.

3. Financial, Resources and General Management and Assurance

The Committee shall:

(a) consider the Authority's framework of assurance and ensure that it adequately addresses the risks and priorities of the Authority;
(b) consider the Authority's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements;
(c) approve the Internal Audit Annual Work Programme;
(d) consider the Internal Audit reports;
(e) consider the Internal Audit Annual Report;
(f) appoint an effective and efficient Internal Audit Service;

(g) review the performance of the Internal Audit Service;
(h) consider the Wales Audit Office's Annual Management Letter;
(i) review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the North Wales Fire and Rescue Authority.

4. Risk Management Panel

The Committee shall:

(a) consider the framework of assurance and ensure that it adequately addresses the risks and priorities of the North Wales Fire and Rescue Authority;
(b) monitor the effective development and operation of corporate risk management and corporate governance in the North Wales Fire and Rescue Authority;
(c) to have oversight of the whistleblowing policy and any complaints/disclosures made under it; and
(d) monitor the effectiveness of the internal control environment.

5. Performance

The Committee shall:

(a) review the effectiveness of performance management;
(b) review the achievement of Strategic Plan objectives;
(c) review the achievement of agreed performance indicators; and
(d) generally comment upon and make recommendations to the North Wales Fire and Rescue Authority Executive Panel or the Chief Fire Officer on the performance of the North Wales Fire and Rescue Authority.

6. Overview and Scrutiny

The Committee may:

(a) review the effectiveness of policies and strategies approved by the Executive Panel;
(b) review the effectiveness of decisions made by the Executive Panel;
(c) review generally the performance of the North Wales Fire and Rescue Service;
(d) make such reports or recommendations to the North Wales Fire and Rescue Authority, Executive Panel or Executive Group as it considers appropriate;

(e) request the Clerk that a matter be added to any agenda for the North Wales Fire and Rescue Authority or Executive Panel provided that at least 10 clear days' notice is given of such a request. All reasonable steps shall be taken to provide a written report on the matter to the meeting, but where this is not possible, an oral report shall be given;

(f) the right to make a request under paragraph 6 (d) shall be vested in the Chairperson of the Audit Committee or any three Members of that Committee;

(g) where the Audit Committee considers that a matter requires urgent consideration by either the North Wales Fire and Rescue Authority or the Executive Panel then the Audit Committee shall have power to request a meeting of that Committee in accordance with rule 6 (d) above.

7. Audit

The Committee will provide advice and recommendations in relation to the following areas:

(a) Review the internal audit plan and any proposed revisions to the internal audit plan.

(b) Consider the head of internal audit's annual report and opinion, and a regular summary of the progress of internal audit activity against the audit plan, and the level of assurance it can give over corporate governance arrangements.

(c) Consider a report on the effectiveness of internal audit to support the AGS, where required to do so by the Accounts and Audit Regulations (Wales) 2014.

(d) Support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by either PSAA or the auditor panel as appropriate.

(e) Consider the external auditor's annual management letter, relevant reports and the report to those charged with governance.

(f) Consider specific reports as agreed with the external auditor.

(g) Provide feedback to the Wales Audit Office upon performance of the external audit.

Terms of reference for Standards Committee of North Wales Fire and Rescue Authority

Remit

The North Wales Fire and Rescue Authority (the Authority) has a Standards Committee to oversee, maintain and strengthen high standards of conduct by its members.

The Standards Committee has a range of functions relating to the Members' Code of Conduct. Unless business dictates otherwise, the Committee will meet at least twice per year.

Composition

The Standards Committee will be composed of two Authority Members and four independent people who are not Members or Officers of the Authority, one of whom will chair the committee. Representation on this committee is not required to bear the same proportionality as the political composition of the whole Authority (Section 53(10) Local Government Act 2000).

Term of office

Independent Members' term of office is for a period of not less than four years nor more than six years, and they are eligible for re-appointment for a second period of up to four years. An Independent Member may therefore serve for between 8 and 10 years.

For the Authority members of standards committees, their term of office is four years or the period until that member's appointment as a member of that authority ceases, whichever is the shorter. Such a member shall cease to be a member of that standards committee if that member ceases to be a member of the relevant authority concerned.

Chair and Deputy Chair

The roles of Chair and Deputy Chair must be undertaken by the Independent Members. Appointments will be made in the first meeting of every financial year. The period of election for the Chair and Vice Chair should be the shorter of either their remaining tenure or 4- 6 years.

Part 3 – Responsibility for Functions

Role and function

1 To promote and maintain high standards of conduct by the members of the authority.

2 To assist members of the authority to observe the authority's code of conduct.

3 To advise the authority on revision of the code of conduct.

4 To monitor the operation of the authority's adopted code of conduct.

5 To train authority members and advise on conduct matters generally.

6 Where statute so permits, to arrange dispensation to speak and/or vote where a member has an interest.

7 To receive and implement advice from the Public Services Ombudsman for Wales and or recommendations from any adjudication panel or case tribunal.

8 Where statute permits, to receive reports and complaints in relation to members, to conduct or oversee appropriate investigations and to make appropriate recommendations to the authority.

9 To receive reports from the Public Services Ombudsman for Wales in relation to allegations of maladministration or allegations of breach of code of conduct and make appropriate recommendations.

10 To exercise such powers or duties as may be given or imposed on standards committees from time to time by legislation.

Powers delegated to the Committee

11 To determine Stage 3 Service complaints in accordance with the Authority's Complaints Procedure.

12 Delegated powers in relation to any matter within the terms of reference of the committee except where this involves expenditure for which there is no approved budget.

Quorum

The quorum shall be at least:

(i) three members are participating in the meeting, including the chair (or person presiding at the meeting if the chair is not present); and

(ii) half the members participating in the meeting including the chair (or person presiding at the meeting if the chair is not present) are independent members.

Voting

Decisions of the Committee shall be decided by a majority of votes cast by the members present at the meeting. In the case of an equality of votes the person presiding at the meetings shall have a second casting vote.

Frequency of meetings

Unless business dictates otherwise, the Committee will meet at least twice per year. The meeting will be attended by the Monitoring Officer or nominated representative.

Minutes of meetings

Minutes of all meetings will be recorded and signed by the Chair. All decisions will be recorded, including the reason for such decisions and any declarations of interest made.

Reporting

The Committee will prepare an annual report to be presented to the North Wales Fire and Rescue Authority.

Revision of these terms of reference

These terms of reference will be reviewed on an annual basis

(As provided by the Standards Committee (Wales) Regulations 2001; and The Standards Committees (Wales) (Amendment) Regulations 2006).

Terms of reference for the Local Pension Board of North Wales Fire and Rescue Service

1. This document sets out the terms of reference for the Local Pension Board of North Wales Fire and Rescue Service, Firefighters' Pension Scheme as required by the Public Service Pensions Act 2013 and the Local Government (Amendment) (Governance) Regulations 2014.

Scheme Management

2. North Wales Fire and Rescue, as administering authority, is the Scheme Manager. Its functions are discharged in accordance with the Authority's scheme of delegation by the Treasurer and Chief Fire Officer.

The Local Pension Board

3. The role of the Local Pension Board is to assist North Wales Fire and Rescue Authority (NWFRA), as the administering authority:

   - to secure compliance with the scheme regulations and other legislation relating to the governance and administration of the scheme;
   - to secure compliance with requirements imposed in relation to the scheme by the Pensions Regulator;
   - ensure the effective and efficient governance and administration of the Firefighters' Pension Schemes for Dyfed Pension Fund;
   - the role of the Board will be oversight of these matters and not decision making;
   - in undertaking any relevant work as requested;
   - in such other matters as the scheme regulations may specify.

4. The Local Pension Board will ensure that the Code of Practice on governance and administration issued by the Pensions Regulator is complied with. The Board will also ensure that it complies with the knowledge and understanding requirements in the Pensions Regulator's Code of Practice.

5. The Local Pension Board is accountable to the Pensions Regulator, the National Scheme Advisory Board and the Administering Authority in their role as Scheme Manager.

6. The principal functions of the Local Pension Board shall include, but not be limited to:

   - reviewing decision making processes, policies and procedures to ensure they are compliant with relevant Regulations;
   - seeking assurance that these are followed and adhered to with regard to Pensions decisions;

- seeking assurance that administration performance is in compliance with the Authority's performance framework and that monitoring arrangements are adequate and robust;
- considering the effectiveness of communication with employers and scheme members including a review of the Communication Strategy; considering and commenting on internal audit recommendations and external auditor reports.

7. Any complaint or allegation of a breach of the Regulations brought to the attention of the Local Pension Board shall be dealt with in accordance with the Code of Practice as published by the Pensions Regulator.

Frequency and Notice of Meetings

8. The Local Pension Board shall meet sufficiently regularly to discharge its duties and responsibilities effectively; four meetings will be scheduled during each financial year.

9. The Members' Liaison Officer shall give notice to all Local Pension Board members of each meeting of the Board, including the date, location and time of the meeting and shall ensure that a formal record of the Local Pension Board proceedings is maintained.

10. Papers will be provided three working days before each of the formal Local Pension Board meetings.

11. All agendas and non-confidential Local Pension Board papers and minutes of meetings will be published on NWFRA' website, together with the Board Terms of Reference and details of the Board membership.

Membership

12. The Local Pension Board shall consist of no fewer than 6 members (in total), and must include an equal balance of employer and scheme member (employee) representatives. These shall be constituted as follows:

Constituency	**Definition/Constraints**
Employer	To represent NWFRA
Scheme Member (employee)	To represent all members of the scheme (active, deferred and pensioner)

13. The term of office for all members of the Board will fall in line with council elections and therefore it is anticipated that the membership will remain until 2022. Members may at the end of their term, express a wish to be considered for re-election.

14. Local Pension Board members must meet key attendance and training requirements to retain their membership during this period. All members must:

    - endeavour to attend all meetings of the Board
    - comply with the training plan produced by the Pensions Manager
    - ensure compliance with the Pension Regulator's Code of Practice.

15. Each Employer Representative and Scheme Member Representative will have an individual voting right.

16. All members within the Firefighters' Pension Schemes must have an equal opportunity to be nominated for the role of member representative.

17. For the purpose of appointing employer representatives to the Board, nominations will be sought from all Fire and Rescue Authority members. The Treasurer and Monitoring Officer (or deputy) will also provide employer representation.

18. For the purpose of appointing scheme member (employee) representatives to the Board, nominations will be requested through the Departmental Representatives and Trade Union Forum with further nominations being sought via an advert placed on the Authority's website. Where more than three nominations are received candidates will be considered, shortlisted and interviewed by a representative of the Scheme Manager who will then make recommendations to the Chief Fire Officer to formally appoint.

19. If a Local Pension Board member acting as an employer representative leaves the employment of the employer they are representing they will no longer be eligible to sit on the Board.

20. In the event of consistent non-attendance of a Board member, or for failure to meet key attendance and training requirements as set out in (13) above, the tenure of that membership will be reviewed. In the case of a member representative, this will be done by a representative of the Scheme Manager who may make recommendation for the membership to be revoked if considered necessary.
    In such event, there will be a right of appeal to the Chief Fire Officer prior to any recommendation. In the case of an employer representative, any such decision will be considered by the chair of the Fire and Rescue Authority.

21. If an employer or scheme member representative wishes to resign they must write to the Chief Fire Officer, giving at least one month's notice.

22. The Chairperson of the Local Pension Board will be rotated on a bi-annual basis between a member representing employers and those representing scheme members.

23. It will be the role of a representative acting as Chairperson to:

    - agree and set the agenda for a meeting of the Board
    - manage the meetings to ensure that the business of the meeting is completed in the agreed time
    - ensure that all members of the Board show due respect for process and that all views are fully heard and considered
    - strive as far as possible to achieve a consensus as an outcome
    - ensure that the actions and rationale for decisions taken are clear and properly recorded.

24. Due to the specialist nature of the work of the Board, personal attendance at all meetings is expected of all Board members with no provision for a substitute. However, deputies would be allowed, but they would be responsible for maintaining their own training to ensure they were *au fait* with pensions issues.

25. The Board may, with the approval of the Chief Fire Officer, co-opt persons who are not members to aid the Board for a period of time or for a specific task where this would provide additional skills, knowledge or experience. The co-opted members would not be permitted to vote.

Quorum

26. Four of the Board members must be participating for a meeting to be quorate. If the Chairperson is not participating in a meeting and there is a quorum then the participating members must choose a Chairperson to preside over that meeting.

Knowledge and Skills

27. A member of the Pension Board must be conversant with:

    - the legislation and associated guidance of the four Firefighter Pension Schemes;
    - any policies, procedures or decision making processes about the administration of the Schemes adopted by NWFRA and Dyfed Pension Fund.

28. A member of the Local Pension Board must have knowledge and understanding of the law relating to pensions and any other matters which are prescribed in Regulations.

29. It is for individual Pension Board members to be satisfied that they have the appropriate degree of knowledge and understanding to enable them to properly exercise their functions as a member of the Pension Board.

30. Pension Board members are required to be able to demonstrate their knowledge and understanding and to refresh and keep their knowledge up to date. Pension Board members are therefore required to maintain a written record of relevant training and development.

31. Pension Board members must confirm to the Pensions Manager within six months of joining the Board that they have completed the Pension Regulator training.

32. During the first meeting of the financial year, Pension Board members must consider and agree an annual training programme.

Standards of Conduct and Conflicts of Interest

33 The role of the Local Pension Board members requires the highest standards of conduct and therefore the 'seven principles of public life' will be applied to all Local Pension Board members. Board members will be required to observe the members' code of conduct and data protection policies of NWFRA. The Board is required to always act within these terms of reference. In accordance with the Public Service Pension Act 2013 a board member must not have a financial or other interest that could prejudice them in carrying out their Board duties. This does not include a financial or other interest arising merely by virtue of membership of the FPS.

34 As such all members of the Local Pension Board will be required to declare any interests and any potential conflicts of interest in line with the requirements of the Public Service Pensions Act 2013 and the Pension Regulator's Code. These declarations are required as part of the appointment process, as well as at regular intervals throughout a member's tenure.

Reporting

35 The Board is expected to produce an annual report to the Fire and Rescue Authority which should include:

- a summary of the work of the Local Pension Board and a work plan for the coming year
- details of areas of concern reported to or raised by the Board and recommendations made
- details of any conflicts of interest that have arisen in respect of individual Local Pension Board members and how these have been managed
- any areas of risk or concern the Board wish to raise with the Scheme Manager
- details of training received and identified training needs
- details of any expenses and costs incurred by the Local Pension Board and any anticipated expenses for the forthcoming year.

36 Although the Board is only required to produce a single annual report, minutes for each meeting of the Board will be published on the Authority's website.

37 Should the Board have concerns believed to be sufficiently serious that they should be reported at a higher level than is standard (to the Pensions Manager) they should report to the Chief Fire Officer. This may include, but not be limited to, occasions where the Board feel that previous recommendations have not been acted upon. In extreme cases such as a fundamental breach of Regulations or a fundamental failure by the Administering Authority to ensure effective governance of the fund, the Board may consider reporting to the National Scheme Advisory Board and/or the Pensions Regulator.

Remuneration

38 Remuneration for members of the Local Pension Board will be limited to a refund of actual expenses incurred in attending Board meetings and training. It is expected that employers of board members will provide appropriate capacity to allow the member to perform this role within their normal working day without any reduction to pay.

39 Expense claims should be submitted no later than 1 month following the incursion.

Publication of Local Pension Board Information

40 Up to date information will be posted on NWFRA' website showing:

- names and information of the Local Pension Board members
- how the scheme members and employers are represented on the Local Pension Board
- responsibilities of the Local Pension Board as a whole
- full terms of reference and policies of the Local Pension Board and how they operate
- Local Pension Board appointment process.

Review

41 These terms of reference were formally adopted by the Board at its first meeting on 20 April 2015 and are reviewed annually to or upon statutory or regulatory changes in line with paragraph 41.

42 The Chief Fire Officer is authorised to make minor amendments, consequential upon statutory or regulatory change, or to update arrangements consequential on other external factors.

Chief Fire Officer's Scheme of Delegation

North Wales Fire and Rescue Authority has resolved to delegate its decision making powers in the areas listed below to the Chief Fire Officer to take any such decisions on the Authority's behalf

1. The Chief Fire Officer may delegate any of his functions to an employee of the North Wales Fire and Rescue Authority; and may arrange for his functions to be discharged by employees of other local authorities (including employees of other fire and rescue authorities).

2. Exercise of incidental powers under section 5 of the Fire and Rescue Services Act 2004, except appointment of elected members to external bodies such as the Council of the Welsh Local Government Association.

3. In accordance with the Combined Improvement and Wellbeing Plan and any policies approved by the Authority, decisions on discharge of the functions of the Authority under sections 6 to 12 of the Fire and Rescue Services Act 2004.

4. Making, varying or revoking any arrangements with other persons in accordance with sections 13 to 17 of the Fire and Rescue Services Act 2004.

5. Decisions on charges under section 19 of the Fire and Rescue Services Act 2004, in accordance with the Authority's policy on charging.

6. Decisions on exercise of powers at sea or under the sea under section 20 of the Fire and Rescue Services Act 2004.

7. To the extent not already covered above: decisions on operational deployment of staff, equipment and use of buildings in accordance with the Combined Improvement and Wellbeing Plan. This delegation does not include the power to close a fire station unless that is explicitly mentioned in the Plan or has been the subject of a resolution by the Authority.

8. Agreements etc. in respect of water supply under Part 5 of the Fire and Rescue Services Act 2004.

9. "Exercise of inspection, enforcement, advisory and consultative powers in respect of fire prevention. This delegation includes but is not limited to the Authority's functions under the Health and Safety at Work etc Act 1974 and regulations made thereunder, the Building Act 1984, the Housing Act 2004, the Regulatory Reform (Fire Safety) Order 2005, the Licensing Act 2003, the Gambling Act 2005, Safety of Sports Grounds Act 1975 and the Fire Safety and Places of Sport Act 1987.

10. To act on behalf of the Authority as pension scheme manager and to take all necessary decisions to implement, administer, amend and review practices, policies, procedures and protocols as a Local Government Pension Scheme employer on pensions and/or superannuation on behalf of the Authority to accord with statutory or local requirements.

11. In accordance with the policies for the time being adopted by the Authority, decisions on all personnel issues for employees of the Authority including appointments, discipline, pensions, appeals, authorisations under sections 45 to 46 of the Fire and Rescue Services Act 2004, leave etc.

This delegation does not apply to:

(1) the permanent appointment of the Chief Fire Officer, Deputy and Assistant Chief (Fire) Officers;
(2) disciplinary proceedings commenced against, or pay or pension matters relating to, the Chief Fire Officer;
(3) acting as appeals panel under the discipline, grievance and capability procedures where that role is conferred on the Authority;
(4) decisions on use of discretionary powers under the Firefighters' Pension (Wales) Scheme or the Local Government Pension Scheme Regulations;
(5) to the extent not already covered by (1) to (4), any decision where member involvement is required under legislation or any relevant national or local agreements.

NORTH WALES FIRE AND RESCUE AUTHORITY

STANDING ORDERS

PART I: DEFINITIONS

STANDING ORDER 1: DEFINITIONS

(1) In these Standing Orders, unless the context otherwise demands, the following terms have the meaning assigned to them:

"Authority" – the North Wales Fire and Rescue Authority acting by means which they may lawfully adopt;

"Chief Officer" – the Chief Fire Officer, the Deputy Chief Fire Officer, the Assistant Chief Fire Officers, the Assistant Chief Officers, the Clerk and the Treasurer to the Authority;

"Committee" – a committee of the Authority;

"Clerk" – is the Monitoring Officer and Constitutional Adviser to the North Wales Fire and Rescue Authority

"Deputy Clerk" – is the Deputy Monitoring Officer and Constitutional Adviser to the North Wales Fire and Rescue Authority

"Employee" – an employee of the Authority or holder of a paid office under the Authority other than the Chair, Deputy Chair or Fire and Rescue Authority member;

"Leader of a political group" – the leader of a political group as defined in the Local Government (Committees and Political Groups) Regulations 1990;

"Meeting" – a meeting of the Authority, a committee or a sub-committee as the case may be;

"Member" – in relation to the Authority, a member of the Authority; in relation to any committee or sub-committee a person appointed as a member of that committee or sub-committee, whether or not entitled to vote;

"Monitoring officer" – the person designated under section 5 of the 1989 Act (designation and reports of monitoring officer) or, if that person is unable to act owing to absence or illness, the person nominated as his/her deputy under subsection (7) of that section;

"Number of members" – in relation to the Authority, the number of persons who may act at the time in question as members of the Authority, and, in relation to a committee or sub-committee, the number of persons who may act at the time in question as voting members of that body;

"Person presiding" – the person entitled, or appointed, to preside at any meeting;

"Political group" – a political group as defined in the Local Government (Committees and Political Groups) Regulations 1990;

"Proper officer" – the Clerk to the Fire and Rescue Authority except for those matters for which the Chief Fire Officer or the Treasurer is specifically designated as the proper officer;

"Sub-committee" – a sub-committee of a committee;

"The 1972 Act" – the Local Government Act 1972;

"The 1989 Act" – the Local Government and Housing Act 1989;

"The 1994 Act" – the Local Government (Wales) Act 1994;

"The 1995 Combination Scheme" – the North Wales Fire Services (Combination Scheme) Order 1995;

"The 2000 Act" – Local Government Act 2000;

"The 2004 Act" – the Fire and Rescue Services Act 2004;

The Regulatory Reform (Fire Safety) Order 2005

Combined Fire and Rescue Services Schemes (variation) Wales Order 2009

Local Government (Wales) Measure 2009

Local Government (Wales) Measure 2011

Welsh Government's Fire and Rescue National Framework 2016

The Wellbeing of Future Generations (Wales) Act 2015

"The whole number of members" – in relation to the Authority, the total number of persons who may become members of the Authority, as defined in Part III of the 1995 Combination Scheme.

"Without comment" – in relation to the moving, seconding or putting of a motion, without any person speaking except to indicate the wording of the motion, the fact that it is being moved, seconded or put, or (in the case of the person presiding) the effect of adopting the motion.

(2) Unless the context otherwise requires, the singular includes the plural and the plural includes the singular.

(3) Any reference in any standing order to a numbered paragraph is, unless the context otherwise requires, a reference to the paragraph of that standing order bearing that number.

PART II: MEETINGS OF THE AUTHORITY

STANDING ORDER 2: STANDING ORDERS

(1) No arrangements shall be made whereby a committee, sub-committee or officer may exercise any power of the Authority to vary, revoke or add to these standing orders.

(2) Any motion to vary, revoke or add to these standing orders, when moved and seconded, shall stand adjourned without further discussion to the next ordinary meeting of the Authority, and the proper officer shall prepare an appropriate report to that meeting.

(3) This standing order and standing orders 17(2) and 22 are not capable of being suspended.

(4) Any of the other standing orders may be suspended at the meeting where its suspension is moved provided that either:

(a) notice of intention to move such suspension has been included in the agenda for the meeting;

or

(b) at least one half of the number of the members of the Authority or committee or sub-committee are present, at least two thirds of whom vote for the suspension.

(5) A copy of these standing orders shall be given by the proper officer to each member on appointment.

(6) The ruling of the person presiding at any meeting as to the construction or application of any of these standing orders shall not be challenged at that meeting.

STANDING ORDER 3: ROLE OF THE FIRE AND RESCUE AUTHORITY

(1) To perform all the duties and responsibilities of a Fire and Rescue Authority in accordance with appropriate legislation and regulations, in particular the Fire and Rescue Services Act 2004 and the 1995 Combination Scheme.

(2) To approve the Improvement and Well-being Plan.

(3) To approve the revenue and capital budgets and the contributions by the constituent councils.

(4) To monitor the revenue and capital budgets and deal with any significant variations, including decisions on any revised contributions.

STANDING ORDER 4: ORDINARY MEETINGS OF THE AUTHORITY

(1) The annual meeting and ordinary meetings of the Authority shall be held in a format to be agreed by the Authority itself. Meetings may be held wholly in person, with some people physically present and some people participating remotely or wholly remotely. They will be webcast live.

(2) Meetings of the Authority shall take place a minimum of four times per year and the annual meeting shall take place no later than June. These meetings will take place in accordance with a schedule of meetings published by the Authority unless otherwise determined by the Chair in consultation with the Clerk and Chief Fire Officer.

STANDING ORDER 5: EXTRAORDINARY MEETINGS OF THE AUTHORITY

(1) The Chair of the Authority may at any time call an extraordinary meeting of the Authority.

(The 1972 Act, Sch. 12. par.3)

(2) If the Chair refuses to call an extraordinary meeting of the Authority after a requisition for that purpose, signed by five members of the Authority, has been presented to him/her, or, if without so refusing, the Chair does not call an extraordinary meeting within seven days after the requisition has been presented to him/her, then, any five members of the Authority, on that refusal or on the expiration of those seven days, as the case may be, may forthwith call an extraordinary meeting of the Authority.

(The 1972 Act, Sch 12, par 3)

(3) Where any person or persons decide to call an extraordinary meeting of the Authority, he/she shall signify to the proper officer that he/she has done so, the business to be transacted and the date and time for which the meeting is called. The proper officer shall thereupon ensure that the notices and summonses required by paragraph 4(2) of Schedule 12 to the 1972 Act are published and sent.

(4) Any extraordinary meeting of the Authority which may be called shall be held at such places as the Chair of the Authority may appoint.

STANDING ORDER 6: PERSON PRESIDING AT MEETINGS OF THE AUTHORITY

(1) At a meeting of the Authority the Chair, if present, shall preside.

(2) If the Chair is absent from a meeting of the Authority, then the Deputy Chair of the Authority, if present, shall preside, or

(3) If the Chair and Deputy Chair of the Authority are absent from a meeting of the Authority then:

another member of the Authority chosen by the members of the Authority present shall preside.

(The 1972 Act, Sch 12, par 5)

(4) Any power of the Chair of the Authority in relation to the conduct of a meeting of the Authority may be exercised by the person presiding at the meeting.

(5) If it is necessary to choose a member of the Authority to preside in the absence of the Chair and Deputy Chair, the proper officer shall call on a member of the Authority to move that a member of the Authority to be named by that member shall take the chair.

(6) If discussion arises on that motion, the proper officer shall exercise the powers of the person presiding to regulate that discussion, and to maintain order at the meeting.

STANDING ORDER 7: QUORUM OF MEETINGS OF THE AUTHORITY

(1) No business shall be transacted at a meeting of the Authority unless at least one third of the whole number of members of the Authority are present.

(The 1995 Combination Scheme, Part III)

2) If, during any meeting of the Authority, the person presiding, after causing the number of members present to be counted, declares that there is not a quorum present, the meeting shall stand adjourned. If the person presiding then believes that it will be unlikely that a quorum will be present in the next fifteen minutes, the meeting shall end.

(3) Notwithstanding any provision in these standing orders that notices of questions or motions shall lapse, the consideration of all business which is on the agenda of a meeting brought to an end under the previous paragraph and which has not been completed before the meeting is brought to an end shall be postponed to the next meeting of the Authority, whether ordinary or extraordinary.

STANDING ORDER 8: ORDER OF BUSINESS AT MEETINGS OF THE AUTHORITY

(1) Unless the Authority otherwise order in accordance with paragraph (3), the order of business at every meeting of the Authority shall be:

(a) in the absence of the Chair and Deputy Chair, to choose a member of the Authority to preside;

(b) at the annual meeting, and at any other meeting which is the first after the office of the Chair shall have become vacant, to elect a Chair;

(c) to receive any declarations of interest from the members present;

(ch) at the annual meeting, and at any other meeting which is the first after the office of Deputy Chair shall have become vacant, to appoint a Deputy Chair;

(d) except where the minutes of all earlier meetings of the Authority have already been signed as a correct record, to approve as a correct record the minutes of the last ordinary or extraordinary meeting of the Authority, and of any earlier ordinary or extraordinary meeting of which the minutes have not been so approved, and for the person presiding to sign them;

(dd) to receive communications from the person presiding and any necessary disclosure of interest by any member or officer;

(e) where the meeting has been called under Standing Order 5, to consider the business specified in the summons;

(f) where a meeting has been summoned to consider:

(i) a report from the proper financial officer under section 114 of the Local Government Finance Act 1988;

(ii) a report of the monitoring officer under section 5 of the 1989 Act,

(iii) to consider the business for which the meeting has been summoned;

(ff) where the meeting is the last ordinary meeting before 15th February in any year, and where the Authority has not yet resolved to do so, to assess or vary the contributions to be paid into the combined Fire Service fund by the constituent Authorities;

(g) to receive petitions from members of the Authority;

(ng) the asking and answering of questions notice of which has been given under standing order 10;

(h) to consider items of business, if any, which were on the agenda of the last meeting of the Authority and which were not disposed of or did not lapse;

(i) in the order prescribed under paragraph (2), to receive and consider reports of committees on matters on which a decision by the Authority is required;

(j) to receive and consider reports from chief officers of the Authority;

(l) to authorise the sealing of documents so far as the Authority's authority is required by statute or these standing orders;

(ll) to consider motions of which notice has been submitted by members of the Authority in accordance with standing order 9 in the order in which they are recorded as having been received;

(m) to consider other business, if any, specified in the summons for the meeting.

(2) The items of business under item (i) in the last paragraph shall be considered in the order in which they are listed in the agenda for the meeting, and that order shall be in accordance with arrangements determined by the Chair of the Authority.

(3) The order of business in paragraph (1) may be varied by

(a) direction of the person presiding, made with the majority consent of the members present; or

(b) a resolution of the Authority, moved, seconded and put without comment.

(4) If the person presiding decides that an item of business not included in the agenda for the meeting sent with the summons for the meeting may be taken for reasons of urgency, that item shall, subject to any direction or resolution under paragraph (3), be taken at the end of the other items of business.

STANDING ORDER 9: NOTICE OF MOTIONS

(1) Any member of the Authority may give notice of not more than three motions.

(2) Notice of every motion to be moved at a meeting of the Authority other than a motion which, under standing order 18, may be moved without notice shall be given in writing, signed by the member or the members of the Authority giving the notice. The notice shall state for which meeting of the Authority the notice is given.

(3) Unless the person presiding at the meeting is of the opinion that a motion should be considered as a matter of urgency, notice of every motion of which notice is required shall be delivered to the proper officer at least fourteen clear days before the day of the meeting for which the notice is given.

(4) The proper officer shall not accept any notice of motion which, by reason of any enactment or any provision in these standing orders other than paragraph (9) below, could not be considered at the meeting for which it is given.

(5) The proper officer shall record the time and date at which every such notice is delivered to him/her. That record shall be open to the inspection of every member of the Authority.

(6) Every motion shall be relevant to some matter in relation to which the Authority has functions.

(7) A motion shall only be moved by a member by whom notice has been given, or by a member authorised by such a member.

(8) Where notice of a motion has been given for any meeting, and that motion is neither moved (for whatever reason) nor deemed to have been referred to a committee, the notice shall lapse, and the motion shall not be moved without further notice.

(9) Subject to paragraph (11) below, where a notice of motion has been given for any meeting and that motion is within the terms of reference of any committee of the Authority, the motion shall be deemed to have been referred by that meeting to the next meeting of the committee or committees within whose terms of reference it falls. A memorandum appended to the minutes of that meeting shall record the references that are deemed to have been so made. If any question arises as to the committee to which the motion is to be referred, it shall be determined by the Chair of the Authority.

(10) Where a motion has been referred, or is deemed to have been referred, to a meeting of a committee, that committee shall consider it at their next meeting and shall either report upon the motion to the next meeting of the Authority, or include their views upon the motion in their next report to the Authority.

(11) Notwithstanding paragraph (9), a motion may be considered without first being referred to a committee if the Authority so resolve on a motion, of which notice under paragraph (1) above is required, but which shall be moved, seconded, and put without comment.

(12) If notice is given under this standing order of any motion which, in the opinion of the proper officer, could properly be moved as an amendment to a motion for adoption of a recommendation of a committee which will be before the Authority, it shall not be accepted or placed on the agenda without the consent of the Chair of the Authority. In the event of non-acceptance the proper officer shall so inform the member giving the notice.

STANDING ORDER 10: QUESTIONS

(1) At the discretion of the Chair of the Authority, a member of the Authority may ask the Chair of a committee any question upon an item of the report of a committee when that item is under consideration by the Authority.

(2) A member of the Authority may:

(a) if three clear days' notice in writing has been given to the proper officer, ask a Chair of any committee any question relating to business of the Authority;

(b) at the discretion of the Chair, put to him/her or to the Chair of any committee any question relating to an urgent matter, of which such notice has not been given, provided that any such question has been provided to the proper officer before the start of the meeting.

(3) Every question shall be put and answered without discussion but the questioner may ask one supplementary question arising out of the reply.

(4) Where a question is addressed to the Chair of the Authority or to the Chair of a committee and the information sought is contained in any of the Authority's publications, it shall be deemed a sufficient reply if the relevant publication is named. The provision of a written reply to any question may be circulated to members of the Authority at the start of the meeting.

(5) No member is allowed to submit a notice of more than two questions for each meeting.

(6) No more than 30 minutes may be spent on questions pursuant to paragraph (2) at any one meeting of the Authority. If questions remain unanswered at the expiration of that time, the questions and answers shall be circulated in a written form to members and press and included in due course in the minutes of the meeting.

STANDING ORDER 11: PRESENTATION OF PETITIONS

(1) At a meeting of the Authority any member of the Authority may present a petition, signed by persons other than members of the Authority, which is relevant to some matter in relation to which the Authority has functions. The member presenting the petition shall satisfy himself/herself that the petition is proper to be received.

(2) A member wishing to present a petition shall give notice of his/her intention to do so to the proper officer before the beginning of the meeting at which he/she wishes to present it.

(3) The presentation of a petition shall be limited to not more than three minutes, and shall be confined to reading out, or summarising, the prayer of the petition, indicating the number and description of the signatories, and making such further supporting remarks relevant to the petition as the person presenting it shall think fit.

(4) Petitions shall be presented in the order in which notice of them is received by the proper officer.

PART III: COMMITTEES AND SUB-COMMITTEES

STANDING ORDER 12: APPOINTMENT OF COMMITTEES AND SUB-COMMITTEES

(1) (a) There shall be an Executive Panel comprising, the Chair and Deputy Chair of the Authority and two members selected from among the members of each of the six constituent Authorities. These members may be selected by the constituent authority and the Clerk will be notified.

(b) The terms of reference of, and functions to be discharged by, the Panel shall be as resolved by the Authority from time to time.

(c) These standing orders shall apply to the Executive Panel as if it were a committee of the Authority except for standing order 14(2).

(ch) The Chair, or, in his or her absence, the Deputy Chair, shall preside in meetings of the Panel.

(2) (a) There shall be an Audit Committee consisting of the members who are not on the Executive Panel. They will have:

(b) The terms of reference of, and functions to be discharged by, the Committee shall be as resolved by the Authority from time to time.

(c) These standing orders shall apply to the Audit Committee as if it were a committee of the Authority except for standing order 14(2).

(ch) The Audit Committee will appoint the Chair and Deputy Chair for ratification at the following Authority meeting.

(3) (a) There shall be a Standards Committee consisting of 4 independent members and 2 members of the Authority, appointed by the Authority.

(b) The terms of reference of the Standards Committee shall be as resolved by the Authority from time to time.

(c) Standing order 17 (minutes) shall apply to the Standards Committee but otherwise the following standing orders of the Authority shall not apply to the Committee: 3, 4, 5, 6, 7, 8, 20, 27 and 28.

(ch) The Standards Committee shall regulate itself in accordance with the requirements of legislation and such rules as the Committee itself may set.

(4) (a) The Authority may at any time resolve to establish any other committee, including its terms of reference and how many voting members it shall have.

(b) The Authority may resolve that non-voting members, assessors and advisers shall also be appointed to any such committee.

(c) A resolution to make appointments under sub-paragraph (b) shall specify what number of appointments are to be made and what functions in relation to the committee each person so appointed may exercise.

(ch) The Authority may resolve what limitations shall be placed on the power of any such committee to arrange for the discharge by a sub-committee of any of the committee's functions.

(d) The Authority may at any time amend resolutions under this paragraph, including resolving that a committee should cease to exist.

(5) Every committee set up under paragraph (3), and every sub-committee set up by such a committee, shall continue to discharge the functions committed to them until the Authority or committee, as the case may be, resolve otherwise.

(6) Subject to section 102(5) of the 1972 Act (councillor not re-elected to cease to be a member of a committee), any other relevant statutory provision and paragraph (7), every person appointed as a voting member of such a committee or sub-committee and every person appointed to exercise other functions in relation to a committee or sub-committee shall continue as such until the appointment is terminated by the Authority, or in accordance with paragraph (7).

(7) Whenever:

(a) the Authority is required to review the allocation of seats on committees between political groups, or

(b) the Authority resolves to carry out such a review, or

(c) a committee is required to review the allocation of seats on a sub-committee between political groups, or

(ch) a committee resolves to carry out such a review, the proper officer shall submit a report to the Authority or committee (as the case may be), showing what allocation of seats would, in his/her opinion, best meet the requirements of section 15(4) of the 1989 Act.

(8) In the light of such a report, the Authority or committee, as the case may be, shall determine the allocation of seats to political groups.

(9) Whenever an appointment of a voting member of a committee or sub-committee falls to be made in accordance with the wishes of a political group to whom the seat has been allocated, and whenever such an appointment falls to be terminated in accordance with such wishes, then the proper officer shall make or terminate the appointment accordingly.

(10) Every committee may appoint sub-committees for such purposes as they think fit, provided that no standing sub-committee may be appointed without the approval of the Authority after consideration of a report by the proper officer.

(11) The Chair and Deputy Chair of the Authority may attend and speak (but may not vote) at a meeting of a committee of which they are not voting members.

(12) The person appointed to preside at the meetings of a committee, and his/her deputy, may attend and speak at a meeting of any sub-committee appointed by that committee, but may not vote unless appointed as a voting member.

(13) A member of the Authority who is not otherwise entitled to attend and 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.

(a) during consideration of any motion of which notice has been given which he/she has moved or seconded at a meeting of the Authority and which has been referred to that committee or sub-committee; or

(b) with the agreement of the person presiding at the meeting of the committee or sub-committee; or

(c) by giving at least two clear days written notice to the proper officer of his/her intention to do so and of the matter on the agenda for the meeting on which he/she wishes to speak.

STANDING ORDER 13: MEETINGS OF COMMITTEES AND SUB-COMMITTEES

(1) The Authority may fix the date, time and place of ordinary meetings of committees and sub-committees.

(2) If the Authority does not fix the date, time or place of an ordinary meeting of a sub-committee, the committee which appointed it may do so.

(3) If the date, time or place of an ordinary meeting of a committee or sub-committee has not been fixed by the Authority or the appointing committee (as the case may be), that committee or sub-committee shall fix those details of the meeting which have not otherwise been fixed:

provided that:

(a) for the first ordinary meeting of any committee or sub-committee, the Chair of the Authority or, if a person has been appointed to preside in a committee, that person may fix any details which have not otherwise been fixed;

(b) for any other meeting of a committee or sub-committee, the Chair of the Authority or the person appointed to preside in that committee or sub-committee, after consultation (so far as practicable) with such persons as appear to him/her to be representative of the political groups to which have been allocated seats on the committee or sub-committee, may cancel or change any of the details of place, date or time already fixed for a meeting of the committee or sub-committee, other than one called under paragraph (5).

(4) The person appointed to preside at meetings of a committee or sub-committee, his/her deputy, or the Chair of the Authority may call a special meeting of the committee or sub-committee at any time.

(5) If:

(a) a requisition for a special meeting of a committee or sub-committee signed by at least one-third of the number of the members of the committee or sub-committee, whichever is greater may forthwith call a special meeting; and

(b) either he/she has refused to call a meeting or, without him/her so refusing, no special meeting has been called within seven days of the presentation of the requisition.

(6) If any person decides to call a special meeting of a committee or sub-committee, he/she shall forthwith give notice that he/she has done so to the proper officer, specifying the business proposed to be transacted. The proper officer shall forthwith give notice to all members of the committee or sub-committee and all persons entitled to receive their papers.

(7) Any requisition under paragraph (5) may be presented by being provided to the proper officer.

STANDING ORDER 14: PERSONS PRESIDING IN COMMITTEES AND SUB-COMMITTEES

(1) If the Chair and Deputy Chair are appointed by the Authority as voting members of a committee, the Chair (or, in his or her absence the Deputy) shall preside in meetings of the committee.

(2) Subject where appropriate to paragraph (1) each committee and sub-committee at their first meeting after the annual meeting of the Authority shall, from among their voting members, appoint a person to preside at their meetings for the ensuing year, and shall, in the same way, appoint a person to preside in the absence of the first person.

(3) If the persons appointed under the previous paragraph of this standing order are absent, a meeting of a committee or sub-committee shall appoint, from among the voting members present, a person to preside at that meeting.

(4) Whenever it is necessary for the committee or sub-committee to appoint a person to preside, the proper officer shall call on a voting member of the committee or sub-committee to move that an eligible voting member of the committee or sub-committee to be named by that member shall take the chair.

(5) If discussion arises, the proper officer shall exercise the powers of the person presiding to regulate that discussion, and to maintain order at the meeting.

STANDING ORDER 15: QUORUM OF COMMITTEES AND SUB-COMMITTEES

(1) No business shall be transacted at any meeting of a committee or sub-committee unless at least one third of the number of members of the committee or sub-committee, as the case may be, are participating in the meeting.

(2) The provisions of standing order 7 shall apply to a meeting of a committee or sub-committee at which a quorum is not present as they would apply if it were a meeting of the Authority.

STANDING ORDER 16: ORDER OF BUSINESS IN COMMITTEES AND SUB-COMMITTEES

(1) At least three clear days before every meeting of a committee or sub-committee, or as soon as the meeting is called, whichever is later, the proper officer shall send to every voting member, and to every other person entitled to receive the same, a copy of the agenda for the meeting.

(2) The agenda shall include

(a) all items of business which have been, or are deemed to have been, referred to the committee or sub-committee by the Authority or by another committee or sub-committee, as the case may be;

(b) all reports submitted to the committee or sub-committee by the Chief Fire Officer, the Clerk to the Authority, the Treasurer to the Authority or any other Chief Officer;

(c) any item of business directed to be included by the person appointed to preside at the meetings of the committee;

(ch) any other item of business of which the requisite notice has been given to the proper officer by a member of the Authority whether or not he/she is a member of the committee or sub-committee and which is within the terms of reference of the committee or sub-committee; provided that no member (other than the person appointed to preside at meetings of the committee or sub-committee) may give notice of more than one item of business for any one meeting;

(d) To receive declarations of interest by Members of the Authority.

(e) Details of how to access, and if possible, participate in the meeting

(3) The requisite notice is fourteen clear days' notice in writing before the date fixed for the meeting of the committee or sub-committee.

(4) Any member of the Authority shall have, whether or not he/she is a member of the committee or sub-committee, and any other member of the relevant sub-committee:

(a) if three clear days' written notice have been given to the proper officer, the right to ask of the Chair of the committee or sub-committee, any question related to the business of that committee or sub-committee;

(b) at the discretion of the Chair of the committee or sub-committee, the right to ask him/her any question on an urgent matter, notice of which had not been given, subject to the receipt by the proper officer of a copy of the said question before the meeting.

Paragraphs 3 to 6 of Standing Order 10 shall also be applied to questions asked in accordance with this paragraph.

(5) Subject to any directions given by the person appointed to preside at the meetings of the committee or sub-committee, the items of business shall be arranged in such order as the proper officer thinks will best ensure the effective despatch of business.

PART IV: CONDUCT OF MEETINGS

STANDING ORDER 17: RECORD OF DECISIONS AND MINUTES

(1) Within 7 days of a meeting taking place a record of decision containing the following information will be published on the Authority's website:
(a) the names of the members who attended the meeting and any apologies for absence
(b) any declarations of interest
(c) any decision taken at the meeting, including the outcome of any votes, but excluding anything relating to a decision taken when the meeting was not open to the public

(2) Subject to paragraphs (3) and (4) minutes of every meeting of the Authority, of any committee or of any sub-committee shall be submitted to, and signed at, that meeting or at the next suitable meeting of the body concerned.

(3) Where in relation to any meeting of the Authority the next such meeting is a meeting called under paragraph (3) (extraordinary meetings) of Schedule 12 to the 1972 Act, the next following meeting of the Authority (being a meeting called otherwise than under that paragraph) shall be the next suitable meeting for the purpose of paragraph (2).

(4) The person presiding shall propose that the minutes submitted to the meeting be approved as a correct record of that meeting, or of a specified former meeting, as the case may be.

(5) No discussion shall take place upon the minutes, except upon their accuracy. Any question of their accuracy shall be raised by motion. If no such question is raised or, if it is raised then as soon as it is disposed of, the person presiding shall sign the minutes.

(6) All minutes and every record of decision shall be in Welsh and English.

STANDING ORDER 18: MOTIONS AND AMENDMENTS

(1) The following motions may be moved by a voting member without notice at any meeting at which they would be in order:

(a) to appoint a person to preside at the meeting at which the motion is made;

(b) motions relating to the accuracy of the minutes;

(c) motions under standing order 8(3) (change in order of business);

(ch) motions extending the time limit for speeches;

(d) "that the Authority (or committee or sub-committee) proceed to the next business";

(dd) "that the question be now put";

(e) "that the debate be now adjourned";

(f) "that the Authority (or committee or sub-committee) do now adjourn";

(ff) motions under standing order 2(4)(b) (suspension of standing orders without notice);

(g) motions in accordance with section 100A(2) or (4) of the 1972 Act to exclude the public from a meeting where there is likely otherwise to be disclosure of exempt or confidential information;

(ng) motions giving consent of the Authority, committee or sub-committee where it is required under these standing orders;

(h) motions to refer a petition which has been presented to the Authority to a committee for consideration;.

(i) where a matter has been remitted to a committee or sub-committee, a motion to appoint a special committee or sub-committee to consider the matter;

(j) motions under standing order 21 (prevention of disorderly conduct) that a named member be not further heard, or do leave the meeting;

(l) motions authorising the sealing of documents;

(ll) motions arising from correspondence or other items specified in the summons to the meeting.

(2) On consideration of a report or a recommendation from a committee, sub-committee or officer, the adoption of the report or recommendation and any resolutions consequential upon that adoption may be moved by a voting member without notice.

(3) An amendment to a motion may be moved by a voting member without notice, but shall be relevant to the motion. No amendment shall be moved to an amendment.

(4) An amendment shall be either to refer the matter to a committee, a sub-committee or an officer for consideration (or reconsideration), to leave out words, or to insert or to add other words, but such omission, insertion or addition of words shall not have the effect of simply negating the motion before the meeting. In respect of a motion to adopt a report of a committee or sub-committee, an amendment relevant to one or more items in the report which does not comprise the whole of the report does not amount to negating the motion.

(5) With the consent of the meeting, signified without discussion, a voting member may

(a) alter a motion of which he/she has given notice, or

(b) with the further consent of the seconder, alter a motion which has been moved and seconded, if (in either case) the alteration is one which could be made as an amendment thereto.

(6) With the consent of the seconder (if he/she is still present) and of the meeting, signified without discussion, the mover of a motion or an amendment may withdraw it. No member shall speak to such a motion or amendment after the mover has asked consent for its withdrawal, unless such consent has been refused.

(7) Except under standing order 12(3), no motion or amendment shall be moved to rescind any resolution of the Authority which was passed within the preceding six months or which is to the same effect as one which has been rejected within that period:

provided that such a motion may be moved at a meeting of the Authority if

(a) it is recommended by a committee or sub-committee; or

(b) notice of such motion has been given by the number that represents the quorum for the Authority.

(8) There is no power of rescission of any proper resolution which has been acted upon.

(9) Where the consent of the Authority, committee or sub-committee is required for anything, that consent may be given either:

(a) by the person presiding asking the meeting whether there are objections to the consent being given, and, if no objection is raised, giving that consent; or

(b) if objection is raised, or if the person presiding so chooses, by a motion moved, seconded and put to the meeting.

(10) If any question arises which would be likely to result in the disclosure to members of the public of exempt information of the categories described in Parts 4 to 6 of Schedule 12A to the 1972 Act such questions shall not be the subject of discussion until a motion to exclude the public has been proposed and voted upon.

STANDING ORDER 19: RULES OF DEBATE (GENERAL)

(1) The rules of debate in this standing order shall apply to all meetings of the Authority, of any committee and or any sub-committee.

Motions and amendments

(2) A motion or amendment shall not be discussed unless it has been proposed and seconded.

(3) When seconding a motion or amendment, a member may reserve his/her speech until a later period of the debate by declaring his/her intention to do so.

(4) When any motion of which notice has not been given or any amendment has been moved and seconded, the person presiding may require that it shall be put into writing, or stated clearly by the clerk, before it is further discussed.

(5) Only one amendment may be moved and discussed at a time. No further amendment shall be moved:

(a) unless notice thereof has been given by the proposer before the amendment immediately prior to it is put to the vote;

(b) until the meeting shall have disposed of every amendment previously moved.

Provided that the person presiding may permit two or more amendments to be discussed (but not voted upon) together if he/she thinks that this will facilitate the proper conduct of business.

(6) If an amendment is not carried, other amendments may be moved to the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved. Whenever any final amendment is not carried the person presiding shall put to the vote the relevant motion.

Speeches

(7) If two or more members offer to speak, the person presiding shall call on one to speak and where appropriate shall call to speak alternatively supporters and opposers for the question under discussion.

(8) When speaking, a member shall address the person presiding.

(9) A member may only speak in relation to the question under discussion, or to a personal explanation or a point of order under the provisions of the next paragraph.

(10) A member may claim to speak on a point of order or in personal explanation, and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of a specified statutory provision or a specified standing order, and the way in which the member raising it considers that it has been broken. A personal explanation shall be confined to some material part of a former speech by him/her in the current debate which may appear to have been misunderstood.

(11) The ruling of the person presiding on a point of order or on the admissibility of a personal explanation shall not be open to discussion except on a motion of which due notice has been given.

(12) Whenever the person presiding calls the meeting to order during a debate, a member then speaking shall be silent and if standing shall resume his/her seat, and the Authority or committee or sub-committee shall be silent.

Ancillary motions

(13) When a motion is under debate, no other motion shall be moved except the following:

(a) to amend the motion;

(b) a closure motion under the next paragraph;

(c) a motion under standing order 21 (prevention of disorder);

(ch) a motion under section 100A(2) or (4) of the 1972 Act (exclusion of the public).

(14) The following closure motions shall be permitted during discussion of another motion ("the original motion"). They shall be moved, seconded and put without discussion. If the motion is moved and seconded, then the person presiding shall proceed as follows:

(a) "that the meeting proceed to the next business" the person presiding shall permit the mover of the original motion to reply, and shall then put to the vote the motion to proceed to the next business; if that motion is carried, the original motion shall lapse;

(b) "that the question be now put"

if the person presiding is of the opinion that the matter before the meeting has been insufficiently discussed, he/she may refuse to accept the motion; if he/she accepts the motion, he/she shall put to the vote forthwith the motion that the question be now put; if this is carried, he/she shall permit the mover of the original motion (at meetings of the Authority) any right of reply to which he/she is entitled under standing order 20(4) and (at meetings of other committees or sub-committees) a right to reply for not more than three minutes, and shall then put that motion to the vote;

(c) "that the debate be now adjourned"; and

(ch) "that the meeting do now adjourn";

if the person presiding is of the opinion that the matter before the meeting has been sufficiently discussed, he/she may refuse to accept either of these motions, and instead put the motion that the question be now put; if he/she is of the opinion that the matter has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion, he/she shall put the adjournment motion to the vote, without giving the mover of the original motion a right of reply on that occasion; the original motion or remaining business shall then stand over as uncompleted business until the next meeting of the Authority, committee or sub-committee, as the case may be.

(15) (a) in all meetings the Welsh language and the English language shall have the same status and validity;

(b) all persons shall have the right when speaking in any meeting to speak in either Welsh or English;

(c) the Clerk to the Authority shall arrange for instantaneous translation from Welsh into English to be provided at all meetings;

(ch) in the absence of instantaneous translation the business of a meeting may proceed, but the person presiding shall ensure, at

the request of any member (including the speaker) that the exact words of any motion, amendment, question, answer or point of order and at least the substance of any speech or comment are translated provided that any inadvertent failure to comply with this rule, or any inadvertent error in translation, shall not invalidate any resolution.

STANDING ORDER 20: RULES OF DEBATE (AUTHORITY MEETINGS)

(1) While a member is speaking, the other members shall remain silent, unless speaking to a point of order or in personal explanation.

(2) Except with the consent of the Authority, signified without comment, the mover of a motion shall not speak for more than 10 minutes and no other speaker shall speak for more than 5 minutes. For the purpose of this paragraph a person who moves an amendment is not moving a motion, and the length of time allotted to the mover of a motion does not include any time permitted under a right of reply.

(3) A member who has spoken on any motion shall not speak again while it is the subject of debate, except:

(a) to speak once on an amendment moved by another member;

(b) if the motion has been amended since he/she last spoke, to move a further amendment;

(c) if his/her first speech was on an amendment moved by another member, to speak on the main issue, whether or not the amendment to which he/she spoke was carried;

(ch) in exercise of a right of reply under paragraph (5);

(d) on a point of order or by way of personal explanation under standing order 19(10).

(4) The mover of a motion has a right of reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall have a right of reply at the close of the debate on the amendment but shall not otherwise speak on the amendment. The mover of an amendment shall have no right of reply to the debate on that amendment. A member exercising a right of reply shall not introduce any new matter.

STANDING ORDER 21: PREVENTION OF DISORDERLY CONDUCT

(1) If the person presiding is of the opinion that a member has misconducted, or is misconducting, himself/herself by persistently disregarding the ruling chair, or by behaving irregularly, improperly or 'offensively, or by wilfully obstructing the business of the meeting, he/she may notify the meeting of that opinion, and may take any of the following courses, either separately or in sequence:

(a) he/she may move that the member named be not further heard; this motion shall not require to be seconded, but shall be put and decided without comment; if it is carried, the member shall not speak further at that meeting;

(b) he/she may move that the member named shall leave, or be excluded from, the meeting; this motion shall not require to be seconded, but shall be put and decided without comment; if it is carried, the member named shall forthwith leave the meeting;

(c) he/she may adjourn the meeting for fifteen minutes or such period as shall seem expedient to him/her.

(2) If a member of the public interrupts or interferes with proceedings at any meeting, the person presiding shall warn him/her of the action which might be taken under this standing order. If he/she continues the interruption or interference, the person presiding shall order him/her to leave the meeting. If he/she does not leave, the person presiding shall order him/her to be removed. If a member of the public persistently creates a disturbance, the person presiding may adjourn the meeting for fifteen minutes or such period as shall seem expedient to him/her.

(3) In the event of general disturbance during any meeting which is open to the public, the person presiding may adjourn the meeting for fifteen minutes or such period as shall seem expedient to him/her.

(4) The powers conferred by this standing order are in addition to any other powers which the person presiding may lawfully exercise.

STANDING ORDER 22: VOTING

Extracts from the Statutes

Subject to the provision of any enactment all questions coming or arising from a Local Authority shall be decided by a majority of the members of the Authority present and voting thereon at a meeting of the Authority.

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

(The 1972 Act, Sch 12, par 39)

(1) Except as provided in this standing order the method of voting at meetings of the Authority, committees, and sub-committees shall be determined by the person presiding.

(2) If a requisition is made by the appropriate number of members, before a vote is taken on any question, the voting on that question shall be recorded so as to show whether each member present gave his/her vote for or against that question or abstained from voting.

(3) The appropriate number of members is: 1/3 of the membership of the Authority, committee or sub-committee as the case may be.

(4) Immediately after the vote has been taken on any question, any voting member may require in relation to the vote that the minutes show whether that member cast his/her vote for the question or against the question or whether s/he abstained from voting.

(5) The voting on an appointment to the chairmanship or deputy chairmanship of the Authority or of a committee (but not necessarily a sub-committee) or to the staff shall be carried out by secret ballot.

(6) Where there are more than two persons nominated for any position or office to be filled by the Authority or a committee or a sub-committee, and there is not a majority of the votes given in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken and, so on, until a majority of votes is given in favour of one person. Standing Order 1(2) shall not apply to the interpretation of "the person with the least number of votes" in this paragraph. In multiple elections, votes cast for fewer candidates than the number of vacancies shall be invalid.

PART V: DECLARATION OF INTERESTS

STANDING ORDER 24: INTERESTS OF MEMBERS IN CONTRACTS AND OTHER MATTERS

(1) Where any member has a personal interest in a matter that is to be considered in a meeting of the Authority, committee or sub-committee, he or she shall declare that interest at the point in the agenda for the declaration of interests or as soon as the interest becomes apparent. Any such declaration shall be recorded in the record of decision and the minutes of the meeting.

(2) Where, in accordance with the Fire and Rescue Authority's code of conduct prescribed under sections 50 and 81 of the 2000 Act, the personal interest mentioned in paragraph (1) is such that a member is required to withdraw from consideration of the matter, the member shall withdraw from the meeting while the matter is under consideration unless the Standards Committee of the Authority has granted a dispensation under section 81(4) of the 2000 Act or unless one of the exemptions under the code of conduct applies.

(3) Any person, other than an officer of the Authority, who is appointed to do anything in connection with a committee or sub-committee which enables him or her to speak at meetings of that committee or sub-committee, shall make the same declarations of personal interests, and shall withdraw from the meeting on the same occasions, as he or she would do if he or she were a member of that committee or sub-committee.

STANDING ORDER 25: INTERESTS OF OFFICERS IN CONTRACTS AND OTHER MATTERS

(1) In addition to his/her duty under section 117 of the 1972 Act if it comes to the knowledge of any officer of the Authority that he/she has a disclosable personal interest in any contract which has been, or is proposed to be, entered into by the Authority, or in some other matter which is to be considered by the Authority or any committee or sub-committee, and which (in either case) is not the contract of employment (if any) under which he/she serves the Authority, he/she shall as soon as practicable give notice in writing to the proper officer of the fact that he/she is interested therein.

(2) For the purposes of this standing order, a disclosable personal interest is an interest that, if the officer were a member of the Authority, and if the contract or other matter were to be considered at a meeting of the Authority at which he/she were present, he/she would have to disclose in accordance with section 81 of the 2000 Act.

(3) The proper officer shall record particulars of any notice of a personal interest given by an officer of the Authority under section 117 of the 1972 Act or paragraph (1). The record shall, during the ordinary office hours of the Authority, be open for inspection by any member of the Authority.

(4) Where an officer submits a report to a meeting on a matter in which he/she has declared an interest under section 117 of the 1972 Act or paragraph (1), he/she shall state that such declaration has been made, and give brief details of it, in a separate paragraph at the commencement of the report.

(5) Where any officer advises orally a meeting of the Authority, a committee or a sub-committee on a contract, grant, proposed contract or other matter and has declared a personal interest in that matter, whether under the requirements of section 117 of the 1972 Act, or of paragraph (1), he/she shall remind the meeting orally of that interest.

STANDING ORDER 26: CANVASSING

(1) Canvassing by an applicant of any member of the Authority directly or indirectly for any appointment under the Authority shall disqualify the applicant for that appointment. The purport of this standing order shall be included in every advertisement inviting application for appointments or in any form of application.

(2) A member of the Authority shall not solicit for any reason any appointment under the Authority, and shall not give written testimonial of a candidate's ability, experience or character for submission with an application for appointment to a post under the Authority.

PART VI: MISCELLANEOUS

STANDING ORDER 27: SEAL OF THE AUTHORITY

(1) The common seal of the Authority shall be kept in a safe place in the custody of the Chief Fire Officer.

(2) The common seal of the Authority shall be affixed to a document only on the authority of:

(a) a resolution of the Authority;

(b) a resolution of a committee or sub-committee which the Authority has empowered to authorise the use of the seal;

(c) a decision by the Authority, or by a duly authorised committee, sub-committee or officer, to do anything where a document under the common seal is necessary to complete the action.

(3) The affixing of the common seal shall be attested by the proper officer or by a deputy authorised in writing by the proper officer. An entry of every sealing of a document shall be made, and numbered consecutively, in a book kept for the purpose, and shall be signed by the person who shall have attested the seal.

STANDING ORDER 28: ATTESTATION OF DOCUMENTS

In addition to any other person who may be authorised by resolution of the Authority for the purpose, the proper officer for the purpose of section 234 of the 1972 Act (authentication of documents) shall be the Clerk to the Authority or any officer authorised in writing by such officer.

STANDING ORDER 29: ACCESS TO DOCUMENTS, INFORMATION AND LAND

Extracts from the Statutes

Any document which is in the possession or under the control of a principal council and contains material relating to any business to be transacted at a meeting of the council shall subject to [the following provision], be open to inspection by any member of the Authority.

Where it appears to the proper officer of the council that a document discloses exempt information of a description for the time being falling within any of the paragraphs 1 to 6, 9, 11, 12 and 14 of Part 1 of Schedule 12A to this Act, [the foregoing provision] does not require the document to be open to inspection.

(The 1972 Act, Section 100F(1) and (2))

(1) In addition to the rights of members of the Authority under section 100F of the 1972 Act, but subject to paragraph (2) below, the following persons shall be entitled on application to the proper officer to inspect any documents or have access to other information of the following descriptions:

(a) any member of the Authority or other member (whether voting or not) of any committee or sub-committee:

(i) any document in the possession or under the control of the Authority which relates to any matter in relation to which a committee or sub-committee of which he/she is a member may discharge a function of the Authority or advise the body which appointed them;

(ii) any other recorded information, not in the form of a document, in the possession, or under the control, of the Authority which is necessary for the proper discharge of his/her functions as a member of such a committee or sub-committee;

(b) any member of the Authority:

any other document or other recorded information in the possession, or under the control, of the Authority access to which is necessary for the proper discharge of his/her functions as a member of the Authority; provided that:

(i) no person shall be entitled to inspect any document or have access to any information relating to a matter in which he/she has a personal interest;

(ii) a person may be refused the right to inspect a document within paragraph (a)(i) which it is not necessary for him/her to inspect for the purposes of the proper discharge of his/her functions as a member of the committee or sub-committee in question, if there is good reason why such inspection should be refused;

(iii) access to information not in the form of a document need not be given where the cost of providing the access is unreasonably high, or during such period as the giving of access would unreasonably disrupt the work of the Authority.

(2) In the case of any document other than a document to which the rights under section 100F of the 1972 Act apply, and in any case of information which is not in the form of a document, if the proper officer considers that access to any document or other information is not necessary for the proper discharge of the functions (as a member of the Authority or as a member of a committee or sub-committee, as the case may be) of the person requesting such access, and there is good reason why access should be refused, he/she may refuse the person concerned access to the document or information in question.

(3) Where a person inspects a document under the rights conferred by section 100F of the 1972 Act or this standing order, and the Authority may lawfully make a copy of that document, he/she shall be entitled, on request, to be given a copy of that document:

provided that

(a) a reasonable charge shall be made for the copy unless the proper officer otherwise directs;

(b) a copy may be refused if the proper officer considers that it is impracticable to make a copy.

(4) If any member of the Authority or other member (whether voting or non-voting) of a committee or sub-committee wishes to have access to land or buildings occupied by the Fire and Rescue Service to which members of the public do not have access or to which members of the Authority do not regularly have access, he/she shall make a request to the Chief Fire Officer. Unless the Chief Fire Officer is of the opinion that there is a good reason why such access should be denied, he/she shall give permission but can place conditions on that permission including in particular a condition whereby a specified officer of the Fire and Rescue Service shall accompany the member.

5) If any member of the Authority or any other member of a committee or sub-committee is dissatisfied with any determination of a proper officer under section 100F of the 1972 Act or under this standing order, he/she may refer the question to the next meeting of the Authority, which shall, after considering any representations that that person or the proper officer may wish to make, determine whether or not to uphold the proper officer's determination.

(6) No member of the Authority and no other member (whether voting or non-voting) of a committee or sub-committee shall have any claim by virtue of his/her position:

(a) to enter any land or buildings occupied by the Authority to which the public do not have access or to which members of the Authority do not regularly have access except with the permission of the Chief Fire Officer for which the land or buildings are occupied;

(b) to exercise any power of the Authority to enter or inspect other land or buildings, except where specifically authorised to do so by the Authority;

(c) to exercise any other power of the Authority;

(ch) to issue any order with respect to any works which are being carried out by, or on behalf of, the Authority, or with respect to any goods or services which are being, or might be, purchased by the Authority.

(7) For the purposes of this standing order a person has a personal interest in a matter if, on the assumptions that he/she were a member of the Authority, and that the matter were to be considered by the Authority, he/she would have to declare the interest in accordance with section 81 of the 2000 Act.

(8) Where any information is given to any person (including a member of the Authority or any other member of a committee or sub-committee) by the Authority or by one of its employees in the course of transacting any business of the authority, and it is made clear (in whatever way) that the information is given in confidence, that person in not entitled to make that information public without the consent of the Authority.

FINANCIAL REGULATIONS

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1. Introduction

1.1 The objective of this document is to set out the framework of financial governance to ensure that public accountability, good stewardship and high standards of financial integrity are exercised in the use of North Wales Fire and Rescue Authority's (the Authority) funds.

1.2 Financial regulations provide the framework for managing the Authority's financial affairs and are applicable to every member of the Authority and employee of North Wales Fire and Rescue Service.

1.3 The Audit Committee is responsible for ensuring a continuous review of the financial regulations and for advising of any additions or changes as necessary. The Section 151 Officer is responsible for reporting, where appropriate, any breaches of the financial regulations to the Audit Committee and the Fire and Rescue Authority.

1.4 These Financial Regulations are to be operated in accordance with procedures laid down by the Section 151 Officer, so as to enable him/her to fulfil his/her statutory responsibilities as the officer charged with administering the financial affairs of North Wales Fire and Rescue Authority.

1.5 Within this document reference is made to "the Authority", this may, where permitted by law and in accordance with the scheme of delegation, include matters delegated to the Executive Panel, Audit Committee or to the Head of Paid Service.

1.6 The Head of Paid Service is the Chief Fire Officer who is supported by the Section 151 Officer. The Section 151 Officer is the officer designated with statutory responsibility for ensuring the financial accountability and stewardship of the Authority.

1.7 The Financial Regulations apply to all Members and Co-opted Members of the Fire and Rescue Authority, officers, managers and employees of the Fire and Rescue Service. In the context of these Financial Regulations an officer is defined as an employee holding the rank of Station Manager or above or Head or Deputy Head of Department for non-operational roles.

1.8 It is the responsibility of all Members and officers to familiarise themselves with the provisions of the Financial Regulations and for officers to take reasonable steps to bring them to the attention of their staff as appropriate. Where deemed appropriate by the Section 151 Officer, detailed procedures will be developed to provide further instructions for the application of these Financial Regulations.

Compliance

1.9 The Service Leadership Team are responsible for ensuring that all officers in their departments are aware of the requirements of the Regulations and that they comply with them at all times.

1.10 It is not possible for these Regulations, to cover every eventuality that may arise. In the case of any doubt, advice should always be taken from the Assistant Chief Fire Officer (Finance and Resources) and the spirit of the regulations should always be followed.

1.11 Failure to comply with Financial Regulations, or the instructions issued under them, will constitute misconduct.

1.12 For employees/officers, a breach of the provisions of these Financial Regulations may result in disciplinary action being taken in accordance with the Service's Disciplinary Procedure.

1.13 For Authority Members and Co-opted Members, a breach of the provisions of these Financial Regulations could, depending on the circumstances, result in action being taken under the provisions of the Authority's Code of Conduct.

2. Administration of Financial Affairs

2.1 Responsibility

2.1.1 The Section 151 Officer to North Wales Fire and Rescue Authority (the Authority) may, where appropriate, supplement these regulations by the issue of detailed accounting procedures/guidance for the day to day management of the financial affairs.

2.1.2 The Chief Fire Officer and officers have responsibility for ensuring that Financial Regulations and accounting instructions/manuals are complied with, by all employees and shall report any breaches to the Section 151 Officer.

2.1.3 The Section 151 Officer is appointed in accordance with the requirements of section 112 of the Local Government Finance Act 1988, and he/she shall advise the Authority, and its Committees on all matters which affect or are liable to affect the Authority's finances or financial administration.

2.1.4 All accounts which are required to be audited, in accordance with legislation, shall be approved by the Section 151 Officer and all financial records subsidiary to those accounts shall be kept by the Section 151 Officer or under arrangements approved by him/her.

2.1.5 The respective roles and responsibilities, in relation to financial matters, of the Authority, the Chief Fire Officer, the Section 151 Officer, the Monitoring Officer, the Assistant Chief Fire Officer (Finance and Resources) and Department Heads are contained in the Responsibility Matrix which forms Appendix 1.

2.1.6 The following key principles will be observed in the allocation of accounting duties:

- The duties of providing information regarding the sums due to, or from, the Authority and of calculating, checking and recording these sums, shall be separated as completely as possible from the duty of collecting or disbursing them.
- The Chief Fire Officer, in consultation with the Section 151 Officer, shall nominate officers of the Authority to organise and supervise the financial work of the Authority on a day-to-day basis. This scheme of delegation is a record of officers authorised by him/her to certify financial documents on his/her behalf. The Financial Scheme of Delegation is maintained by the Head of Finance.
- The Chief Fire Officer shall inform the Section 151 Officer of any matter which affects or is liable to affect the Authority's finances. No report on any such a matter shall be submitted to the Authority, or relevant committee until the Section 151 Officer has been consulted and has had the opportunity to comment on the full financial implications of the matter. The Chief Fire Officer shall provide the Section 151 Officer or his/her authorised representative with any necessary information and access to all documents and reports under their control.
- Financial records should normally be retained for six complete financial years plus the current financial year, however there may be occasions where specific limits are set, for example grant funding requirements.

2.2 Financial Risk Management

2.2.1 All organisations face risks which can affect delivery of services and achievement of its objectives.

2.2.2 Risk is defined as the chance or possibility of loss, damage or injury 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.

2.2.3 The Executive Panel has delegated responsibility to consider, on an annual basis, a report on the risk register and is charged to consider any significant changes in risk and with monitoring the effectiveness

with which key risks identified are managed.

2.2.4 The Section 151 Officer is responsible for ensuring arrangements are in place for the identification, assessment, recording, reporting and monitoring of financial risks. Such risks will be included in the Corporate Risk Register as appropriate, including any controls or mitigation in place.

2.2.5 The Authority's budget process will also include due regard for financial risks which should be reported as part of the development of the medium term financial strategy.

2.3 Internal Controls and Internal Audit

2.3.1 The Authority is required to make proper arrangements for the administration of its financial affairs and ensure that it has a sufficient system of internal control.

2.3.2 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.

2.3.3 As part of the discharge of this function, the Authority's appointed internal auditors shall provide an annual statement on the existence and adequacy of internal controls. In undertaking its functions, the Internal Audit function shall comply with the current Auditing Guidelines issued by the Auditing Practices Board.

2.3.4 The responsibility of Internal Audit is to review, appraise and report upon:

(i) the soundness, adequacy and application of financial and other management controls;

(ii) the extent of compliance, with relevant established policies, plans and procedures;

(iii) the extent to which the Authority's assets and interests are accounted for and safeguarded from losses of all kinds arising from:
- fraud and other offences,
- waste, extravagance and inefficient administration, or other cause;

(iv) the suitability and reliability of financial and other management

data developed within the Authority.

2.3.5 In order to discharge these responsibilities the Internal Audit Function may:

(i) enter any operational or administrative premises of the Authority at any time on production of evidence of identity;

(ii) call for, examine and where necessary, copy or retain, all records which in his/her opinion relate to the accounts and the financial administration of the Authority. The right of examination of records for audit purposes includes the right of the Section 151 Officer, or his/her authorised representative, to independent access to such computers, computer applications and the output therefrom as the Section 151 Officer considers necessary;

(iii) require from any employee such information and explanations as he/she considers necessary for audit purposes;

(iv) require any employee of the Authority to produce or account for cash, stores or any other property of the Authority which has been entrusted to his/her custody;

(v) examine any work or services carried out for the Authority by an employee or contractor, and any goods purchased on behalf of the Authority or issued from stock.

2.3.6 Whenever any matter arises which involves, or potentially involves, an irregularity concerning cash, stores, property or administration of the Authority's financial affairs, the Section 151 Officer shall be informed immediately and shall take such further action, by way of investigation and report as he/she considers appropriate in consultation with the Chief Fire Officer and the Authority's Monitoring Officer.

2.3.7 The Audit Committee has delegated responsibility to appoint the Internal Auditors, approve the Internal Audit work programme, consider the Internal Audit reports and annual report.

2.4 External Audit

2.4.1 Audit Wales is responsible for appointing external auditors. The basic duties of the external auditor are governed by the Public Audit (Wales) Act 2004 which permit the Auditor General for Wales to prepare a code of audit practice, prescribing the way in which external auditors should carry out their functions. The Auditor General's Code of Audit and Inspection Practice, issued in May 2005, sets out the general principles governing the work of auditors as well as specific

requirements in relation to the:

- Audit of financial statements; and
- Evaluation of arrangements for securing economy and efficiency.

2.4.2 The authority may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Revenues and Customs and the Welsh Government who have statutory rights of access

3 Financial Planning

3.1 Forward Planning

3.1.1 Each year the Section 151 Officer shall submit to the Authority an appraisal of the current financial position of the Authority together with an assessment of those factors likely to affect the Authority's financial arrangements for the following financial year, and subsequent years where appropriate. This appraisal shall consider all relevant risks and uncertainties faced by the Authority, including any decisions made in respect of service provision or future priorities.

3.1.2 The appraisal undertaken by the Section 151 Officer will consider both revenue and capital planning assumptions and will inform the determination of the Authority's medium term overall financial and other objectives.

3.1.3 If determined appropriate by the Section 151 Officer, financial appraisals may be submitted to the Authority at more frequent intervals.

3.2 Revenue Budget

3.2.1 Prior to the start of each financial year and in accordance with the timescales set out in the relevant legislation, the Section 151 Officer, in consultation with the Chief Fire Officer and relevant officers, shall submit to the Authority details of the proposed revenue budget for the forthcoming financial year and the medium term financial strategy, covering the subsequent two years.

3.2.2 The revenue budget will detail the expected income and expenditure requirement and include known material risks and uncertainties. The base budget shall, in general, reflect the continuation of existing services at their current level, and include for other items already specifically approved by the Authority or arising from past decisions of the Authority. Where changes to existing service delivery models are considered the financial effects of such proposals shall be calculated and reported by the Section 151 Officer.

3.2.3 In submitting the income and expenditure requirement to the Authority the Section 151 Officer must confirm the forecast of the likely funding requirement from constituent local authorities.

3.2.4 The Authority is required to consider the proposed revenue income and expenditure plans in conjunction with known risks and uncertainties and funding requirements. The Authority may make amendments to such plans as necessary to enable formal approval, within the relevant timescales.

3.2.5 The approval of the budget cannot be delegated to the Chief Fire Officer or Section 151 Officer.

3.2.6 The Section 151 Officer shall prepare a financial report for each meeting of the Authority demonstrating the performance of the Authority against the approved budget.

3.2.7 Following approval of the revenue and capital budgets and having regard to the discussions regarding the medium term financial strategy, both additions and reductions may be submitted to the Authority. No financial commitment shall be entered into, in respect of any such item proposed, until the expenditure provided for in the budget has been approved by the Authority.

3.3 Capital Programme

3.3.1 Prior to the start of each financial year and in accordance with the timescales set out in the relevant legislation, the Section 151 Officer, in consultation with the Chief Fire Officer and relevant officers, shall submit to the Authority details of the proposed capital expenditure requirement for both the forthcoming year and two subsequent years, as part of the Medium Term Financial Strategy.

3.3.2 In submitting the expenditure requirement to the Authority, the Section 151 Officer shall provide information to the Authority of the financial implications of the proposed capital expenditure. This will include the anticipated capital financing costs.

3.3.3 The Authority shall consider the proposed capital programme in the light of the Authority's overall financial position, and may amend such plans in determining its overall programme for the year.

3.3.4 Approval of the capital expenditure cannot be delegated to either the Chief Fire Officer or Section 151 Officer.

3.3.5 No capital expenditure shall be considered unless it has been approved as part of the budget process or subsequently, and both

capital and revenue resources are available.

4 Financial Management and Reporting

4.1 Budgetary Control

4.1.1 The Section 151 Officer has primary responsibility for ensuring adequate arrangements for budgetary control. The Chief Fire Officer shall put in place a scheme of delegation for day to day operation of budget management, monitoring and reporting.

4.1.2 The Section 151 Officer and Chief Fire Officer will monitor the approved budget, seeking explanations for variations and reporting to the Authority at each meeting. The reports should include a summary by key expenditure headings and provide a short commentary explaining items of significance.

4.1.3 The Assistant Chief Fire Officer (Finance and Resources) and Head of Finance are responsible for the day to day monitoring and reporting of the budget and for ensuring the Authority achieves a balanced budget.

4.1.4 It is the responsibility of the designated budget holders to control income and expenditure within their areas and to manage performance and provide information that is complete and accurate to ensure reporting is in line with requirements. The budget holder must take any necessary action to avoid exceeding their financial allocation.

4.1.5 All officers responsible for committing expenditure and generating or collection of income must comply with all procedures, financial regulations and contract procedure rules.

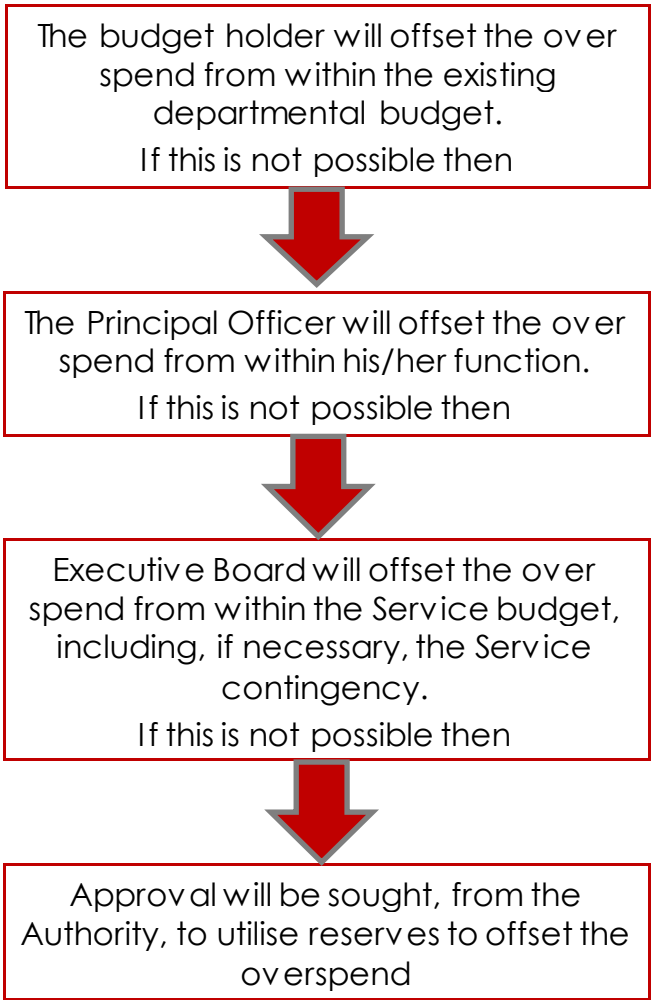
4.1.6 The Section 151 Officer and Chief Fire Officer shall, at such intervals as may be agreed with the Section 151 Officer, report to the Authority on the progress of the capital programme.

4.2 Dealing with Overspending of Revenue Budgets

4.2.1 All budget holders must regularly scrutinise their budgets and seek to avoid overspends wherever possible. In the event of an over spend being identified, it is important that the reasons for this are established, assessed and appropriately managed. Where the over spend is likely to be recurring in nature this must be reported as part of the budget setting cycle outlined in 3.2.1.

4.2.2 Where a revenue overspend is projected, the following process will

apply. All actions should comply with the virement rules set out in section 4.4 of this document.



4.3 Capital Programme

4.3.1 In order to qualify as capital, expenditure must satisfy the following criteria:

- Be in excess of £5,000
- Create an asset which has benefits which last for more than one year
- Comply with guidance in the appropriate CIPFA Code.

4.3.2 Where a capital scheme is estimated to be overspent, if the overspend is estimated to be 10% or more than £50k, whichever is the lower, then approval to fund the overspend must be sought from the Assistant Chief Fire Officer (Finance and Resources).

4.3.3 Where the overspend is estimated to be less than 10% and less than £50k, the Assistant Chief Fire Officer (Finance and Resources) and Head of Finance will consider the overspend in the context of the overall programme, and if the overspend is unavoidable will either vire budget from an existing scheme or fund the overspend by contribution from the revenue budget, or from balances.

4.3.4 Income which is the result of disposing of an asset and which is greater than £10k will be considered to be a capital receipt. All other income will be treated as revenue. Section 8.7 deals with the procedure for disposing of assets.

4.3.5 Where a capital scheme or part of a capital scheme is subject to work which is tendered, and the tender comes in at more than 10% or £50k, whichever is the lower, below the tender estimate, then the budget will be adjusted to reflect the actual tender figure rather than the estimate.

4.4 Budget Virements

4.4.1 Virement is the term used to reflect a transfer of budget from one expenditure heading to another. This may occur due to changes in activity affecting budgetary requirements or to address an in year budget deficit or surplus.

4.4.2 The scheme of virement is intended to provide the Chief Fire Officer with flexibility to achieve the Authority's objectives within the overall budget approved by the Authority.

4.4.3 Virements between budget headings shall be actioned in line with the Service's Scheme of Financial Delegation.

4.4.4 The budget virements will be reported to the Authority, as part of the budget monitoring process.

4.4.5 All virement proposals should be subject to control and should not:

- utilise capital budget for revenue purposes;
- add to the Authority's net commitments in the current or future years; or
- relate to projects financed by grants or outside bodies without obtaining the consent of the Section 151 Officer.

4.4.6 A virement involving the use of revenue funds for capital purposes will require the consent of the Authority.

4.5 Statement of Accounts

4.5.1 In line with legislative requirements, the Section 151 Officer shall make arrangements for the timely and accurate production of the Authority's Statement of Accounts (the Accounts). The Accounts must be prepared in accordance with the proper practices as set out in the CIPFA Code of Practice on Local Authority Accounting in the United Kingdom supported by International Financial Reporting Standards (IFRS).

4.5.2 The Section 151 Officer must sign and date the Accounts, confirming that they fairly present the financial position and performance of the Authority at the accounting date and its income and expenditure for the year ended 31st March.

4.5.3 The Section 151 Officer should make proper arrangements for the external audit of the Accounts, including the provision of all relevant representations as necessary to confirm the completeness and accuracy of the information contained within the Accounts.

4.5.4 The Section 151 Officer shall prepare a report for the Authority confirming the financial position and performance of the Authority and the outcome of the external audit. A copy of the external auditor's certificate and any report referred to in the certificate shall be submitted at this time.

4.5.5 The Authority is responsible for receiving and approving the Accounts although this function may be delegated to the Executive Panel where appropriate.

4.5.6 A copy of the audited accounts for each relevant financial year shall be made available on the Authority's website.

4.6 Reserves

4.6.1 The Financial Reserves Strategy is presented to the Audit Committee and approved by the Authority.

4.6.2 The Section 151 Officer is responsible for ensuring that reserves are maintained in accordance with the Code of Practice and the Financial Reserves Strategy.

4.6.3 The creation, deletion, assessment of adequacy and transfers in/out of reserves is delegated to the Section 151 Officer of the Authority.

4.6.4 The adequacy of reserves is assessed by the Section 151 Officer at least annually, as part of the accounts closedown process.

4.6.5 Accurate records should be maintained, detailing the purpose, usage and the basis of transactions.

4.7 Provisions

4.7.1 Provisions relate to probable liabilities as at the balance sheet date but for which there is uncertainty relating to the timing or amount. Provisions set aside an amount to cover an estimate of the probable future expense.

4.7.2 The Assistant Chief Fire Officer (Finance and Resources) and Head of Finance are responsible for the assessment and calculation of provisions included in the financial position.

5 Procurement and Expenditure

5.1 Contracts

5.1.1 Every formal contract made by the Authority whether for goods, works or services, must comply with the Authority's)Contract Procedure Rules (CPRs) and conform to any standard form of contract prescribed by the Authority. These notes are supplementary to the approved CPRs and should not be read as amending them in any way.

5.1.2 The Section 151 Officer will make proper arrangements for the maintenance of a contracts register and the contract documents shall be made available for inspection.

5.1.3 The Head of Finance maintains the contracts register.

5.1.4 Signed copies of all contracts should be provided to the Head of Finance, for inclusion in the contracts register.

5.1.5 Every variation on a contract shall be authorised by the Chief Fire Officer or other responsible officer, as permitted by the Scheme of Financial Delegation.

5.1.6 The Section 151 Officer shall make proper arrangements for the timely and accurate processing of payment certificates and final accounts including appropriate checks to ensure compliance with the terms of the contract. Such arrangements extend to third parties (e.g. architect, engineer *et al*) who are engaged to supervise such contracts.

5.1.7 These rules may be subject to variation as government rules change and need to be read in conjunction with the procurement guidelines set out in Contract Procedure Rules.

5.2 Orders for Goods, Works and Services

5.2.1 The Section 151 Officer is responsible for ensuring that arrangements are in place regarding the acquisition of goods and services. No goods and services should be acquired without an official purchase order approved in line with the Scheme of Financial Delegation.

5.2.2 Official Orders are to be issued for all goods, work and services, **prior** to receipt of the goods, work or services required with the exception of:

(i) allowances to Members;
(ii) employee reimbursements (paid via payroll);
(iii) purchases from imprest accounts and corporate credit cards;
(iv) Utilities bills and NNDR charges;
(v) emergency building works recorded on the Facilities Helpdesk system – e.g. call out for a boiler breakdown. A job number will be provided instead of a purchase order.

5.2.3 Any other exceptions shall be by specific agreement between the Chief Fire Officer and the Section 151 Officer.

5.2.4 In cases of urgency a verbal order may be given, by an employee authorised to approve official purchase orders. Verbal orders should be kept to a minimum and should be confirmed either the same, or next, working day by written orders which should be marked accordingly.

5.2.5 Purchase orders must be in a form approved by the Section 151 Officer and must:

(i) specify the nature and/or quantity of goods, work or services required and any contract or agreed prices;

(ii) include relevant quotes/estimates uploaded to the purchasing system or detail the contract or framework reference.

(iii) direct that invoices should be rendered to the Authority, after delivery of the goods or completion of the work or service, or as otherwise specified;

5.2.6 A record of the employees authorised to approve orders shall be maintained by the Head of Finance.

5.2.7 When an employee leaves a position, where they are an approver, the budget holder must inform the Head of Finance, so that access can be removed to prevent the employee from approving orders for the department's budget.

5.2.8 When approving an order, employees should ensure that the goods or services are necessary to achieve the objectives of the Authority, that the relevant statutes, Contract Procedure Rules and Financial Regulations have been complied with and that there is a provision for the cost within the budget (or it is covered by a special financial provision).

5.2.9 Any alteration to an official order shall be approved by an officer who is authorised to certify such an order.

5.2.10 The certification of the Chief Fire Officer, or his/her authorised employee, shall be deemed to cover the following matters:

(i) that the prices are in accordance with the contract or quotation or if there is no contract or quotation, that the prices are otherwise reasonable;

(ii) that the account is arithmetically correct;

(iii) that the appropriate deductions have been made for discounts;

(iv) that no part of the account has been included in any other account or certificate previously authorised for payment;

(v) that the expenditure has been properly coded within the Authority's financial ledger;

(vi) that the expenditure is within the estimates or is covered by special financial provision and is in accordance with these Financial Regulations;

(vii) that where an order includes Value Added Tax, this is in accordance with HMRC regulations:

(a) confirmation of whether it is a taxable supply;
(b) for construction industry payments, an authenticated receipt will be obtained; or
(c) for payments made in advance of services/goods being received, a tax receipt/invoice will be obtained.

5.2.11 The Chief Fire Officer shall supply to the Section 151 Officer, in a form and at agreed intervals, details of outstanding financial commitments for incorporation into reports on the Authority's financial position.

5.3 Authorisation of Expenditure

5.3.1 Subject to the provisions contained within this section, the approval of the revenue and capital budgets shall confer authority to the Chief Fire Officer to incur relevant expenditure or make such charges as necessary to achieve the Authority's objectives. Actual expenditure must not exceed the amount approved in the period covered by the budget without prior approval of the Authority.

5.3.2 All expenditure must be necessary to achieve the Authority's stated objectives, be incurred in accordance with relevant statutory provisions and comply with the Authority's Contract Procedure Rules and these Financial Regulations.

5.3.3 The Section 151 Officer shall make proper arrangements to delegate the day to day responsibilities for expenditure to nominated officers but must retain sufficient oversight and control.

5.3.4 The workflow for approving payment will be in accordance with systems approved by the Assistant Chief Fire Officer (Finance and Resources) and Head of Finance.

5.3.5 The day to day delegation is set out in the Service's Scheme of Financial Delegation.

5.3.6 Where the cost of an item is estimated to exceed the budget provision the Section 151 Officer, or nominated officer should be informed in the following circumstances:

- for schemes costing up to £100,000 – variances over £10,000
- for schemes costing over £100,000 – variances over £25,000

5.3.7 Remuneration, pensions, gratuities or other emoluments to employees or former employees of the Authority should be in accordance with

binding national or local agreements or permissible by a resolution passed by the Authority on staffing matters. No ex-gratia payments will be made without the approval of the Chief Fire Officer in consultation with the Section 151 Officer or Monitoring Officer.

5.3.8 In circumstances where the Chief Fire Officer proposes a new policy which is required to be approved by the Authority or an alteration to an existing policy which has already been approved by the Authority, no expenditure shall be incurred thereon until a written financial appraisal has been approved by the Authority.

5.3.9 Where the approval of an outside body is required to authorise expenditure or the means of financing expenditure, no such expenditure shall be incurred or income collected until approval, in writing, has been received from the relevant body.

5.3.10 All rents, fees and charges receivable by the Authority other than recharges and those fixed by statute or by a binding legal agreement, shall be determined by the Authority or in accordance with arrangements approved by the Authority.

5.4 Payment to Suppliers

5.4.1 The Assistant Chief Fire Officer (Finance and Resources) and Head of Finance are responsible for overseeing the payment of creditors.

5.4.2 All payments for goods and services, with the exception of imprest payments, shall be made using the designated financial system and payment will be via electronic transfer, direct into the supplier's bank account.

5.4.3 All payments should be supported by a valid invoice quoting an official order number.

5.4.4 The payment of any invoice will not be made unless goods/services have been receipted on the financial system and where applicable the delivery/advice note uploaded.

5.4.5 Where possible, the Authority will benefit from discounts for the payment of invoices within specified timescales.

5.4.6 Invoices shall not be made out by/to officers of the Authority, except in circumstances approved by the Section 151 Officer.

5.4.7 For exceptionally urgent circumstances, the Authority has the facility to make an urgent payment, which does incur additional bank charges. Normal arrangements will apply whenever possible. Urgent payments

must be approved by the Head of Finance and actioned by the Finance Department.

5.4.8 Any special authority needed has to be obtained prior to any goods or services being ordered and the invoice marked off against Minutes or other authorisation.

5.4.9 Where a payment is made to a sub-contractor in the construction industry who does not possess an appropriate exemption certificate, such payment will be treated as entirely labour and tax deducted at the current rate, unless the sub- contractor clearly identifies the materials element, and such element is considered reasonable. To assist in the Authority's compliance with the Finance Act the Authority should whenever possible identify the invoice as being payable to a sub- contractor.

5.4.10 Where an amendment to an invoice is permitted under the Value Added Tax regulations a clear audit trail should be maintained to confirm the reasons where it is not self-evident.

5.4.11 At the end of each financial year, as required by the Section 151 Officer, the Chief Fire Officer shall list all accounts for inclusion as creditors in the final accounts for that year.

5.5 Corporate Credit Cards

5.5.1 The Section 151 Officer is responsible for ensuring that arrangements are in place in relation to the use of corporate credit cards.

5.5.2 Corporate credit cards are issued to enable officers to make emergency payments or for goods that require immediate payment – for example road fund licences or catering at incidents. The cards should not be used to bypass the Contract Procedure Rules or the requirements of these Financial Regulations.

5.5.3 A register of card holders is maintained by the Head of Finance.

5.5.4 The day to day management of the credit cards is managed by the Head of Finance.

5.5.5 Card holders are required to follow the Purchase Card procedure, which covers the management, control and use of purchase cards.

5.6 Imprest Accounts

5.6.1 The Section 151 Officer is responsible for ensuring that arrangements are in place in relation to imprest accounts. The Section 151 Officer

may permit imprest advances (petty cash) for the payment of minor items of expenditure.

5.6.2 Imprest accounts are Authority funds and must only be used for official business.

5.6.3 Imprest accounts will be for minor items of expenditure only, and no salaries, wages, allowances or mileage expenses may be paid out of imprest accounts.

5.6.4 Imprest accounts may only be opened after the approval of the Head of Finance.

5.6.5 Each imprest account will have a nominated holder.

5.6.6 Claims for reimbursement of imprest accounts must be completed in accordance with guidelines and in a form approved by the Head of Finance.

5.6.7 Reimbursement will be made to imprest holders as often as may be necessary to restore the imprests.

5.6.8 Imprest holders will be expected to submit vouchers in support of requests for reimbursement.

5.6.9 An employee to whom an imprest advance is made must:

(i) obtain and retain vouchers to substantiate each payment from the imprest. Particular care should be taken to obtain a VAT invoice when this tax is charged;

(ii) ensure the safe custody of imprest cash by keeping it securely locked away;

(iii) restrict the amount of each separate payment to such limit as may be prescribed from time to time by the Section 151 Officer;

(iv) have due regard, where appropriate, to the part of these Regulations dealing with **Budgetary Control**;

(v) produce, upon demand, to the Section 151 Officer, Head of Finance or Internal Audit cash and/or vouchers to the total of the imprest;

(vi) reconcile and balance the imprest at least monthly. Periodic checks should be made by a senior officer to ensure that this is being properly carried out.

5.6.10 No receipts are to be credited to any imprest other than reimbursements received, following the submission of vouchers.

5.6.11 Under no circumstances should personal cheques be cashed or money borrowed from imprest accounts.

5.6.12 The Head of Finance may, at any time, require the imprest holder to return the imprest together with relevant vouchers or to provide a certificate for the imprest held.

6 Income

6.1 Collection of Income

6.1.1 All books and forms of account and all official forms or books, licences, tickets and all documents or vouchers or tokens representing receipts or money or money's worth shall be in a form approved by the Section 151 Officer.

6.1.2 The arrangements for ordering and control of such receipts, forms, books and other documents shall be subject to the approval of the Section 151 Officer. All receipts and issues of such documents shall be properly recorded and acknowledged in a manner approved by the Section 151 Officer. No receipts shall be given except on an authorised form.

6.1.3 The Section 151 Officer shall make proper arrangements to delegate the day to day responsibilities for income to nominated officers but must retain sufficient oversight and control.

6.1.4 Where the approval of an outside body is required to authorise income, no such income shall be collected until approval, in writing, has been received from the relevant body.

6.1.5 All moneys received on behalf of the Authority shall be properly safeguarded (normally kept in a safe or locked receptacle). Income shall be paid in at such intervals as the Section 151 Officer, in consultation with the Chief Fire Officer, may approve. Banking must always be intact, i.e. to include all moneys received during the agreed period.

6.1.6 All monies collected shall be in accordance with current rents, fees and charges approved by the Authority or fixed by statute or contract and the Section 151 Officer shall be notified promptly of any amendment of a sum previously notified as due.

6.1.7 The Chief Fire Officer shall consult the Section 151 Officer prior to any decision to introduce, revise or discontinue scales of charges or tariffs, whether as part of the annual budget process or otherwise. Significant policy changes, other than those arising from statute should be approved by the Authority.

6.1.8 All payments into the bank must be made at the Authority's bankers or nominated agents unless otherwise approved by the Section 151 Officer.

6.1.9 Every employee paying money into a bank must comply with the requirement to enter on a paying-in slip and on the counterfoil or duplicate thereof, details of the payment including for each cheque:

(i) the amount of the cheque; and

(ii) some references (such as the number of the receipt given or the name of the debtor) which will connect the cheques with the debts discharged by payment.

6.1.10 Third-party cheques should only be accepted where the cheque is from an approved source, i.e. utility undertaking and where it is used in full or part settlement of an Authority debt. In no circumstances should they be cashed, or be accepted and change given. Under no circumstances should personal cheques be cashed or money borrowed from income collected.

6.1.11 Where applicable, all invoices for income due to the Authority shall be prepared immediately they are due in a manner approved by the Section 151 Officer, and the detail shall be supplied to the Section 151 Officer in a manner prescribed by him/her for collection purposes.

6.1.12 Instructions for the cancellation or reduction of invoices for income must be authorised by the Chief Fire Officer or such member of his/her staff specifically designated by him/her for that purpose, as agreed with the Section 151 Officer. No employee shall sign in any name other than his/her own.

6.1.13 All cash surpluses shall be paid in and reported to the appropriate senior officer.

6.1.14 Every transfer of official money, from one employee to another, shall be evidenced in the records of the Authority by the signature of the receiving employee and retained for a period similar to that of other cash records.

6.1.15 Proper arrangements should be made for the receipt, opening and

discharge of post containing remittance at the offices of the Authority. All remittance received via the post must be entered into a receipt book. A discharge should be given when the remittances are handed over to the Finance Department for receipting and banking.

6.2 Write offs

6.2.1 No debt once correctly established and due to the Authority shall be discharged other than by payment in full, except by a resolution of the Authority or at the discretion of the Section 151 Officer for sums up to £5,000, for any one debtor in respect of one financial year.

6.2.2 The Assistant Chief Fire Officer (Finance and Resources) can write off without limit any sums which are deemed uncollectable by virtue of any type of insolvency, bankruptcy, dissolved companies or liquidation of a debtor, the debt being statute barred or the absence of further remedies being available such as following a committal hearing, a deceased debtor with no estate or where the debtor cannot be traced.

6.2.3 Any debts written off that do not meet the above criteria should be approved by the Authority.

6.2.4 At the end of each financial year, the Chief Fire Officer will be required to supply the Section 151 Officer with lists of outstanding debts to be brought into account in the Final Accounts of the year.

6.2.5 The Section 151 Officer is responsible for ensuring that an adequate provision for bad debt is made in the Authority's accounts at year end.

7 Banking

7.1 Banking Arrangements

7.1.1 The Authority will approve the terms under which banking services, including overdraft Facilities are provided.

7.1.2 All arrangements with the Authority's bankers, or with any other bank or building society, for the operation of bank accounts in the name of the Authority are to be made through the Section 151 Officer, who may prescribe rules concerning the number, amount and type of transactions which are to be passed through any such account.

7.1.3 All bank accounts will include "North Wales Fire and Rescue Authority" in the title.

7.1.4 No arrangement of any kind with any banking service will be made

without the approval of the Assistant Chief Fire Officer (Finance and Resources).

7.1.5 All payments or transfers from any Authority bank account will be approved by an appropriate officer in accordance with the Financial Scheme of Delegation.

7.1.6 The Section 151 Officer shall arrange such safeguards as he/she considers necessary and practicable to ensure that cash receivable by the Authority is banked to the credit of the Authority and that payments drawn on the Authority's bank accounts are properly vouched and recorded. Under no circumstances should receipts belonging to the Authority be banked to the credit of a personal bank account of an employee or agent of the Authority.

7.1.7 Bank accounts shall be deemed to include payment orders, standing orders and direct debits.

7.1.8 Personal cheques of Members or employees of the Authority are not to be cashed.

8 Staffing

8.1 Establishment

8.1.1 The Chief Fire Officer is responsible for providing overall management of employees within the budget approved by the Authority.

8.1.2 The appointment of Principal Officers is a matter reserved for the Authority.

8.1.3 The Chief Fire Officer shall make suitable arrangements for the following key controls:

- Ensuring that there is proper use of an agreed job evaluation system or national profiles to ensure a fair and consistent approach to determining the grade and remuneration of all posts.
- Evaluating the employee numbers which can be funded within approved budget provision, varying the provision as necessary within that constraint in order to meet changing operational needs.
- Implementing a Service Scheme of Delegation to ensure that changes to the agreed staffing numbers, the hours worked or the associated roles are subject to proper consideration and approval.
- Implementing appointment procedures for the recruitment and selection of employees.

8.2 Secondary Employment

8.2.1 The Chief Fire Officer shall make arrangements for the proper approval of outside employment for those staff whose primary role is with North Wales Fire and Rescue Service.

8.2.2 The Chief Fire Officer reserves the right to, at any time, withdraw the permission for outside employment and/or vary the conditions attached.

8.3 Payroll

8.3.1 The Section 151 Officer is responsible for the arrangements relating to the control and accurate payment of salaries, compensation and emoluments to employees of the Authority or their legal personal representatives.

8.3.2 In order to ensure correct treatment for tax and national insurance purposes all payments to employees, including casual employees, must be made via the payroll system. All necessary personal records concerning pay, National Insurance, Income Tax and any associated matters must be maintained in accordance with arrangements to be prescribed by the Section 151 Officer.

8.3.3 It is the responsibility of all managers to provide accurate and appropriate information and instructions to the Payroll Department, to enable the calculation and prompt payment of salaries, expenses and pensions, including details of appointments, promotions, resignations, dismissals, retirements and absences from duty.

8.3.4 Where appropriate, the relevant manager shall be responsible for the correct completion of time-sheets and claims for employees under his/her control and for the certification thereof by him/her or his/her authorised employees in accordance with the timescales set out by the Section 151 Officer.

8.3.5 All payments to staff will be in accordance with their contract of employment, the policies of the Authority and the authorised establishments, grades and rates of pay.

8.3.6 The Assistant Chief Fire Officer (Finance and Resources) will implement national pay agreements as soon as possible after their notification from the appropriate body. Arrangements for funding such awards will be determined each year as part of the budget setting process.

8.3.7 Engagement of workers via employment agencies will be subject to confirmation that the engagement's tax status has been verified using HMRC guidelines to ensure that tax and NI are deducted as appropriate.

8.3.8 All proposed off payroll arrangements with employment agencies, individuals or personal service companies will be subject to completion of HMRC due diligence checks. Where an off payroll contract is proposed approval should be sought from the Assistant Chief Fire Officer (Finance and Resources).

8.3.9 The Section 151 Officer will make arrangements to ensure that all deductions from salary including tax, national insurance and pension contributions are paid in accordance with prescribed timescales and subject to control and approval.

8.3.10 The Chief Fire Officer will provide the Section 151 Officer with whatever information is necessary for him/her to discharge these duties.

8.3.11 All payroll records relating to Income Tax and National Insurance must be retained for six years to satisfy the requirements of the Taxes Management Act. Those records identifying pay received and superannuation contributions must be retained for ten years as they may be needed for the information requirements of the Pensions Authority.

8.4 Travelling and Subsistence

8.4.1 Members

(i) Payments due to Members of the Authority will be made in accordance with the rates laid down by the Authority, upon receipt of the prescribed form duly completed by the Member concerned.

8.4.2 Employees

(ii) All claims for payment of car allowances, subsistence allowances, travelling and incidental expenses shall be submitted, duly certified, in the appropriate form, approved by the relevant line manager, when required and in accordance with the approved procedures and time-scales.

(iii) The certifying employee must ensure that the journeys were authorised, the expense properly and necessarily incurred, that the allowance/reimbursement is reasonable and is properly payable by the Authority, and must sign to this effect.

(iv) The claimant must sign to confirm the journeys were carried out on official business, that the mileages are correct and that any expenses were properly incurred.

(v) Claims from employees must be paid through the payroll system wherever possible to ensure correct treatment for Tax and National Insurance purposes.

8.4.3 The Section 151 Officer shall maintain a scheme of delegation of officers authorised to certify claims on his/her behalf. Certification of a claim shall signify that the Chief Fire Officer is satisfied that the allowances or expenses are properly payable by the Authority in respect of duties performed by the claimant.

9 Resources

9.1 Security

9.1.1 The Chief Fire Officer shall be responsible for maintaining proper security at all times for all buildings, stocks, stores, furniture, equipment, cash, or other property under his/her control. He/she shall consult the Section 151 Officer in any case where security is thought to be defective, where it is considered that special security arrangements may be needed or where proposed changes may affect security.

9.1.2 Maximum limits for cash holdings shall be agreed with the Section 151 Officer and shall not be exceeded without express permission. Any monies held shall be properly safeguarded (normally kept in a safe or locked receptacle).

9.1.3 Passes and keys to safes and similar receptacles are to be kept in a secure location; the loss of any such keys must be reported to the Chief Fire Officer and the Section 151 Officer immediately.

9.1.4 The Chief Fire Officer shall be responsible for ensuring that adequate procedures are in force to ensure that as an employee leaves the Authority's employment all Authority property including keys, passes, floats, identity cards etc, are retained by or returned to the Authority.

9.1.5 On leaving the Authority's employment or otherwise ceasing to be an authorised key or pass holder an employee shall hand such keys or passes to the Chief Fire Officer or designated managers.

9.1.6 The Chief Fire Officer shall be responsible for the security and confidentiality of all financial and related information under his/her control and ensure compliance with data protection legislation.

9.2 Insurances

9.2.1 It is the duty of the Chief Fire Officer in conjunction with the Section 151

Officer and Assistant Chief Fire Officer (Finance and Resources) to review the assets and risks to determine the insurance cover required.

9.2.2 The Chief Fire Officer shall consult with the Section 151 Officer and the Clerk to the Fire Authority in respect of the terms of any indemnity which the Authority is requested to give.

9.2.3 The Chief Fire Officer will inform the Section 151 Officer promptly of any additions or reductions of cover required arising from changes in use of assets or services provided.

9.2.4 The Assistant Chief Fire Officer (Finance and Resources) is responsible for arranging insurance cover on behalf of the Authority, excluding any insurance under contracts which is the responsibility of the contractor. No new insurance may be taken out without prior consultation with the Assistant Chief Fire Officer (Finance and Resources).

9.2.5 Any insurance excesses will be agreed by the Assistant Chief Fire Officer (Finance and Resources).

9.2.6 A register of insurance policies will be retained by the Section 151 Officer who will make proper arrangements for the payment of premiums by the due date.

9.2.7 The Section 151 Officer is responsible for making proper arrangements for the management of claims and losses arising.

9.2.8 The Assistant Chief Fire Officer (Finance and Resources) will ensure procedures are in place for authorising the settlement or repudiation of insurance claims and associated costs. Advice will be sought as required from the Authority's insurers and advisors.

9.2.9 A provision will be made for losses that might result from unidentified risks or losses or known liabilities.

9.2.10 The Assistant Chief Fire Officer (Finance and Resources) should be informed of any insurance claims received, any events which may result in an insurance claim against the Authority and any new risks which might require to be insured (for example changes in legislation, new ways of working etc).

9.2.11 Officers must ensure that any documents requested to defend claims are provided within the timescales stated.

9.3 Computing and Information Technology

9.3.1 The Section 151 Officer shall be responsible for advising on the

arrangements for processing financial data. Any proposals to develop or modify financial systems or to utilise financial information on local systems must be in accordance with the appropriate requirement for Financial Services.

9.3.2 It is the responsibility of the Chief Fire Officer with the relevant manager to implement computer security measures in line with the statutory requirements of current legislation. This includes security and privacy of information held and processed on the finance systems. Authority financial information held on such systems shall only be released to appropriate employees of the Authority, and to those employees authorised by the Section 151 Officer.

9.4 Stocks and Stores

9.4.1 The Chief Fire Officer shall be responsible for arrangements ensuring the care and custody of stock and equipment, including the appropriateness of stock levels.

9.4.2 The Section 151 Officer or his/her authorised representative is entitled at any time to enter any operational or administrative establishment of the Authority, upon production of evidence of identity, to check stock records.

9.4.3 Records are to be maintained in a form approved by the Section 151 Officer, of items held in store pending use, showing receipts, issues and balances in hand. This will include the maintenance of proper financial records, following the issue of guidance on valuation and stock levels.

9.4.4 The Section 151 Officer shall ensure that all stock is counted or measured in intervals not exceeding 12 months. A certified record should be provided to the Head of Finance showing the existence and value of stock held.

9.4.5 Adjustments for deficiencies or surpluses on stocks or disposal of surplus, obsolete or damaged stock shall be made in line with the service's Scheme of Financial Delegation.

9.4.6 The method of disposal shall be agreed by the Section 151 Officer.

9.4.7 In line with the Scheme of Financial Delegation, any stock that is written off should be reported to the Head of Finance, who is responsible for the reporting and monitoring of write offs. Where applicable, associated departmental inventories should be amended to reflect the disposal and a copy of the inventory provided with the notification.

9.4.8 If stock, during the financial year, has a value in excess of £1,000, approval by a Principal Officer is required.

9.5 Inventories

9.5.1 The Chief Fire Officer shall make arrangements for the maintenance of inventories of property such as computers, equipment and other moveable items which are not subject to the stocks and stores accounting procedure prescribed above.

9.5.2 Periodical checks of equipment against the inventories should be undertaken. The maintenance of such inventories is particularly important in connection with potential insurance claims.

9.5.3 Attractive, desirable and portable items, e.g. laptops etc shall be clearly marked as being the property of the Authority, in accordance with the guidance issued from time to time by Internal Audit.

9.5.4 In line with the requirement for the Authority to maintain an asset register, and in order to comply with capital accounting requirements, inventories should include for each item information relating to date of purchase, cost, location, description and any technical features that might affect its value or usefulness.

9.5.5 The Section 151 Officer or his/her authorised representative is entitled at any time to enter any operational or administrative establishment of the Authority, upon production of evidence of identity, to check other equipment and the relevant inventories, and to call for such information and explanation as he/she deems necessary for costing, accounting or security purposes.

9.5.6 In line with the Scheme of Financial Delegation, any items that are written off should be reported to the Head of Finance, who is responsible for the reporting and monitoring of write offs. Where applicable, associated departmental inventories should be amended to reflect the disposal and a copy of the inventory provided with the notification.

9.5.7 If equipment, during the financial year, has a value in excess of £1,000, approval by a Principal Officer is required.

9.6 Private Use of Facilities

9.6.1 The Authority's assets shall not, without the specific authorisation of the Chief Fire Officer, be used for any purpose other than in the discharge of the Authority's functions, including wider community benefits. Where any such other use results in additional cost being incurred or income

forfeited by the Authority, the Section 151 Officer should be consulted and the user shall be required to pay to the Authority the full amount of such additional costs or lost income unless after considering a report from the Chief Fire Officer, the Authority decides otherwise.

9.6.2 Except in the performance of his/her official duties or in accordance with local Conditions of Service no employee shall have use of the Authority's services or facilities other than on the same terms as a member of the public.

9.7 Asset Acquisitions and Disposals

9.7.1 The Chief Fire Officer shall promptly notify the Clerk to the Authority of any acquisition or disposal of land, or interest in land. Negotiations on the Authority's behalf shall be the responsibility of the Clerk to the Authority.

9.7.2 The Clerk to the Authority shall be responsible for making arrangements for the safe registration of land or property owned by the Authority.

9.7.3 The Assistant Chief Fire Officer (Finance and Resources) should be informed of any acquisitions, to ensure these items are properly accounted for.

9.7.4 The Section 151 Officer and Chief Fire Officer shall approve arrangements for the disposal of property (other than land), obsolete vehicles, plant and equipment, stores, old materials and scrap.

9.7.5 Sales of land and/or buildings and the surrender of a lease with a term of five years or more will require Authority approval.

9.7.6 The Assistant Chief Fire Officer (Finance and Resources) should be informed of all disposals, to ensure the assets are removed from the Asset Register and accounted for correctly in the Statement of Accounts.

9.7.7 Where applicable, details of the disposal proceeds and associated paperwork should be provided to the Assistant Chief Fire Officer (Finance and Resources), to ensure that income received from the disposal of the asset is properly accounted for.

9.8 Asset Leasing

9.8.1 Leasing is a method of obtaining the use of an asset which does not involve the formal legal transfer of ownership to the Authority. Leases constitute a long term legal obligation.

9.8.2 The Section 151 Officer is responsible for ensuring that a financial assessment of affordability is completed and the expenditure over the lifetime of the lease is within the approved budget and in accordance with the prudential borrowing limits set by the Authority.

9.8.3 Proposals to enter into or surrender a lease with a term of 5 years or more will require Authority approval.

9.8.4 All leases should be subject to proper approval in accordance with the Scheme of Financial Delegation.

9.8.5 A register of all lease arrangements is maintained by the Head of Finance.

9.8.6 Leases must be properly accounted for within the Statement of Accounts and in accordance with the relevant guidance.

10 Treasury Management

10.1 Capital Strategy

10.1.1 The Authority has adopted the CIPFA Code of Practice for Treasury Management in the Public Services and the Prudential Code for Capital Finance in Local Authorities. The Section 151 Officer, in consultation with the Chief Fire Officer, is responsible for the development of an annual Capital Strategy.

10.1.2 The Capital Strategy has been drafted in response to the latest requirements of the Prudential Code. The core requirement of the Strategy is to provide a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of local public services, and how risk and sustainability are managed by integral procedures embedded in the Authority's working practices.

10.1.3 The Capital Strategy is approved by the Fire Authority on an annual basis.

10.2 Treasury Management Strategy and Plan

10.2.1 The Section 151 Officer is responsible for the Treasury Management Strategy and Plan. This sets out the Authority's approach to borrowing and management of surplus cash including the management of associated risks.

10.2.2 On an annual basis the Treasury Management Strategy must be approved by the Authority prior to the commencement of the year to

which it relates.

10.2.3 The Section 151 Officer is also responsible for making arrangements for the monitoring of compliance with the approved Treasury Management Strategy and Plan during the financial year and year-end reporting to the Authority.

10.3 Borrowings and Investments

10.3.1 Approval of the Capital Programme and associated Treasury Strategy by the Authority shall constitute authority to borrow in respect of projects to be financed from loans.

10.3.2 The Section 151 Officer shall be responsible for the sound investment of all funds and temporary surpluses and for all borrowing on behalf of the Authority required for efficient day to day cash management in accordance with the Authority's Treasury Management Strategy.

10.3.3 The Section 151 Officer is responsible for ensuring that regular monitoring is undertaken in year against the key measures of affordability and sustainability, by reviewing estimates of financing costs to revenue and the capital financing requirement. All potential breaches of the prudential indicators must be brought to the attention of the Section 151 Officer who will advise on action required.

10.3.4 Full and accurate records of all investments and borrowing shall be maintained and the Section 151 Officer shall ensure safe custody of all securities, bonds, certificates and other documents.

11 Value Added Tax (VAT)

11.1 Records

11.1.1 The Section 151 Officer is responsible for the maintenance of proper VAT records and ensuring that arrangements are in place for returns to Her Majesty's Revenue and Customs (HMRC) in accordance with prescribed regulations.

11.1.2 It is the responsibility of the Section 151 Officer to ensure arrangements are in place to correctly account for VAT.

11.2 Input Tax

11.2.1 Where creditors' invoices include VAT, in accordance with HMRC, the following conditions are satisfied:

(i) the invoice is a tax invoice;

(ii) for construction industry payments, an authenticated receipt will be obtained;

(iii) for payment made in advance of services/goods being received, a tax receipt will be obtained to enable the necessary adjustments to be made;

(iv) the VAT included on a creditor's invoice is identified and coded correctly; and

(v) that VAT invoices are processed expeditiously and are not unduly delayed.

11.3 Output Tax

11.3.1 Where services provided are subject to VAT in accordance with HMRC regulations, then proper VAT invoices are raised having due regard to the relevant tax points.

11.3.2 All tax invoices raised are processed expeditiously.

11.3.3 Cash income received, where such income includes VAT, is correctly analysed and processed in the normal way.

11.4 Retention of Documents

11.4.1 All documents identifying VAT transactions, including proof of payment and banking records, must be retained for six years to satisfy the requirements of HMRC.

12 Preventing Financial Irregularities

12.1 Anti-Fraud and Corruption Strategy

12.1.1 The public expect conduct of the highest standard from employees of the Authority. Public confidence in the integrity of such employees will be shaken by any suspicion, however ill-founded, of influence being exerted on Authority expenditure by improper motives

12.1.2 The Authority's policy for the prevention of financial irregularities is detailed in the Anti-Fraud and Corruption Strategy.

12.1.3 The Authority's expectation of propriety and accountability is that Members and Officers, at all levels, will lead by example in ensuring adherence to legal requirements, rules, procedures and practices.

12.1.4 The Section 151 Officer is responsibility for ensuring adequate arrangements for delivering the Anti-Fraud and Corruption Strategy and ensuring adequate ongoing training and awareness of all employees regarding fraud and corruption measures.

12.1.5 The Authority has in place a Whistleblowing Policy which applies to all employees. This policy provides a procedure for making confidential disclosures about suspected wrongdoing, irregularity or a failure of standards, within the Authority.

12.1.6 If an officer has suspicion that there has been any fraud or irregularity of anysort, including bribery, within the Authority, he/she must inform his/her line manager immediately. If the line manager is lower than a Head of Department, then the Head of Department must be informed immediately, along with the Chief Fire Officer and the Section 151 Officer.

12.2 Donations, Grants to Other Bodies and Contributions

12.2.1 Any donation, grant to another body or contributions must be approved by the Chief Fire Officer in consultation with the Monitoring Officer or Section 151 Officer.

12.2.2 If the donation, grant to another body or contribution exceeds £20,000 it must be approved by the Authority.

12.3 Register of Members' Interests

12.3.1 The Monitoring Officer is responsible for ensuring that the procedures agreed by the Authority for the registration of members' interest comply with statutory requirements.

12.3.2 The declarations are published on the Authority's website.

12.4 Declarations of Interest

12.4.1 The Section 151 Officer shall ensure that proper arrangements are in place for declarations of interest of senior officers or other employees with a fiduciary interest in a contract with the Authority.

12.4.2 An employee shall not act in an official capacity in connection with any matter in which he/she or a close relative has a personal interest.

12.4.3 The forms are maintained by the Head of Finance.

12.5 Gifts and Hospitality

12.5.1 Receiving benefits, gifts, rewards or hospitality in return for providing services (even if these services are part of a usual role) can be perceived as an inducement to show favour to a person or organisation in his or her official capacity.

12.5.2 Members and Officers must exercise care when considering whether to accept an offer of a gift or hospitality and further guidance is provided within Part 5 of the Constitution.

12.5.3 The offer or acceptance of trivial gifts up to a maximum of £25.00 do not need to be declared although Members and staff may wish to do so at their own discretion. All other offers, including those declined must be recorded in the register.

12.5.4 A register of Gifts and Hospitality is maintained by the Finance Department. All declarations must be submitted within 28 days via the email address: declarations@nwales-fireservice.org.uk.

12.5.5 All staff should conduct themselves with integrity, impartiality and honesty at all times and should maintain high standards of propriety and professionalism.

12.6 Promotional Offers

12.6.1 Employees responsible for the purchase of goods and supplies on behalf of the Authority should note that any promotional offers given by existing or future suppliers are the property of the Authority.

12.6.2 These promotional offers normally take the form of a free gift, a holiday offer, vouchers towards goods or some other incentive. All staff should conduct themselves with integrity, impartiality and honesty at all times and should maintain high standards of propriety and professionalism including being open and transparent.

12.6.3 As a general rule, promotional offers should not be accepted unless clearly and demonstrably trivial in nature. Further guidance should be sought from the Head of Finance.

12.6.4 The Head of Finance should be informed of all offers and these should be recorded in the Authority's register of gifts and hospitality, including those offered and declined.

12.7 Unofficial Funds

12.7.1 The Chief Fire Officer is responsible for ensuring that all voluntary and unofficial funds held, where money and/or assets are handled by an employee in the course of their employment or office, which have not

been issued by the Authority, are properly administered and audited annually.

12.7.2 The Authority will not supervise the financial administration nor audit unofficial funds and accepts no liability for any loss. Those operating the funds have an overall financial responsibility to ensure that proper financial stewardship is observed. This includes:

- a Section 151 Officer and an independent examiner are formally appointed
- proper rules are operated to maintain adequate standards;
- adequate records and procedures are maintained;
- regular reports on fund transactions and balances are received and checked against bank statements;
- annual statements of income and expenditure and fund balances are prepared and subject to independent examination;

12.7.3 It is the responsibility of those operating or intending to operate the Fund to:

- notify the Head of Finance of details of the fund as soon as this is set up;
- provide an independent annual examination certificate for the fund to the Head of Finance within three months of the end of the financial year, showing at least opening and closing balances and total income and expenditure;
- The Section 151 Officer reserves the right to inspect the accounts and records of such funds as necessary.

Appendix 1

Responsibility Matrix

Activity	Fire Authority	Chief Fire Officer	Section 151 Officer	Monitoring Officer	Assistant Chief Fire Officer (Finance and Resources)	Head of Department
Strategic Activity						
Approve the Financial Regulations	x					
Make strategic decisions which impact on the financial performance and position of the Authority's MTFS	x					
Prepare the Medium Term Financial Strategy (MTFPS)		x	x		x	
Approve the MTFS, annual budget and levy	x					
Approve the terms under which banking services are provided	x					
Approve the Reserves Strategy	x					
Approve the Treasury Management Strategy and Capital Plan	x					
Revenue and Capital Budgeting						

Activity	Fire Authority	Chief Fire Officer	Section 151 Officer	Monitoring Officer	Assistant Chief Fire Officer (Finance and Resources)	Head of Department
Ensure that any Revenue or Capital budget bids considered significant by the Section 151 Officer are fully costed and completed using the required templates						x
Prepare the draft Revenue Budget and Capital Programme(Budget) and calculate the draft levy			x			
Report on the robustness of the estimates used in the budget, and the adequacy of the Authority's reserves for which the budget provides as part of the budget approval process			x			
Monitor and review the Reserves Strategy			x			
Approve the Revenue Budget, Capital Programme and levy	x					
Consider any additional items of expenditure which would lead to new or significant variation in policy.	x					
Delegation of and Management of Revenue and Capital Budgets						

Activity	Fire Authority	Chief Fire Officer	Section 151 Officer	Monitoring Officer	Assistant Chief Fire Officer (Finance and Resources)	Head of Department
Maintain a scheme of Financial Delegation which includes limits to individual officers' approval, and ensures that all revenue and capital budgets are allocated to a HOD. Budget delegation below HOD will be at HOD discretion, but the HOD will retain responsibility for the budget.		x	x		x	
Ensure appropriate delegation of budget management takes place, and ensure budget managers have regular reports to help them effectively manage budgets.					x	
Plan to spend budgets in accordance with the Authority's objectives and effectively control the spending within budget						x
Provide timely and accurate financial monitoring information			x			
Regularly monitor budgets and consider how to deal with any variances					x	x
Report financial performance to Members at least quarterly			x			
Consider performance against the budget and capital programme regularly	x					
Statutory Accounts						

Activity	Fire Authority	Chief Fire Officer	Section 151 Officer	Monitoring Officer	Assistant Chief Fire Officer (Finance and Resources)	Head of Department
Prepare the statutory accounts of the Authority (including certifying the draft accounts by the end of the May following the year end)			x		x	
Approve the statutory accounts by the end of September following the year end	x					
Treasury Management						
Appoint the Authority's bankers	x					
Ensure that adequate Treasury Management practices are in place, including arranging any necessary loans or investments in accordance with Cash Flow forecasts			x			
Prepare and manage the annual Treasury Management Strategy and Capital Plan including approval of and monitoring of Prudential Indicators			x			
Approve the annual Treasury Management Strategy	x					
Financial Management and Control						
Convene and chair the Service Leadership Team which consists of Senior Officers and considers financial matters including budget monitoring		x				
Offer advice on all financial matters			x		x	

Activity	Fire Authority	Chief Fire Officer	Section 151 Officer	Monitoring Officer	Assistant Chief Fire Officer (Finance and Resources)	Head of Department
Ensure the provision of financial services including the payment of invoices, financial information, imprest accounts, and the collection of income			x			
Ensure the provision a payroll and pensions service					x	
Ensure suitable financial and control systems are in place, including financial procedures			x			
Ensure assets are properly managed			x			x
Ensure tendering procedures are in place and followed			x			x
Ensure that all financial transactions pass through the Authority's financial system.						x
If requested, provide the Chief Fire Officer, Section 151 Officer, Assistant Chief Fire Officer (Finance and Resources), and External or Internal Auditor with access to any document or record under their control.						x
Ensure that all officers who are responsible for any financial activity receive appropriate induction and training					x	x
Ensure that that financial aspects of joint arrangements and partnerships are properly managed.		x	x	x		x
Ensure a suitable Risk Management process is in place for financial risks		x				

Activity	Fire Authority	Chief Fire Officer	Section 151 Officer	Monitoring Officer	Assistant Chief Fire Officer (Finance and Resources)	Head of Department
Ensure that the Authority has appropriate Insurance arrangements in place.					x	
Statutory functions						
Ensure that the Authority meets its statutory and regulatory requirements (which includes the Accounts and Audit regulations; the Local Authority Accounting Code of Practice; the Code of Practice for Treasury Management; and the Internal Audit Code of Practice)	x	x advisory	x			
Fulfil the responsibilities of a Chief Finance Officer under Section 151 of the Local Government Act 1972, and act as Section 151 Officer to the Authority			x			
Fulfil the duties of a Chief Finance Officer under Section 114 of the Local Government Act 1988			x			
Appoint a deputy Section 151 Officer		x				
Maintain an effective internal audit function	x		x			

CONTRACT PROCEDURE RULES

Introduction

The purpose of these Contract Procedure Rules is to provide a methodology for the procurement of goods, works and services for the Authority and to ensure that the relevant procedures are efficient and transparent and provide a system of openness and accountability. The highest standards of probity are required of all officers and Members involved in the procurement, award and management of the Authority's Contracts.

Any queries in respect of these Contract Procedure Rules shall be referred to the Monitoring Officer.

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GENERAL

1. Interpretation

1.1 In these Contract Procedure Rules, the following terms have the following meanings:

Approved List	a list drawn up for and maintained by services for use under CPR 15
Business Case	the process for weighing up the expected benefits with the cost and risks of a proposed project.
Call Off	a Contract let using a Framework Agreement where the terms allow for a Contract to be awarded without the need for mini competition.
Code of Conduct	the Codes regulating the conduct of Officers and Members as set out in the Authority's constitution
Community Benefits	social or economic or environmental requirements which benefit the community within the Authority area
Contract	an agreement for the supply of goods or services or concessions or the execution of works
Contract File	a record of all matters relating to the Contract and procurement process
Contractor	a supplier of goods or services or concessions or works for the Authority
Contracts Register	a Register of Contracts currently operating within the Authority
Corporate Purchasing Agreement	a Contract or Framework Agreement which has been endorsed and approved for use by the ACFO (Finance and Resources) and its use shall be mandatory. This includes joint procurement arrangements and membership of official planning consortiums

Contract	a Contract covered by the Public Contracts Regulations 2015
Authority	North Wales Fire and Rescue Authority
E-Sourcing	electronic systems for the facilitation and conducting of procurement exercises
Find A Tender (FTS)	Service manages tenders and contracts whose overall spend is, or will be, above the current public procurement thresholds.
Framework Agreement	An agreement which allows a Responsible Officer to Call Off or undertake a mini competition to provide goods, services or works in accordance with the terms of the agreement. The Framework Agreement usually constitutes a non-binding offer with no obligations to Call Off from the Contractor. If the Authority Calls Off from the Contractor a binding Contract comes into being.
GPA	Government Procurement Agreement
Chief Fire Officer (CFO)	Overall responsibility for each area of North Wales Fire and Rescue Service
Principal Officer (PO)	Responsible for specific areas within the North Wales Fire and Rescue Service
Invitation to Tender	Invitation to Tender documents in the form required by these Contract Procedure Rules
Member(s)	A Member of the Authority
Monitoring Officer	The Officer designated by the Authority as its statutory Monitoring Officer from time to time
Month	A calendar month
Most Economically Advantageous Tender	the tender which is the most advantageous to the Authority based on a combination of price and quality criterion

Public Procurement Thresholds	Thresholds determined by the World Trade Organisation's (WTO) Government Procurement Agreement (GPA) reviewed every 2 years.
Quotation	A quotation of price and any other relevant matter made without the formal issue of an Invitation to Tender
Relevant PO	The PO whose department is responsible for the procurement exercise in question
Responsible Officer	Any permanent or temporary staff member or consultant or any other person properly authorised by the Authority to carry out any of the Authority's Contracts functions
Section 151 Officer	The officer designated by the Authority to undertake its duties under section 151 of the Local Government Act 1972
Tender	A Contractor's formal proposal submitted in response to an Invitation to Tender
Tenderer	A Contractor who is invited to submit a Tender for the provision of works, services, goods or concessions to the Authority
Value for Money	The optimum combination of whole life costs, quality and benefits to meet the Authority's requirement. Such term equates to the WTO's GPA procurement requirement of "most economically advantageous offer"
Working Day	any day other than a Saturday or a Sunday or a day which is a bank or a public holiday throughout Wales
WTO	World Trade Organisation

1.2 Unless the context otherwise requires, words in the singular shall include the plural and in the plural include the singular.

1.3 Unless the context otherwise requires, a reference to one gender shall include a reference to the other gender.

1.4 Any reference to actions within these Contract Procedure Rules can

also be undertaken by Responsible Officers with the appropriate delegated authority to carry out such tasks.

1.5 Under these Contract Procedure Rules, periods expressed as a certain number of days from a particular event run from the day following that on which the event takes place. If the last day of the period falls on a Saturday, Sunday or a bank or public holiday it will end on the next working day.

1.6 Periods will include public holidays and weekends unless these are expressly excluded or the periods are expressed as a certain number of working days.

2. Compliance with Contract Procedure Rules and Legislation

2.1 These Contract Procedure Rules apply to all Contracts entered into by or on behalf of the Authority.

2.2 The ACFO (Finance and Resources), Monitoring Officer or Section 151 Officer shall advise on the implementation and interpretation of the Authority's Contract Procedure Rules.

2.3 Every Contract entered into by the Authority or on its behalf shall be entered into pursuant to, or in connection with, the Authority's functions and shall comply with:

2.3.1 all relevant statutory provisions;

2.3.2 the relevant UK law and the UK public procurement rules;

2.3.3 the Authority's constitution including these Contract Procedure Rules and the Authority's Financial Regulations.

2.3.4 schemes of delegation;

2.3.5 the Authority's strategic objectives and policies;

2.3.6 the relevant data protection legislation.

2.4 Should there be a conflict between the provisions of the Authority's Contract Procedure Rules and any provision of an UK directive or any domestic legislation, the directive or legislation shall prevail.

2.5 All Responsible Officers must comply with the Authority's Contract Procedure Rules and Financial Regulations. Other officers must not enter into Contracts on behalf of the Authority.

2.6 Any failure by a Responsible Officer to comply with any of the provisions of these Contract Procedure Rules or the Authority's Financial Regulations or associated guidance adopted by the Authority or any UK legal requirements may result in disciplinary action.

2.7 Any failure to comply with these Contract Procedure Rules by Responsible Officers shall be reported immediately to the ACFO (Finance and Resources).

2.8 Any failure to comply with these Contract Procedure Rules by Members shall be reported immediately to the Monitoring Officer.

3. Duties of Responsible Officers and Members

3.1 The highest standards of probity are required of all Responsible Officers and members involved in the procurement, award and management of Authority Contracts.

3.2 Responsible Officers shall always:

3.2.1 seek value for money;

3.2.2 show no undue favour to any Contractor or Tenderer, nor discriminate against any Contractor or Tenderer;

3.2.3 ensure that all procurement is in accordance with the highest standards of propriety and proper practice (including respecting the confidentiality of commercial information);

3.2.4 do nothing that contravenes UK domestic law;

3.2.5 ensure that adequate Contract files are kept for Contracts upon which they are engaged.

3.3 Members and officers must comply with the Authority's policy and processes in relation to gifts and hospitality. As a general rule, offers of gifts or hospitality must not be accepted without the written authorisation of the CFO or Relevant PO. This includes offers from Contractors, Tenderers or any firm or organisation with whom the Authority has had, is having or may have any dealings of any kind.

3.4 Members shall comply with the members' code of conduct.

3.5 Responsible Officers shall comply with the officers' code of conduct.

3.6 Members and officers should seek advice from the Monitoring Officer in respect of any matter arising out of these Contract Procedure Rules

whenever there is any doubt as to the correct procedure.

4. Declaration of Interests

4.1 No Member, officer or agent of the Authority shall improperly use their position to obtain any personal or private benefit from any Contract entered into by the Authority.

4.2 The following shall declare any interests which may affect the Contract process:

4.2.1 all Responsible Officers who play any role in the procurement process, including those designated under a scheme of delegation in CPR 5.3;

4.2.2 Members involved in the procurement process; or

4.2.3 external consultants.

4.3 The CFO or responsible PO shall ensure that members, officers, consultants or anyone else who is not an officer of the Authority appointed or agreed by them make declarations on their appointment and on any change in circumstances (and annually in the case of officers), and shall either certify them as acceptable or take any necessary action in respect of potential conflicts of interest. Responsible Officers shall keep completed consultants' declarations on the Contract file.

4.4 All members and Responsible Officers must complete a declaration of interest form, which must be appropriately approved in compliance with the Authority's declaration of interests policy. The Authority shall maintain a register of declarations indicating the names and grades of those declaring and the nature of their declaration.

5. Scheme of Delegation

5.1 The Authority shall maintain a scheme of delegation setting out the delegated limits for Chief Officers and Responsible Officers. Responsible Officers must operate within delegated limits when entering into a Contract on behalf of the Authority.

5.2 Each PO shall compile and maintain a scheme of delegation specific to their service, detailing the names and grades of Responsible Officers approved for the purposes of obtaining quotations, tendering, entering into contracts and placing orders on behalf of the authority and the maximum contract or order value allocated to each Responsible Officer for these purposes.

5.3 Each PO must provide the ACFO (Finance and Resources) with their scheme of delegation before the start of each financial year and on making any amendment.

5.4 The ACFO (Finance and Resources) shall keep a register of all schemes of delegation and shall ensure the appropriate scheme of delegation is replicated within the purchase-to-pay solution (for ordering, receipting and payments).

6. Electronic Procurement Solutions

6.1 All purchase to pay processes including requisitioning, ordering, receipting and invoice payments shall be conducted via the corporate purchase-to-pay solution.

7. Corporate Purchasing Agreements and Dynamic Purchasing Agreements

7.1 The use of the following Corporate Purchasing Agreements as endorsed by the ACFO (Finance and Resources) shall be mandatory, unless a justification not to use them has been made in writing and been approved by the ACFO (Finance and Resources):

7.1.1 Corporate purchasing agreements resulting from the National Procurement Service or any other approved official purchasing consortiums;

7.1.2 Any other Framework Agreements and any subsequent call off arrangements; and

7.1.3 Joint procurement arrangements.

7.2 Any membership of an official purchasing consortium which requires upfront Authority commitment shall be approved by the ACFO Finance and Resources prior to the involvement by or on behalf of the Authority.

8. Use of Consultants

8.1 The engagement of consultants must be approved, in the first instance, by the Relevant PO and such approval shall be recorded on the corporate Contracts Register.

8.2 When calculating the estimated value of the Contract, due consideration must be given to any follow on work that may result from the original Contract. Where it is proposed that consultants are engaged by the Authority, the Relevant PO shall ensure that:

8.2.1 there is a clear identification of need. In particular, the availability of in-house resources must be considered before seeking to engage external consultants;

8.2.2 a budget has been agreed;

8.2.3 a project brief has been prepared;

8.2.4 Contracts are in accordance with these Contract Procedure Rules, unless CPR 14 applies;

8.2.5 comprehensive criteria against which proposals will be evaluated are set;

8.2.6 the selection decision is clearly documented;

8.2.7 a formal agreement or detailed letter of engagement is prepared and signed;

8.2.8 fee payments and progress are monitored;

8.2.9 a detailed Contract file is maintained;

8.2.10 performance is reviewed and adequate management monitoring and reporting is in place, including implementation of any recommendations made by consultants;

8.2.11 there is a clear requirement for knowledge and skills transfer from the consultant to in-house staff;

8.2.12 declare any interests which may affect the Contract process.

8.3 Consultants shall be required to provide evidence of and maintain professional indemnity policies to the satisfaction of the Relevant PO for the periods specified in the respective agreement. The excess for any one claim shall be no more than £20,000 except with the approval of the ACFO (Finance and Resources).

8.4 For the engagement of technical external staff such as architects, surveyors, engineers and lawyers, the Relevant PO shall annually review the level of use of such external staff.

8.5 Where consultants or technical external staff such as architects, surveyors, engineers or lawyers are appointed to be responsible for supervision of a Contract on behalf of the Authority, it shall be a condition of appointment that they shall comply with these Contract

Procedure Rules and the Authority's Financial Procedure Rules in relation to that Contract as if they were an officer of the Authority and that on completion of the Contract they shall submit all relevant records to the Relevant PO.

PROCUREMENT PLANNING

9. Purchasing Need and Procurement Planning Approval

9.1 The Relevant PO shall, having established and identified a purchasing need, nominate a Responsible Officer to fully assess the purchasing need.

9.2 Before undertaking a procurement exercise the Responsible Officer shall ensure that the authority's business planning process is followed. This includes the appropriate scoping of goods/service requirements, ensuring that there is approved budget for such expenditure and the route to market is compliant with these procedure rules.

10. Determining the Contract Value

10.1 Before conducting any procurement exercise the Responsible Officer will estimate and record the total expected cost of a proposed Contract, including any Contract extensions, incidental or ancillary costs net of recoverable VAT over the full duration of the Contract. For construction Contracts the estimate must be produced by a suitably qualified officer.

10.2 Where a service or supply Contract does not stipulate a total price, the value shall be estimated as follows:

10.2.1 fixed term service Contracts of up to 48 months: total consideration payable over the term;

10.2.2 service Contracts or Contracts for the hire of goods for an indefinite or uncertain period or for a fixed term of more than 48 months; consideration payable in respect of each month multiplied by 48.

10.3 The value of regular or renewable service or supply Contracts shall be estimated either:

10.3.1 by aggregating the value of similar Contracts for the same categories of services or supplies awarded by the Authority over the previous financial year or 12 months, adjusted where

possible for anticipated changes in quantity or value over the next 12 months; or

10.3.2 by taking the estimated aggregate value during the 12 months following the first supply or service performed, or during the term of the Contract where this is greater than 12 months.

10.4 A Contract cannot be artificially divided, nor a valuation method selected with the intention of avoiding any clauses within these Contract Procedure Rules. Contracts shall be packaged to ensure best service delivery, competition and value for money.

10.5 Where a purchasing requirement is subdivided into several smaller Contracts, the estimated value of each shall be aggregated to estimate the total Contract value. However it will not be necessary to aggregate the following:

10.5.1 any works Contract that has an estimated value of less than the small lots provision in the table of values; or

10.5.2 any service Contract that has an estimated value of less than the small lots provision in the table of values, provided that the aggregate value of all those smaller Contracts is less than 20% of the total Contract value.

11. Pre-Tender Enquiries

11.1 Enquiries of Contractors may be made before tenders are invited in order to:

11.1.1 establish whether goods, works or services that the Authority wishes to purchase are available and within what price range;

11.1.2 prepare the Invitation to Tender, price estimates and Contracts;

11.1.3 establish whether particular Contractors wish to be invited to tender or quote.

11.2 In making enquiries:

11.2.1 no information shall be disclosed to one Contractor which is not then disclosed to all those of which enquiries are made, or who are subsequently invited to submit a tender or quotation;

11.2.2 no Contractor shall be led to believe that the information they offer will necessarily lead to them being invited to submit a tender or quotation, or being awarded the Contract;

11.2.3 a written record, including notes of any meetings held, the responses and the names of all individuals present shall be kept by the Responsible Officer on the Contract file.

12. Sustainable Procurement and Safeguarding

12.1 The Authority has a duty under the Wellbeing of Future Generations (Wales) Act 2015 to act in accordance with the sustainability principle and to ensure this guides decision making. The Authority must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

12.2 For all Contracts over £100,000 for goods and services the Authority shall consider whether to take account of social, economic and environmental issues when setting the tender evaluation criteria.

12.3 For all Contracts exceeding £2,000,000 the Authority must demonstrate compliance with the Welsh Government's Community Benefits In Procurement requirements. For relevant Contracts, Contractors will be required to complete the Community Benefits Toolkit as part of their Contractual requirements.

EXEMPTIONS

13. Exempt Contracts

13.1 An Exempt Contract is one to which these Contract Procedure Rules do not apply.

13.2 The following Contracts are exempt from the requirements of these Contract Procedure Rules:

13.2.1 employment Contracts;

13.2.2 agreements relating solely to disposal or acquisition of an interest in land with the exception of Development Agreements (see CPR 52);

13.2.3 internal purchases or service provision;

13.2.4 Contracts for the engagement of counsel; and

13.2.5 Contracts for the engagement of an expert witness.

14. Exemption from Contract Procedure Rules

14.2 For Contracts other than those specified under CPR 13, a Responsible Officer may seek an exemption from applying these Contract Procedure Rules in exceptional circumstances.

14.3 A Contract shall only be negotiated with a single Contractor where the Authority having considered all the circumstances decides that such a course is desirable in the public interest. Such a decision shall be made only after consideration by the ACFO (Finance and Resources) in conjunction with the Monitoring Officer where appropriate. Circumstances may include:

14.3.1 where the works, goods or services can only be provided by a particular Contractor for reasons that are technical or connected with the protection of exclusive rights;

14.3.2 urgency brought about by events unforeseeable by the Authority and in accordance with the strict conditions stated in the Public Contracts Regulations 2015;

14.3.3 goods are required as a partial replacement or addition to existing goods or installations and obtaining them from another Contractor would result in incompatibility or disproportionate technical difficulties in operation or maintenance;

14.4 No exemptions may be granted which would result in a breach of UK domestic law.

14.5 A register of approved exemptions will be maintained.

APPROVED LISTS

15. Authority's Approved Lists

15.1 Approved lists may be established for certain types of goods, works and service Contracts. Generally these will be for low value high frequency purchases.

15.2 The approval from the ACFO (Finance and Resources) must be sought prior to set up or adoption of an Approved List.

15.3 Authority Approved Lists shall:

15.3.1 indicate whether the Contractors listed are approved for all Contracts or for only some of the specified categories, values or

amounts;

15.3.2 be publicly advertised and reviewed in full at least every four years. As a minimum, a public advertisement must be published on the National Procurement Service website (Sell2Wales);

15.3.3 be open to receive new expressions of interest from any Contractor;

15.3.4 be an Approved List prepared by another public body providing that it has been composed in a proper manner by that body and that the Responsible Officer is satisfied that the procedure used does not conflict with the Authority's policies and procedures.

15.4 The financial standing of Contractors may be subject to financial assessment. Where the CFO or POs choose not to adhere to the financial assessment limits advised by the ACFO (Finance and Resources), a documented risk assessment must be undertaken to support the decision.

15.5 A Contractor shall not be placed on an Authority Approved List or invited to tender if:

15.5.1 it is bankrupt or is being wound up or is having its affairs administered by a court or has entered into an arrangement with creditors or has suspended its business activities or is subject to court proceedings regarding any of these matters;

15.5.2 it, or any of its directors, have been convicted of an offence concerning professional conduct or have been guilty of grave professional misconduct;

15.5.3 it has not fulfilled obligations relating to the payment of taxes or other statutory contributions;

15.5.4 it has fundamentally misrepresented information supplied to the Authority.

15.6 Where an Approved List is in place, the consideration of other Contractors shall only be permitted where the Contractors are to be subject to a separate pre-qualification questionnaire exercise as part of a specific procurement exercise.

15.7 Responsible Officers must ensure a process of continual checking and verification is in place with respect to Contractors who are on an Approved Lists or Framework Agreements or have a Contract in place.

Issues which shall be subject to verification shall include financial standing (see CPR 15.6), level of insurance cover (including any policy exclusions), accreditations, level of prosecutions and any other relevant information which may be subject to change or renewal.

16. Removal of a Contractor from an Approved List

16.1 The Relevant PO may, in consultation with the ACFO (Finance and Resources), immediately suspend a Contractor from an Approved List, Framework Agreement, dynamic purchasing agreement or (in exceptional circumstances) Contract, whenever there are substantiated concerns regarding the Contractor's financial standing or technical capability or compliance with health and safety requirements.

16.2 Investigations of the Contractor must take place immediately. if the suspicions are confirmed, the Contractor must be removed from the Approved List, Framework Agreement or dynamic purchasing agreement. If the suspicions are dispelled, the Relevant PO must immediately reinstate the Contractor.

16.3 A Contractor may be removed from an Approved List, Framework Agreement if the Relevant PO considers that the Contractor or its staff have breached standards of conduct that are relevant to the nature of the work performed by the Contractor. Action may be taken under this paragraph even if there are no doubts about the financial standing or technical capability of the Contractor.

16.4 In the event that a Contractor is removed from an Approved List, Framework Agreement the ACFO (Finance and Resources) will be notified of the decision.

16.5 A Contractor which has been removed from an Approved List or Framework Agreement shall have the right to appeal the decision within 7 working days of receipt of the letter informing them of their removal.

16.6 Any appeal shall be heard by the Monitoring Officer and Section 151 Officer.

PROCUREMENT APPROACHES

17. Requirements for All Contracts

17.1 The Authority is actively involved in collaborative agreements and arrangements across the public sector. These include joint

procurement agreements to secure economies of scale and the use of public sector procurement frameworks.

17.2 Such arrangements known as Corporate Purchasing Agreement must be considered in the first instance. If in place an order shall be placed under the Corporate Purchasing Agreement accordingly.

17.2 A purchase order must be sent via the purchase-to-pay solution following award of the Contract.

18. Contracts Valued at less than £10,000 (Goods, Works and Services)

18.1 The need to obtain written quotations shall be at the Relevant PO's discretion although this does not alleviate the Relevant PO of their responsibility to demonstrate that value for money has been obtained.

19. Contracts Valued between £10,000 and £40,000 (Goods, Works and Services)

19.1 Where a Corporate Purchasing Agreement is not available, the Responsible Officer shall obtain a minimum of three quotations.

20. Contracts Valued between £40,000 and WTO's GPA Threshold (Goods, Works and Services)

20.1 Where a Corporate Purchasing Agreement is not available, the Responsible Officer must follow the tender requirements.

21. Contracts Valued over WTO's GPA Threshold (Goods, Works and Services)

21.1 Where a Corporate Purchasing Agreement is not available, the Responsible Officer shall invite tenders with appropriate advertisements on the e-tendering platform Find A tender (FTS).

22. Request for Quotes and Invitation to Tender Documentation

22.1 The Invitation to Tender and all other procurement documentation (including requests for quotation, pre-qualification questionnaires and Contract award letters) used shall be in compliance with the corporate standard documentation.

22.2 Every set of procurement documents shall state the nature and purpose of the Contract for which tenders are invited, specify the last date and time when tenders will be received and state that the Authority reserves the right not to accept any tender or to accept a tender other than the lowest where payment is to be made by the

Authority or the highest where payment is to be received by the Authority.

22.3 The Invitation to Tender must include an indication of the method of selection of the successful tender i.e. price basis, quality basis or a combination of price and quality (most economically advantageous tender).

22.4 Instructions must be given to Tenderers regarding submission of documents which state that tenders must be received by the time and date indicated on the Invitation to tender. Receipts will be issued for hand delivered tenders.

22.5 All Tenderers shall be required to submit a signed statement to the effect that their tender price has not been communicated to others apart from that disclosed in confidence to insurers and that they have not adjusted the amount of any tender or quotation in accordance with any agreement or arrangement between the proposed Tenderer and any other person.

23. Tender Specifications

23.1 The Responsible Officer shall ensure the Invitation to Tender specifies the quality, performance, safety and other characteristics required of the works or goods or services or supplies. Specifications may include requirements relating to methods of construction, design and costing, tests, testing methods, inspection and acceptance, quality assurance, packaging, marking and labelling.

23.2 Technical specifications shall be defined by reference to relevant specifications, in the following order: to British technical specifications, British standards implementing international standards, other British standards and technical approvals or any other standards. Where an appropriate standard is current at the date of tender, all works, goods, services and supplies shall be at least of equal quality.

23.3 Specifications shall not refer to goods of a particular make or source unless:

23.3.1 it is justified by the purchasing requirement; or

23.3.2 the purchasing requirement cannot otherwise be described precisely and intelligibly, provided references are accompanied by the words 'or equivalent'.

24. Tender Bid Clarifications

24.1 At all times during the procurement process the Authority shall ensure that all Tenderers and Contractors are treated equally and in a non-discriminatory and transparent manner.

24.2 Tenderers must be provided with an opportunity to ask questions of the Authority in relation to the procurement exercise and Contract requirement. Where a Tenderer seeks clarification from the Authority prior to tender submission, the Responsible Officer shall ensure that the clarification question and response are brought to the attention of all Tenderers.

24.3 Following receipt of tenders, the Responsible Officer may seek clarification from Tenderers where appropriate in consultation with the ACFO (Finance and Resources).

25. Tender Submissions

25.1 The principles governing the submission of tenders should apply to both electronic and written (paper) submission. and in compliance with the instructions to Tenderers issued as part of the Invitation to Tender.

25.2 The tender should be submitted in a plain sealed envelope which shall be duly marked "Tender for the ....." according to the subject to which it relates, and the tender conditions shall clearly indicate the last day and time for receipt of tenders. The date and time received shall be recorded on all envelopes and arrange for the safe custody of all submitted tenders, which shall remain unopened until the time appointed for their opening.

25.3 If a tender is opened in error, no attempt shall be made to ascertain any contents of the tender or its origin and the matter shall be reported to the Relevant PO. The envelope shall be resealed immediately and signed by the officer concerned.

25.4 No Responsible Officer or member shall communicate with any Tenderer once the Invitation to Tender has been posted to, or collected by the Tenderer. No information relating to that procurement process shall be disclosed to anyone not involved directly in arranging the Contract, except where it is necessary:

25.4.1 for an officer or Tenderer to carry out an inspection of works, in which case all Tenderers shall be offered an equal opportunity to carry out an inspection; or

25.4.2 to inform Tenderers of a change in the procurement arrangements, including the supply of additional or changed

information, in which case all Tenderers shall be sent the same information at the same time; or

25.4.3 in response to a request for clarification.

26. Tender Opening

26.1 All tenders shall be opened at the same time and place after the closing time for receipt of tenders as stated in the Invitation to Tender or as early as reasonably practical thereafter.

26.2 The Authority shall have arrangements in place to record the following details of each tender:

26.2.1 the last date and time for the receipt of tenders;

26.2.2 the time and date the tender was received;

26.2.3 the name of each Tenderer and where practicable the value of each tender;

26.2.4 the date the tenders were opened;

26.2.5 Contract title;

and the record shall be signed by all designated persons present at the tender opening.

27. Late Tenders Received

27.1 Any tender received after the specified time shall be endorsed with the time and date of receipt.

27.2 If all other tenders have been opened, the late tender shall not be considered for evaluation and shall be opened only to ascertain the name of the Tenderer. No other details of the tender shall be disclosed. The Responsible Officer shall arrange for the tender to be returned to the Tenderer immediately. A notification letter explaining why the tender has not been considered shall be sent to the Tenderer.

27.3 The late tender may be considered, providing that the other tender have not been opened and that the Monitoring Officer or relevant PO is satisfied:

27.3.1 that there is evidence that the late tender was posted or submitted in time for delivery by the due date in the normal course of postal service or internet service; or

27.3.2 that exceptional circumstances surrounds the submission of the late tender.

27.4 Any decision is to be recorded on the tender opening document and a copy of the decision should be included in the register.

28. Tender Evaluation

28.1 All tenders for goods, services or works shall be evaluated and awarded on the basis of most economically advantageous tender, which shall include a combination of price and quality criteria, unless an exemption to this requirement has been approved by the ACFO (Finance and Resources).

28.2 Any scoring or weighting attributable to any criteria or sub-criteria must be clearly stated in the Invitation to tender. The criteria shall be strictly observed and remain unchanged at all times throughout the evaluation process. It must be noted that prior disclosure of and adherence to award criteria and weightings is a fundamental requirement of the core principle of transparency. The core procurement principles of transparency, equal treatment and non-discrimination apply to all procurements.

29. Errors in Tenders

29.1 As a general rule no adjustment or qualification to any tender shall be permitted. However, errors identified during the examination of tenders may be addressed. invitations to tender must state the method to be used for dealing with errors in tenders.

29.2 Responsible Officers may invite Tenderers to amend their tender to correct genuine arithmetical error(s). In this case, no other adjustment revision or qualification is permitted.

29.3 Where examination of tenders reveals other errors not stated in CPR 34.2 or omissions which would affect the tender figure, the Tenderer shall be given details of such errors and an opportunity of confirming or withdrawing its tender.

29.4 Where a standard form Contract is used, the Responsible Officer shall deal with errors in accordance with the rules applicable to that form of Contract.

29.5 The Responsible Officer shall ensure that the forms of tender are scrutinised in order to identify any errors or other discrepancy affecting the validity of the tender. Where tender values are compiled from a

detailed bill of quantities the Responsible Officer shall also scrutinise the priced bill of quantities supporting the lowest tender received and any others he considers appropriate.

29.6 If a Tenderer withdraws or a corrected tender is no longer the highest ranking, the tender from the next highest ranking Tenderer in competitive order will be examined in more detail.

30. Negotiations

30.1 Where procurement is conducted pursuant to the Public Contracts Regulations 2015 through either the open or restricted procedures, no negotiations are permitted following tender submission. The Responsible Officer may seek clarification from Tenderers where appropriate. Negotiations on price are never permissible.

30.2 At all times during the procurement (whether subject to the Public Contracts Regulations 2015 or not), the Authority shall consider and implement the principles of non-discrimination, equal treatment and transparency.

30.3 The Responsible Officer shall keep a written record of all negotiations, including notes of all meetings and the names of all individuals present and signed as such by all participants. At least two officers should be present when conducting negotiations; these procedures also apply where it is proposed to extend an existing Contract by negotiation.

30.4 Where negotiation results in a fundamental change to the specification or Contract terms, the Contract must not be awarded but re-tendered.

31. Contract Award

31.1 The Authority shall only award a Contract where it represents best value for money. Tenders duly invited and submitted in accordance with the provisions of these Contract Procedure Rules may be awarded in accordance with the Authority's scheme of delegation.

31.2 In respect of Contracts where the lowest price is predetermined to be the appropriate criteria for award, a tender or quotation other than the lowest if payment is to be made by the Authority or the highest if payment is to be received by the Authority shall not be accepted until the ACFO (Finance and Resources), has considered a written report from the Relevant PO.

32. Joint Procurements

32.1 The use of any Framework Agreements or Joint Contracts resulting from a procurement exercise involving other public bodies as the lead authority shall be approved by the ACFO (Finance and Resources) prior to their use. All such requests shall be made in writing to the ACFO (Finance and Resources) and, once approved; the Responsible Officer shall ensure that the Framework Agreement or Joint Contract shall be inputted onto the Corporate Contract Register.

32.2 The Responsible Officer will ensure that the Contract Procedure Rules or equivalent of the lead authority or organisation will be acceptable to the Authority and are to be followed throughout the procurement exercise and the duration of the Contract.

32.3 Any joint procurement arrangement with any other public sector organisation that results in the Authority being committed to Contractual obligations on behalf of those other organisations (not including Framework Agreements) shall be approved by the ACFO (Finance and Resources) prior to commitment stage.

33. Standstill Period

33.1 'Standstill' letters issued as part of the process for procurements over the WTO's GPA threshold under the Public Contracts Regulations 2015 or optionally as part of any Sub public procurement process must not be issued prior to confirmation of Contract award.

33.2 There must be a mandatory standstill period between communicating the award decision to all Tenderers and conclusion of the Contract with respect to procurements above the WTO's GPA threshold. This standstill period shall be 10 calendar days if sent electronically or 15 calendar days for notices sent by other methods. Where the last day of the standstill period is not a working day, the standstill period is extended to midnight at the end of the next working day.

33.3 With respect to Contract awards involving mini competitions undertaken within a Framework Agreement or Contract awards with respect to Sub public procurement threshold procurements a standstill period of 10 calendar days is recommended.

34. Notification of Tender Award and De-briefing Requests

34.1 The notification letters which are sent to any Tenderer who was successful or unsuccessful at either prequalification or Contract award stage shall be sent promptly once the decision has been made. The unsuccessful Tenderer shall be informed of the reasons for being unsuccessful and shall also be informed of the characteristics and

relative advantages of the successful Contractor as well as the name of Contractor awarded the Contract.

35. Post-Contract Award Requirements

35.1 Following approval for Contract award and having received no legal challenges during the 'standstill' period, the Responsible Officer shall ensure all Contracts are in writing as per CPR 42 and that a purchase order is entered on to the purchase-to-pay solution (where available), once the Contract has been signed.

35.2 The Responsible Officer shall record all Contracts awarded by their service on the corporate Contracts register along with the E-Sourcing solution (where available).

35.3 The Responsible Officer shall issue a Contract award notice on the FTs portal within 30 days of the award with respect to an above WTO's GPA Threshold Contract. The Responsible Officer shall publish a Contract award note to be published on the National Procurement Service (Sell2Wales) website for Sub WTO's GPA Contracts.

36. Letters of Intent

36.1 Letters of intent must only be used in exceptional circumstances after prior approval in writing has been obtained from the Monitoring Officer and shall only be used as follows:

36.1.1 where the Contractor is required to provide services, goods or works prior to formal written acceptance by the Authority; or

36.1.2 where all the Contractual terms and conditions have been agreed and there would be an unacceptable delay in waiting for the Contractual documentation to be completed.

36.2 In all cases, where appropriate, Contract award letters should be used rather than a letter of intent.

37. Non-Concluded Terms and Conditions of Contract

37.1 The Authority must always ensure that terms and conditions are fully agreed by including them in the Invitation to Tender and requiring Tenderers to accept them as part of the procurement process.

37.2 Where the terms and conditions of Contract are not fully agreed, no Contractor shall be allowed to commence delivery of goods, works or services until all terms and conditions have been agreed and signature or written agreement of both parties obtained.

37.3 Responsible Officers must in no circumstances contemplate entering into a Contract on the Contractor's own standard terms and conditions, or negotiate terms which are significantly different to those included or referred to during the procurement process without the prior approval of the Monitoring Officer and subject to CPR 31.

FORM OF CONTRACT

38. Contracts in Writing

38.1 The following Contracts shall be in writing and executed under seal:

38.1.1 if the Authority wishes to enforce the Contract for more than six years after its end;

38.1.2 where the price paid or received under the Contract is a nominal price or there is no consideration and does not reflect the value of the works, goods or services;

38.1.3 where there is any doubt about the authority of the person signing for the other Contracting party;

38.1.4 where it is required by law; or

38.1.5 where the total value of the Contract exceeds £1m.

38.2 The seal must not be affixed without the authority of the Executive Panel or a Member or CFO or PO acting under delegated powers. All Contracts under seal will also require an official purchase order to be created on the purchase-to-pay solution (where available).

38.3 All Contracts above £40,000 in value shall be in writing and in a form of Contract approved by the Monitoring Officer and be signed by the Relevant PO or their nominated representative. All Contracts require an official purchase order to be created on the purchase-to-pay system.

38.4 All Contracts below £50,000 in value shall be in the form of an official purchase order which refers to the Authority's relevant general terms of conditions or such other terms and conditions included in request for quotation. All such Contracts shall be created on the purchase-to-pay solution (where available) and can be approved or signed by the CFO or Relevant PO or their nominated representative.

38.5 Emergency Contracts awarded under CPR 14.3.3 or 14.3.11 need not be in writing before commencement but must be confirmed in writing

as soon as possible.

38.6 All original Contracts in writing should be retained by the Responsible Officer.

38.7 Where there is an appropriate national standard form of Contract, that standard form shall be used, subject to any amendments as may be agreed with the Monitoring Officer in consultation with Relevant PO. Responsible Officers must ensure that any standard form Contract used in any procurement is still in force, up to date and reflects current legislation.

38.9 Commencement of any Contract shall not take place until the written documentation is finalised, except in cases of emergency, in which case the written documentation shall be finalised as soon as practicable.

39. Bonds, Securities, Liquidated and Other Damages

39.1 The Responsible Officer shall undertake a risk assessment to determine whether a performance bond or performance guarantee is required.

39.2 All Contracts shall include a provision for liquidated damages to be paid by the Contractor where applicable in case the terms of the Contract are not duly performed, save where the Monitoring Officer approves another type of remedy.

40. Parent Company Guarantee

40.1 The Responsible Officer shall seek a parent company guarantee when a Contractor is a subsidiary of a parent company and:

40.1.1 The award is based on evaluation of the parent company; or

40.1.2 There is some concern over the stability of the Contractor.

OPERATION OF CONTRACT

41. Contract Management

41.1 All Contracts must have a named Contract manager for the duration of the Contract. Contract managers must comply with these Contract Procedure Rules and where appropriate a project management framework.

41.2 All Contracts which are strategically critical or high risk or high value or high profile as determined by the Relevant PO, are to be subject to a formal Contract review with the Contractor.

42. Contract Performance

42.1 All Contractors shall be subjected to regular Contract performance reviews through feedback received from external and internal stakeholders. Where appropriate, a performance review shall be undertaken at the end of each completed Contract or job. This shall include a requirement to record good and poor performance including complaints, issues and defects arising under a Contract and to monitor the aggregation of Contractor defaults including performance issues.

42.2 Incidents of poor performance shall first be raised with the Contractor in writing or at a meeting where notes are made and sent to the Contractor before the annual report is despatched. In cases of particularly poor performance or persistent poor performance, the Responsible Officer shall consider whether to recommend suspension or exclusion from the Authority's Framework Agreement or Dynamic Purchasing Agreement or to terminate early the Contract as per CPR 47.

43. Termination of Contract

43.1 Legal advice should be sought prior to the early termination of any Contract.

43.4 Any Contracts that are terminated early must be recorded against the Contract entry on the corporate Contracts register.

44. Contract Variations and Contract Extensions

44.1 Any Contract may be varied or extended in accordance with its terms and conditions and providing that the Contract has not expired.

44.2 Where the terms do not expressly provide for variation or extension then variations or extensions may be made with the agreement of the other Contracting parties and approval from the Relevant PO.

No variation or extension may be made if the proposed variation would:

(a) mean the works, services or goods to be added to or deleted from the original Contract are substantially different in scope: or

(b) be in breach of UK legislation.

44.3 The value of a variation or extension shall be calculated by taking the aggregate value of all variations or extensions made to the Contract. No variation which adds to the cost of the Contract shall be made until funding has been identified by the Relevant PO.

44.4 CPR 44.2 shall not apply in cases of emergency, the variation or extension may be approved by the Relevant PO providing that the same is reported as soon as practicable.

44.5 All Contract variations shall be entered in the register of Contracts and an amendment shall be made to the original purchase order via the purchase-to-pay solution (where available).

45. Contract Payments

45.1 The relevant officer shall maintain Contract documents, ensure the Contracts register is updated and raise a purchase order on the purchase-to-pay solution.

45.2 Payments to Contractors on account of Contracts shall be made only on a certificate issued by the Relevant PO, or private consultant whenever engaged by the Authority, or by an officer nominated by the Relevant PO as appropriate. The names of officers authorised to approve such records shall be sent to the Section 151 Officer.

45.3 The final certificate of any Contract should not be issued until the Responsible Officer has produced a detailed statement of account and all relevant documents.

45.4 The ACFO (Finance and Resources) may use discretion to offset any sums due from a Contractor to the Authority against any sums due from the Authority to the Contractor, provided that a standard form Contract is in place, any action taken is in accordance with that standard form.

45.5 Claims from Contractors in respect of matters not clearly within the terms of any existing Contract shall be referred to the Monitoring Officer before a settlement is reached.

45.6 The Responsible Officer shall consider applying liquidated damages in accordance with the conditions of the Contract where the requirements of the Contract are not duly performed.

46. Assignments and Novation

46.1 Assignment of any Contract to another Contractor can only be done with the prior approval of the Relevant PO providing this has been included as a Contract condition and is permissible under UK legislation.

47. Nominating Products or Contractors or Suppliers

47.1 The core procurement principles of transparency, non-discrimination and equal treatment are undermined by the nomination of products and suppliers.

47.2 Responsible Officers must seek to specify goods and services by reference to objective, non-product specific descriptions. Equivalent goods or services are nearly always capable of being specified. If this is not possible for genuine technical reasons, and a particular type of product or service or method of production or delivery has to be stated, then the words "or equivalent" must always be added.

47.3 The Authority may provide potential main or principal Contractors with a list of Authority-approved suppliers or sub-Contractors provided that it is made clear that they are free to sub-Contract to whoever they wish, subject to the Authority's right to consent. The Authority's consent shall not be unreasonably withheld. Any sub-Contractors must meet the Authority's reasonable requirements in relation to technical standards, financial standing and insurance levels.

47.4 These Contract Procedure Rules apply to the nomination of a sub-Contractor or supplier for carrying out works or services or supplying goods. Sub-Contractors or suppliers shall send with the tender an undertaking to work for the main Contractor and indemnify them for the sub-Contracted works, services or goods.

SPECIFIC CONTRACTS

48. Land Contracts

48.1 All land transactions must comply with Section 120 - 123 of the Local Government Act 1972.

48.2 The appointment of a developer under a Development Agreement may be subject to the Public Contracts Regulations 2015 and CPRs 18, 19, 20 and 21 of these Contract Procedure Rules.

48.3 Advice must be sought from the Monitoring Officer in respect of any land transactions which involve Development Agreements.

OTHER

49. Retention of Contract Files

49.1 Where funding has been received from an external organisation, the Responsible Officer must ensure that the Contract and Contract file are retained for the length of time specified by that funding body.

49.2 In all other cases, the Contract file prepared for all Contracts over £40,000 must be kept for six years from the end of the Contract term unless the Contract was executed under seal, in which case the Contract must be kept for twelve years from the end of the Contract term.

49.3 Documents relating to unsuccessful Tenderers may be micro-filed or electronically scanned or stored by some other suitable method after 12 months from award of the Contract, provided there is no dispute about the award.

50. Review and Amendment of the Contract Procedure Rules

50.1 The Monitoring Officer may make any minor or consequential changes to these Contract Procedure Rules.

50.2 The ACFO (Finance and Resources) in conjunction with the Monitoring Officer shall continually review these Contract Procedure Rules and shall undertake a formal review every three years.

ACCESS TO INFORMATION

Scope

These rules apply to all meetings of the Authority, its Standing Committees and all other committees.

Additional Rights to Information

These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

Rights to View Meetings

Members of the public may view any part of a meeting which is open to the public, subject only to the exceptions in these rules. Viewing may take the form of physical attendance at a meeting that is taking place wholly or partly in person, or it may be by viewing a live webcast or recording of those parts of a meeting which are open to the public.

Notices of Meeting

The Authority will give at least five clear working days' notice of any meeting by posting details on the Authority's web site.

Access to Agenda and Reports before the Meeting

The Authority will make copies of the agenda and reports open to the public and available on the Authority's website at least three clear days before the meeting. If an item is added to the agenda later, the revised agenda (where reports are prepared after the summons has been sent out, the Clerk/Monitoring Officer will make each such report available to the public as soon as the report is completed and sent to Councillors) will be open to inspection from the time the item was added to the agenda.

Access to Minutes after the Meeting

The Authority will make available copies of the following on its website for six years after a meeting:

i. the minutes of the meeting and the record of decisions taken by the Authority, its Committees and all other committees excluding any part of the minutes of proceedings when the meeting was not open to the public because exempt or confidential information was being considered;

ii. a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;

iii. the agenda for the meeting; and

iv. reports relating to items when the meeting was open to the public.

Summary of Public's Rights

These rules constitute the written summary of the public's rights to attend meetings and to inspect and copy documents as required by Sections 100A - H and schedule 12A of the Local Government Act 1972. Copies will be available to the public at Fire Service HQ, St Asaph and the information can also be accessed on the Authority's website.

Exclusion of Access by the Public to Meetings

Confidential information - requirement to exclude the public

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

Exempt information - discretion to exclude public

The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

Meaning of confidential information

Confidential information means information given to the Authority by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

Meaning of exempt information

The categories of exempt information and the conditions relating thereto are set out below:

Namely, information falling within the scope of paragraphs 12 to 18 of Part of Schedule 12A to the Local Government Act 1972, subject to qualifications and interpretation set out in parts 5 and 6 of the Schedule, a summary of which is set out below:

Category of Exempt Information	Qualification
12. Information relating to a particular individual	Public interest test applies (see below)
13. Information which is likely to reveal the identity of an individual	Public interest test applies (see below)
14. Information relating to the financial or business affairs of any particular person (including the Authority holding that information)	Information falling within paragraph 14 is not exempt information virtue of that paragraph if it is required to be registered under: • the Companies Act 1985 • the Friendly Societies Act 1974 • the Friendly Societies Act 1992 • the industrial and Provident Societies Acts 1965 to 1978 • the Building Societies Act 1986; • the Charities Act 1993 Public interest test applies (see below)
15. Information relating to any consultations or negotiations, or contemplated consultations or negotiations in connection with any labour relations matter arising between the Authority or a Minister of the Crown and the employees of, or office holders under, the Authority	Public interest test applies (see below)
16. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings	No public interest test
17. Information that reveals that the Authority proposes:	• to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or • to make an order or direction under any enactment Public interest test applies (see below)

Category of Exempt Information	Qualification
18. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime	Public interest test applies (see below)
(In relation to a meeting of a Standards Committee, or a sub-committee, which is convened to consider a matter referred under the Provisions of section 70(4) or (5) or 71(2) of the Local Government Act 2000): 18A – Information which is subject to any obligations of confidentiality 18B – Information which relates to in any way to matters concerning national security 18C – The deliberations of a standards committee or a sub-committee of a standards committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred to it	Public interest test applies (see below)

Public Interest Test

Information which:
1) falls within any of paragraphs 12 to 15, 17 and 18 above;
2) is not prevented from being exempt by virtue of the qualifications above;

is exempt information if and so long, as in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Exclusion of Access by the Public to Reports

If the Clerk/Monitoring Officer thinks fit, the Authority may exclude access by the public to reports which in his or her opinion relate to items during which, in accordance with the Authority Procedure Rules the meeting is likely not to be open to the public. Such reports will be marked "Not for publication" together with the category of information likely to be disclosed.

Additional Rights of Access for Members

Rights of access

All members will be entitled to inspect any document which is in the possession or under the control of the Authority or its committees if any and contains material relating to any business transacted at a meeting of the Authority or its Committees.

Limitation on rights

A member will not be entitled to any part of a document where it would disclose exempt information falling within paragraphs 12 -18 of Part 4 of Schedule 12A of the Local Government Act 1972.

Nature of rights

These rights of a member are additional to any other right he/she may have.

OFFICER EMPLOYMENT PROCEDURE RULES

1. Recruitment and appointment

(a) Declarations

The Authority will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Member or officer of the Authority; or of the partner of such persons.

(b) Seeking support for appointment.

(i) The Authority will disqualify any applicant who directly or indirectly seeks the support of any Member for any appointment with the Authority. The content of this paragraph will be included in any recruitment information.

(ii) No Member will seek support for any person for any appointment with the Authority.

2. Appointments to be advertised

Where the Authority proposes to employ any officer and it is not proposed that the appointment be made exclusively from among their existing officers, the Authority will:

(a) draw up a statement specifying:
(i) the duties of the officer concerned; and
(ii) any qualifications or qualities to be sought in the person to be appointed;

(b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and

(c) make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.

3. Appointment of certain officers

The full Authority shall approve the appointment of the Chief Fire Officer/Chief Executive, Deputy Chief Fire Officer, Assistant Chief Fire Officers, Assistant Chief Officers, Treasurer and Monitoring Officer following the recommendation of such an appointment by a committee, before an offer of appointment is made to him/her.

4. Other appointments

(a) Officers

Appointment of officers other than those mentioned in paragraph 3 above is the responsibility of the Chief Fire Officer or his/her nominee, and may not be made by Members of the Authority.

5. Disciplinary action

Members of the Authority will not be involved in the disciplinary action against any officer other than the Chief Fire Officer, Treasurer and Monitoring Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Authority's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to Members in respect of disciplinary action.

6. Dismissal

(a) Members of the Authority will not be involved in the dismissal of any officer other than the Chief Fire Officer, Treasurer and Monitoring Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Authority's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to members in respect of dismissals.

(b) No notice of dismissal shall be given to the Chief Fire Officer unless the dismissal is first approved by a meeting of full Authority.

MEMBERS' CODE OF CONDUCT

PART 1
INTERPRETATION

1.—(1) In this code —

"co-opted member" ("*aelod cyfetholedig*"), in relation to a relevant authority, means a person who is not a member of the authority but who —

(a) is a member of any committee or sub-committee of the authority, or

(b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority, and who is entitled to vote on any question which falls to be decided at any meeting of that committee or subcommittee;

"meeting" ("*cyfarfod*") means any meeting —

(a) of the relevant authority,

(b) of any executive or board of the relevant authority,

(c) of any committee, sub-committee, joint committee or joint sub-committee of the relevant authority or of any such committee, sub-committee, joint committee or joint sub-committee of any executive or board of the authority, or

(d) where members or officers of the relevant authority are present other than a meeting of a political group constituted in accordance with regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990,

and includes circumstances in which a member of an executive or board or an officer acting alone exercises a function of an authority;

"member" ("*aelod*") includes, unless the context requires otherwise, a co-opted member;

"registered society" means a society, other than a society registered as a credit union, which is —

(a) a registered society within the meaning given by section 1(1) of the Co-operative and Community Benefit Societies Act 2014; or

(b) a society registered or deemed to be registered under the Industrial and Provident Societies Act (Northern Ireland) 1969;

"register of members' interests" *("cofrestr o fuddiannau'r aelodau")* means the register established and maintained under section 81 of the Local Government Act 2000;

"relevant authority" ("*awdurdod perthnasol*") means—

(a) a county council,

(b) a county borough council,

(c) a community council,

(d) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies,

(e) a National Park authority established under section 63 of the Environment Act 1995;

"you" ("*chi*") means you as a member or co-opted member of a relevant authority; and

"your authority" ("*eich awdurdod*") means the relevant authority of which you are a member or co-opted member.

(2) In relation to a community council—

(a) "proper officer" ("*swyddog priodol*") means an officer of that council within the meaning of section 270(3) of the Local Government Act 1972; and

(b) "standards committee" ("pwyllgor safonau") means the standards committee of the county or county borough council which has functions in relation to the community council for which it is responsible under section 56(1) and (2) of the Local Government Act 2000.

PART 2
GENERAL PROVISIONS

2.—(1) Save where paragraph 3(a) applies, you must observe this code of conduct

(a) whenever you conduct the business, or are present at a meeting, of your authority;

(b) whenever you act, claim to act or give the impression you are acting in the role of member to which you were elected or appointed;

(c) whenever you act, claim to act or give the impression you are acting as a representative of your authority; or

(d) at all times and in any capacity, in respect of conduct identified in paragraphs 6(1)(a) and 7.

(2) You should read this code together with the general principles prescribed under section 49(2) of the Local Government Act 2000 in relation to Wales.

3. Where you are elected, appointed or nominated by your authority to serve —

(a) on another relevant authority, or any other body, which includes a Local Health Board you must, when acting for that other authority or body, comply with the code of conduct of that other authority or body; or

(b) on any other body which does not have a code relating to the conduct of its members, you must, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

4. You must —

(a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;

(b) show respect and consideration for others;

(c) not use bullying behaviour or harass any person; and

(d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your authority.

5. You must not —

(a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;

(b) prevent any person from gaining access to information to which that person is entitled by law.

6.—(1) You must —

(a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute;

(b) report, whether through your authority's confidential reporting procedure or direct to the proper authority, any conduct by another member or anyone who works for, or on behalf of, your authority which you reasonably believe involves or is likely to involve criminal behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a fixed penalty);

(c) report to your authority's monitoring officer any conduct by another member which you reasonably believe breaches this code of conduct;

(d) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, your authority.

(2) You must comply with any request of your authority's monitoring officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.

7. You must not —

(a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;

(b) use, or authorise others to use, the resources of your authority —

(i) imprudently;

(ii) in breach of your authority's requirements;

(iii) unlawfully;

(iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the authority or of the office to which you have been elected or appointed;

(v) improperly for political purposes; or

(vi) improperly for private purposes.

8. You must —

(a) when participating in meetings or reaching decisions regarding the business of your authority, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by your authority's officers, in particular by —

(i) the authority's head of paid service;

(ii) the authority's chief finance officer;

(iii) the authority's monitoring officer;

(iv) the authority's chief legal officer (who should be consulted when there is any doubt as to the authority's power to act, as to whether the action proposed lies within the policy framework agreed by the authority or where the legal consequences of action or failure to act by the authority might have important repercussions);

(b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

9. You must —

(a) observe the law and your authority's rules governing the claiming of expenses and allowances in connection with your duties as a member;

(b) avoid accepting from anyone gifts, hospitality (other than official hospitality, such as a civic reception or a working lunch duly authorised by your authority), material benefits or services for yourself or any person which might place you, or reasonably appear to place you, under an improper obligation.

PART 3
INTERESTS

Personal Interests

10.—(1) You must in all matters consider whether you have a personal interest, and whether this code of conduct requires you to disclose that interest.

(2) You must regard yourself as having a personal interest in any business of your authority if —

(a) it relates to, or is likely to affect —

(i) any employment or business carried on by you;

(ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;

(iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;

(iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;

(v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;

(vi) any land in which you have a beneficial interest and which is in the area of your authority;

(vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in subparagraph (iv) above;

(viii) any body to which you have been elected, appointed or nominated by your authority;

(ix) any —

(aa) public authority or body exercising functions of a public nature;

(bb company, registered society, charity, or body directed to charitable purposes;

(cc) body whose principal purposes include the influence of public opinion or policy;

(dd) trade union or professional association; or

(ee) private club, society or association operating within your authority's area,

in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

[Note: subparagraph (b) is omitted.]

(c) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(c)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(c)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(c)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) any body listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(c)(i) hold a position of general control or management,

to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Disclosure of Personal Interests

11.—(1) Where you have a personal interest in any business of your authority and you attend a meeting at which that business is considered, you must disclose orally to that meeting the existence and nature of that interest before or at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of your authority and you make —

(a) written representations (whether by letter, facsimile or some other form of electronic communication) to a member or officer of your authority regarding that business, you should include details of that interest in the written communication; or

(b) oral representations (whether in person or some form of electronic communication) to a member or officer of your authority you should disclose the interest at the commencement of such representations, or when it becomes apparent to you that you have such an interest, and confirm the representation and interest in writing within 14 days of the representation.

(3) Subject to paragraph 14(1)(b) below, where you have a personal interest in any business of your authority and you have made a decision in exercising a function of an executive or board, you must in relation to that business ensure that any written statement of that decision records the existence and nature of your interest.

(4) You must, in respect of a personal interest not previously disclosed, before or immediately after the close of a meeting where the disclosure is made pursuant to sub-paragraph 11(1), give written notification to your authority in accordance with any requirements identified by your authority's monitoring officer, or in relation to a community council, your authority's proper officer from time to time but, as a minimum containing —

(a) details of the personal interest;

(b) details of the business to which the personal interest relates; and

(c) your signature.

(5) Where you have agreement from your monitoring officer that the information relating to your personal interest is sensitive information, pursuant to paragraph 16(1), your obligations under this paragraph 11 to disclose such information, whether orally or in writing, are to be replaced with an obligation to disclose the existence of a personal interest and to confirm that your monitoring officer has agreed that the nature of such personal interest is sensitive information.

(6) For the purposes of sub-paragraph (4), a personal interest will only be deemed to have been previously disclosed if written notification has been provided in accordance with this code since the last date on which you were elected, appointed or nominated as a member of your authority.

(7) For the purposes of sub-paragraph (3), where no written notice is provided in accordance with that paragraph you will be deemed as not to have declared a personal interest in accordance with this code.

Prejudicial Interests

12.—(1) Subject to sub-paragraph (2) below, where you have a personal interest in any business of your authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

(2) Subject to sub-paragraph (3), you will not be regarded as having a prejudicial interest in any business where that business—

(a) relates to —

(i) another relevant authority of which you are also a member;

(ii) another public authority or body exercising functions of a public nature in which you hold a position of general control or management;

(iii) a body to which you have been elected, appointed or nominated by your authority;

(iv) your role as a school governor (where not appointed or nominated by your authority) unless it relates particularly to the school of which you are a governor;

(v) your role as a member of a Local Health Board where you have not been appointed or nominated by your authority;

(b) relates to —

(i) the housing functions of your authority where you hold a tenancy or lease with your authority, provided that you do not have arrears of rent with your authority of more than two months, and provided that those functions do not relate particularly to your tenancy or lease;

(ii) the functions of your authority in respect of school meals, transport and travelling expenses, where you are a guardian, parent, grandparent or have parental responsibility (as defined in section 3 of the Children Act 1989) of a child in full time education, unless it relates particularly to the school which that child attends;

(iii) the functions of your authority in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay from your authority;

(iv) the functions of your authority in respect of an allowance or payment made in accordance with the provisions of Part 8 of the Local Government (Wales) Measure 2011, or an allowance or pension provided under section 18 of the Local Government and Housing Act 1989;

(c) your role as a community councillor in relation to a grant, loan or other form of financial assistance made by your community council to community or voluntary organisations up to a maximum of £500.

(3) The exemptions in subparagraph (2)(a) do not apply where the business relates to the determination of any approval, consent, licence, permission or registration.

Overview and Scrutiny Committees

13. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint subcommittees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

Participation in Relation to Disclosed Interests

14.—(1) Subject to sub-paragraphs (2), (2A), (3) and (4), where you have a prejudicial interest in any business of your authority you must, unless you have obtained a dispensation from your authority's standards committee —

(a) withdraw from the room, chamber or place where a meeting considering the business is being held—

(i) where sub-paragraph (2) applies, immediately after the period for making representations, answering questions or giving evidence relating to the business has ended and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration; or

(ii) in any other case, whenever it becomes apparent that that business is being considered at that meeting;

(b) not exercise executive or board functions in relation to that business;

(c) not seek to influence a decision about that business;

(d) not make any written representations (whether by letter, facsimile or some other form of electronic communication) in relation to that business; and

(e) not make any oral representations (whether in person or some form of electronic communication) in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.

(2) Where you have a prejudicial interest in any business of your authority you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

(2A) Where you have a prejudicial interest in any business of your authority you may submit written representations to a meeting relating to that business, provided that the public are allowed to attend the meeting for the purpose of making representations, answering questions or giving evidence relating to the business, whether under statutory right or otherwise.

(2B) When submitting written representations under sub-paragraph (2A) you must comply with any procedure that your authority may adopt for the submission of such representations.

(3) Sub-paragraph (1) does not prevent you attending and participating in a meeting if —

(a) you are required to attend a meeting of an overview or scrutiny committee, by such committee exercising its statutory powers; or

(b) you have the benefit of a dispensation provided that you —

(i) state at the meeting that you are relying on the dispensation; and

(ii) before or immediately after the close of the meeting give written notification to your authority containing —

(aa) details of the prejudicial interest;

(bb) details of the business to which the prejudicial interest relates;

(cc)details of, and the date on which, the dispensation was granted; and

(dd) your signature.

(4) Where you have a prejudicial interest and are making written or oral representations to your authority in reliance upon a dispensation, you must provide details of the dispensation within any such written or oral representation and, in the latter case, provide written notification to your authority within 14 days of making the representation.

PART 4
THE REGISTER OF MEMBERS' INTERESTS

Registration of Personal Interests

15.—(1) Subject to sub-paragraph (4), you must, within 28 days of—

(a) your authority's code of conduct being adopted or the mandatory provisions of this model code being applied to your authority; or

(b) your election or appointment to office (if that is later),

register your personal interests, where they fall within a category mentioned in paragraph 10(2)(a), in your authority's register of members' interests by providing written notification to your authority's monitoring officer.

(2) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any new personal interest falling within a category mentioned in paragraph 10(2)(a), register that new personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer.

(3) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any change to a registered personal interest falling within a category mentioned in paragraph 10(2)(a), register that change in your authority's register of members' interests by providing written notification to your authority's monitoring officer, or in the case of a community council to your authority's proper officer.

(4) Sub-paragraphs (1), (2) and (3) do not apply to sensitive information determined in accordance with paragraph 16(1).

(5) Sub-paragraphs (1) and (2) do not apply if you are a member of a relevant authority which is a community council when you act in your capacity as a member of such an authority.

(6) You must, when disclosing a personal interest in accordance with paragraph 11 for the first time, register that personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer, or in the case of a community council to your authority's proper officer.

Sensitive information

16.—(1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to the interest under paragraph 15.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under sub-paragraph (1) is no longer sensitive information, notify your authority's monitoring officer, or in relation to a community council, your authority's proper officer asking that the information be included in your authority's register of members' interests.

(3) In this code, "sensitive information" ("*gwybodaeth sensitif*") means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

Registration of Gifts and Hospitality

17. You must, within 28 days of receiving any gift, hospitality, material benefit or advantage above a value specified in a resolution of your authority, provide written notification to your authority's monitoring officer, or in relation to a community council, to your authority's proper officer of the existence and nature of that gift, hospitality, material benefit or advantage.

PROTOCOL ON MEMBER/EMPLOYEE RELATIONS

Member/Employee Protocol

This protocol codifies existing good practice in member/employee relations in North Wales Fire and Rescue Authority. It is not intended as a prescriptive checklist.

1. Introduction

1.1 An effective working relationship between members and employees is crucial to the successful operation of the Authority's business.

1.2 **Members** are appointed by their respective county (borough) council and serve until their appointment is terminated, they resign or they cease to be a member of their council.

1.3 **Employees** are employed to advise the Authority and to implement its decisions. Employee advice must be full and impartial and should include all relevant options. It must not seek to second-guess the decisions of members, for example by excluding presumed unpalatable options, and must be clear and professional at all times. Members should respect employees' political neutrality at all times. But members are entitled to reject employee advice and to give effect to their lawful policies even if these are clearly at variance with the views of employees. Members are entitled to seek advice and to call for a report to a committee on any matter within its terms of reference.

1.4 **Relations between members and employees** – For the effective conduct of Authority business there must be mutual respect in all meetings and contact between members and employees. The basic tenets of common courtesy apply in both formal and informal settings. Members should be aware that employees are constrained in the response they may make to public comment from members, and should not abuse employees in public or through the press, nor seek to undermine their position by abuse, rudeness or ridicule. This in no way reduces members' proper right and duty to criticise the reports actions and work of a department or section of the Authority, where they believe such criticism is merited. If members believe they have reason to criticise the work of an individual employee, the proper approach should be through the senior manager of the section or the Chief Fire Officer. Equally, where employees feel they have good cause to criticise a member, an approach by the Chief Fire Officer to the Chair is a sensible first step.

1.5 It is widely accepted that there will be informal contact between party political groups and employees at a senior level, often of a sensitive

nature. This protocol is designed to provide a framework for contact between members and employees, both formal and informal, and to ensure that members and employees are as clear as they can be as to their roles and responsibilities in relation to each other.

2. Specific Issues

2.1 **Appointments** – Every appointment to paid local authority employment must be on merit.

2.2 **Political impartiality** – Senior employees cannot be local authority councillors or AMs/MPs, nor can they "speak or publish written work for the public at large or to a section of the public with the apparent intention of affecting public support for a political party". Such employees are nevertheless able to engage in such activity to "such extent as is necessary for the proper performance of their duties". (Section 1- 3 Local Government and Housing Act 1989 and Local Government Employees (Political Restrictions) Regulations 1990).

2.3 **Employees are employed by the Authority,** not by committees or individual councillors, and are subject to the Authority's employment procedures. Employees cannot be required to advise any political group of the Authority, either as to the work of the group or as to the work of the Authority, nor can they be required to attend any meetings of any political groups. This is without prejudice to any arrangements to the contrary which may be made with any employee and which includes safeguards to preserve the political neutrality of the employee in relation to the affairs of the Authority.

2.4 **Authorship of reports** –Committee reports should be written by the relevant Principal Officer or another employee authorised by him or her. The report is the employee's and may not be amended by a member. Nor can an individual member instruct an employee not to present a report if the employee considers it proper to do so. If the report is not regarded as appropriate, the remedy is for the committee to reject its recommendations or refer it back.

2.5 **Decision making and political groups** – Members and employees must understand that Authority decisions can only be made by the Authority, a committee or sub-committee or the Chief Fire Officer acting under delegated authority. Members and employees should not act on group decisions. Representations by interested parties on any matter for Authority decision should be made to the appropriate committee, and not exclusively to a political group, at which employee advice on the points raised is unavailable.

2.6 **Proper communication between members and employees** –Principal Officers must recognise that it is their duty to keep members fully informed about developments of significance in relation to Authority activities. Principal Officers must also report promptly to the relevant committee any significant failure to implement a decision of that committee.

Regular contact between members and senior employees is necessary to ensure the efficient working of the Authority. In this context, it is the responsibility of Principal Officers to identify the senior employees who should have regular contact with members, and this will depend upon the nature of the service they provide and the nature of the member contact envisaged. But members should always bring major concerns about issues directly to the attention of the Principal Officer concerned. Principal Officers may issue instructions to their staff to ensure that this is the case.

Serious problems can arise if members by-pass appropriate lines of communication to Principal Officers and their senior colleagues and, for example, deal with more junior members of staff to seek views on policy issues, non-routine business, or attempt to give instructions to staff. This has the effect of depriving members of the formal, informed and accountable advice they have a right to expect from Principal Officers and which they have a duty to consider. It may also serve to undermine the formal accountability of staff to their line manager.

2.7 **Courtesy and complaints** – Contact between members and employees should always be courteous both in public and in private. If an individual member has a complaint about a junior employee, it should be raised with the appropriate Principal Officer.

If the complaint concerns a senior employee it should be raised with the Chief Fire Officer. A complaint about the Chief Fire Officer should be raised with the Clerk to the Authority. A complaint may be dealt with as part of routine liaison, supervision or review, or be referred for formal action in accordance with Authority procedures and any statutory provisions governing disciplinary action. This does not however preclude a member from making public, at a meeting or in another appropriate way, a concern about the manner in which the Service has acted. Nor does it prevent members at formal meetings being critical of employee advice or action or of the quality of reports before them.

2.8 **Social contact** between senior employees and members is beneficial in a public setting and a work-related context. However, a professional relationship must be maintained at all times and employees must be careful not to socialise with members of one political group to the

exclusion of others. Social contact between a member and a more junior employee may also be appropriate providing this occurs openly and does not result in breaches of confidence or of management instructions, or the reasonable suspicion of them. Employees must always take care in such situations to avoid casting doubt on their impartiality.

2.9 **Canvassing and visits** – Members should be aware that it can be a disciplinary offence for members of staff to seek to circumvent agreed staff consultative procedures by lobbying Members on matters which directly concern them as employees. Members should also remember that informal contacts with staff should not be used to promote their own personal interests.

Members will frequently come into contact with junior employees when visiting Service premises. Such visits are encouraged as they increase member understanding of Service functions, provide reassurance to service users of the involvement of their elected representatives in monitoring services, and will often also be welcomed by staff. However, such visits should be arranged via the Members Liaison Employee and relevant Principal Officers should normally be advised in advance of member visits to front-line services.

2.10 **Close personal relationships** between members and employees with whom they have, or are likely to have, contact in the course of their duties as a councillor are to be avoided. This includes close friendships between members and Principal Officers, and applies in particular to sexual relationships. If such a relationship arises, the member or employee should disclose this to the Chief Fire Officer who will consult with the Chair on the appropriate course of action. Both members and employees should also avoid establishing business or contractual relationships with each other, or entering into loans or other financial obligations.

2.11 **Assistance to all members** - Employees have a duty to offer the same assistance and facilities to all members irrespective of political party or home authority; employees should ensure that they treat all members in the same manner. This particularly applies to briefings, at which employees provide oral advice and information to members outside the formal processes of the Authority. They may be requested by the relevant members or offered by the Principal Officer, and are confidential in the sense that employees should not disclose matters discussed at such briefings. Individual members may also request briefings from Principal Officers from time to time on general issues affecting the work of the Authority. It is the duty of employees to comply with reasonable requests of this kind.

2.12 **Correspondence and confidentiality** – Frequently, members and employees correspond, and where not obviously confidential, such correspondence may, subject to the rules below, be copied by either the sender or the recipient to others. Correspondence should be courteous. Wide circulation of it should not be employed as a means of administering a public rebuke to an Authority employee or member. Members should, wherever possible, keep departmental or section heads informed by copying their correspondence, e-mails, etc. or approaching them directly for replies to general queries.

If a member asks for information about or relating to another member or asks for comment upon another member's conduct then the member requesting the information must be told in writing that any reply will be shared with the member to whom the information relates. If the member making the request does not agree to this they will not be given the information.

2.13 **Access to Information** – Members have legal rights of access to documents in the possession or under the control of the Authority and employees should implement requests for information from members who need that information for the fulfilment of their duties as a member.

a) Normally, employees will accept that members do not ask for information without good reason and will not question the member's "need to know". But in the words of relevant legal judgements, a member has no right to a "roving commission" and "mere curiosity or desire" is not sufficient. Nor can the member exercise the right for some improper motive, e.g. to assist someone in litigation with the Authority, its staff, suppliers or service users.

b) In rare cases, therefore the Chief Fire Officer may apply the "need to know" test. The member will need to show why the information is necessary to fulfil Authority duties. Where an employee considers that a member has not established a "need to know" in support of a request for access to information and refuses to provide the information requested, the employee shall state reasons for doing so.

c) A member asking for complex or bulky information should be flexible in his or her demands if compiling and reproducing the documentation results in significant cost to a department. The member will normally be able to retain material for a reasonable time, and to copy individual documents, but may not make use of such information for an improper purpose or one unrelated to the member's duties as a councillor.

2.14 **Press and public relations** – contact with the media on issues related to the Authority, or to Authority business, including the issue of press release, will be handled through the Corporate Communications Team.

Any Member who approaches the media purporting to speak on behalf of the Authority on any item involving or affecting the Authority, without first approaching or consulting with the Chair and Chief Fire Officer will be responsible for such action.

3. Legal Rights of Members

Nothing in this code shall derogate in any way from any right of a member enshrined in law and such legal rights override any conflicting provisions in this code.

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LOCAL RESOLUTION PROCEDURE FOR COMPLAINTS ABOUT BEHAVIOUR

INTRODUCTION

1. The NWFRA Standard and the Protocol for Member-Officer Relations are important in promoting good co-operation between members and between members and officers, thereby allowing the Authority to fulfil its duties effectively and professionally. It is therefore important that any allegations against a member that they have breached the standard and/or protocol can be dealt with quickly and effectively. The purpose of this procedure is to introduce a simple and easy way to understand the method of dealing with such allegations.

2. It is important that poor behaviour is quickly addressed and matters are handled whilst recollections are fresh. This procedure will therefore only apply to incidents or behaviour occurring in the 12 months prior to a complaint being made in writing to the Monitoring Officer.

STAGE 1 OF THE PROCEDURE

3. Any member or officer who wishes to submit an allegation under this procedure should send the complaint to the Clerk/Monitoring Officer. Officers wishing to make a complaint should first consult with their Line Manager. Following receipt of the complaint the Monitoring Officer will act as follows:-

4. The Clerk/Monitoring Officer will not deal with the allegation at this stage in order to preserve their ability to advise the Standards Committee later in the process. In the first place the allegation will be referred either to the Deputy Clerk/Monitoring Officer (or another officer nominated by the Monitoring Officer) who will advise whether the allegation falls within this procedure or whether it should be referred to the Ombudsman as an allegation of breach of the Members Code of Conduct.

N.B. The complainant has the statutory right to complain to the Public Service Ombudsman for Wales ("PSOW"). Should the complainant exercise that right then this procedure will not be used, and any efforts to resolve a complaint using this procedure will be stopped. The process will only resume if the matter is referred back for local resolution.

5. This procedure is only suitable for allegations made by officers or members of NWFRA that a member has breached the NWFRA Standard or the Protocol on Member/Officer relations. It is not suitable for complaints:

- made by members of the public;
- which in the opinion of the Clerk/Monitoring Officer allege a serious breach of the code of conduct; or
- alleging repeated breaches of the code of conduct, or breaches where are similar to complaints that have been handled at Stage 3 of this procedure.

6. If the complaint is suitable for this procedure then the Deputy Clerk/Monitoring Officer will give advice about how to possibly resolve the complaint. If the complaint is not suitable for this procedure then the Deputy Clerk/Monitoring Officer will give advice about what (if anything) can be done.

7. If following the first stage the complainant wishes to proceed with the allegation under this procedure the matter may be referred either to a conciliation meeting under Stage 2 or to a hearing by the Standards Committee under Stage 3.

STAGE 2 OF THE PROCEDURE

8. At Stage 2 a meeting will be held between:

   - the complainant
   - the member against whom the complaint is made
   - the Chief Fire Officer
   - the Deputy Clerk/Monitoring Officer.

   It is also possible for the matter to be dealt with in the complainant's absence in exceptional cases.

9. The purpose of this meeting will be to try and resolve the matter by conciliation.

STAGE 3 OF THE PROCEDURE

10. The third Stage is a hearing before the Standards Committee. The complainant will be asked to submit the substance of the complaint in writing and the member concerned will be asked for a written response. These papers, together with any additional written evidence that is submitted by either side will be distributed to the members of the Standards Committee.

11. Both the complainant and the member have the right to appear before the Standards Committee and to submit evidence from witnesses. Both will have the right to representation or to have a

colleague present. The Authority will not meet the costs of representation.

12. If either side wishes not to be present or fails to attend, the hearing may be held in their absence.

13. After the evidence has been heard, both sides and their representatives will be asked to leave the chamber and the Standards Committee will come to a conclusion on the allegation. The Monitoring Officer will be available to advise the Committee.

14. The Committee can come to one of three conclusions, namely :-

    a) That there is no basis to the complaint.

    b) That there is a basis to the complaint but that no further action is required.

    c) That there is a basis to the complaint and that the member should be censured.

    In addition the Committee can make recommendations to the Authority regarding changing any procedures or taking any further action.

SUPPLEMENTARY MATTERS

15. The papers for the hearing will be exempt and it will be recommended that the hearing will take place with the press and public excluded. Publicity will not be given to the names of either the member or the complainant unless it is decided TO UPHOLD the complaint and that the member should be censured.

16. Stages 2 and 3 do not have to be following sequentially. Although it is possible for a complainant who remains dissatisfied after the conciliation meeting to ask for the matter to be referred to a hearing before the Standards Committee, it is also possible for a matter to proceed directly to the Standards Committee without going first to a conciliation meeting.

17. The aim of this procedure is to try and resolve complaints regarding members quickly and effectively. Nothing in this procedure prevents a complainant from submitting a complaint to the Public Services Ombudsman for Wales that a member has breached the Members Code of Conduct.

MEMBERS AND EMPLOYEES' GIFTS AND HOSPITALITY

This document is intended as a guide to assist Members and Employees in determining the correct course of action with regard to acceptance and declaration of gifts and hospitality offered to you in your capacity as a Member or employee of the Fire Authority (or which might impact upon that role).

The document sets out the required approach in dealing with gifts etc, depending on their nature and value. A decision in respect of the gifts and hospitality rests with you, although guidance can be obtained from the Clerk/Monitoring Officer.

This document applies to all Members of the Authority. It applies to employees on local authority terms and conditions (i.e. not fire fighters).

Acceptance of gifts or hospitality could bring you or the Authority into disrepute if it creates the impression that:

- someone may be seeking, or have already received, special treatment; or
- someone may be seeking to influence decisions; or
- people who should be working in the public interest are using their roles for self-enrichment.

In deciding whether to accept any gifts or hospitality, regardless of the value, you should consider whether a member of the public, knowing the facts, would reasonably think that you might have been influenced by the gift/hospitality received or that the gift/hospitality is otherwise inappropriate.

The Authority has decided that any gifts or hospitality worth more than £25 should be recorded. All cash gifts must be declined.

Gifts

There is no need to declare a gift worth less than £25.

Where you accept any gift in your capacity as a Member/Employee of the Fire Authority (or which is likely to impact upon your role) worth more than £25 you must record the details in the Register of Gifts and Hospitality. The Register is kept in the Finance Managers' Office at Service Headquarters.

The more valuable a gift, the greater the degree of caution required. As a general guide, you should think carefully before accepting any gift which you know or believe to be worth more than £25. If you accept such a gift, you must inform the Finance Manager in order for it to be recorded in the Register of Gifts and Hospitality.

You should also record in the register any gifts that you have declined.

Hospitality

In general attendance in an official capacity at a function organised by a public authority or local non-profit-making organisation is acceptable. Offers of hospitality from individuals or profit making organisations should be treated with care. An offer should be declined if you believe that it could have been made to exert influence, or to improve the standing of an individual or organisation, in relation to current or future dealings with the Authority.

If you accept an offer of hospitality and subsequently discover that the reason behind it was to exert undue influence, then you should, as soon as is practically possible, write to Monitoring Officer, giving details. For your own protection, you should advise the Monitoring Officer of any situation where you are concerned over the underlying intention behind the offer of hospitality, even where such an offer has been refused.

The table below sets out examples of hospitality and the recommended course of action.

Procedure for Recording Gift/Hospitality Received

If you receive a gift or a form of hospitality, you should email all the details to the Deputy Finance Manager at the Headquarters.

Example of Hospitality	**Action**
Light refreshments prior to site meetings; presentations etc.	No need to record
Lunch/evening meal provided as part of an event by another public authority	No need to record
Reception or meal sponsored by private sector organisation as part of wider public sector/professional conference	No need to record
Lunch provided as part of a private sector sponsored conference or promotional event	Record in Register
Evening meals and overnight accommodation as part of a private sector sponsored conference or promotional event	Caution advised: If possible, decline the offer

Lunch/evening meal provided by a voluntary body at a meeting or AGM	No need to record
Lunch/evening meal provided by a voluntary body, at a meeting for the specific purpose of fund raising/lobbying	Caution is advised; consideration should be given to the underlying motives. If accepted, it should be recorded in the Register.

SOCIAL MEDIA PROTOCOL

This protocol applies to

- Members and co-opted members of the North Wales Fire and Rescue Authority (the Authority);
- Officers; and
- members of the press and public wishing to broadcast or transmit images, sound or messages from any meetings of the Authority or its committees.

Openness and Transparency

The Authority recognises that members of the public have the right to attend and, where not able to attend, to know and understand what has transpired at meetings of the Authority or its committees (hereinafter called meetings).

The Authority wishes to support the use of social media at meetings. Therefore members, the press and public are able to use social media from any meeting that is open to the public provided that a fair and accurate account is given of the meeting.

The protocol applies to the use of social media, such as Twitter or Facebook, to comment from meetings on what is happening or has happened at that meeting.

Issues for Members of the Fire and Rescue Authority

For Members and co-opted members ("Members") this protocol forms an addendum to the Authority's Code of Conduct and failure to adhere to the protocol may be taken into account when considering whether a breach of the Code of Conduct has taken place.

Courtesy, Respect and Impartiality

Members must make decisions on the basis of all relevant evidence, which includes:

- comments made by the public exercising rights to speak at meetings;
- presentations by officers; and
- comments made during debate by fellow Members of the Authority.

Using social media in meetings can be a distraction which can lead to Members missing vital evidence and can also give the impression that members are not listening or paying attention. It is therefore the responsibility of Members to make sure that they take on board all relevant matters during a meeting, even if they are using social media and that they do not appear discourteous by failing to pay attention, which could be seen as failing to treat others with respect.

Fair, Accurate and Responsible Reporting

It is incumbent upon Members using social media to give a fair and accurate account of what transpires. Whilst people are free to make comment (see below for further advice about defamation and Code of Conduct issues) it is important that if they report what is taking place during the debate, they also report the outcome.

If Members fail to abide by this protocol, they might find that they are in breach of the Code of Conduct for failing to treat others with respect.

Example
During a debate it is possible that a Member might vehemently disagree with a motion that is moved and might thus transmit a note that is scornful of the proposal. However, if the motion were to be voted down in favour of another then if the fact that a different resolution was reached but was not also transmitted, that would create the wrong impression of the meeting.

Defamation and Code of Conduct Issues

Comments made by Members during debate may attract the defence of qualified privilege in respect of subsequent accusations of defamation. However, comments made in social media are unlikely to benefit from this defence.

Likewise, comments made during debate are less likely to be treated as a breach of the Code of Conduct. However, comments made in social media about other people which fail to treat them with respect could be a breach of the Authority's code of conduct.

Members are also under an obligation not to reveal confidential information. Therefore, the use of social media will not be permitted whilst a meeting is in closed session. Likewise, the outcome of items considered after the exclusion of the press and public is considered to be exempt information until such time as the minute is published.

Members of the Authority are also reminded that they must not reveal any confidential or exempt information that is given to them by the Authority and that they must comply with the Data Protection Act.

Issues for Officers

For officers the protocol is an addendum to their code of conduct and the social media guidance issued previously to all staff. Failure to comply with these protocols could form the basis for disciplinary proceedings.

Officers attend meetings in order to advise Members. They shall not use social media whilst at meetings unless they are doing so specifically on behalf of the Authority.

Issues for Members of the Press and Public

For members of the press and public the protocol is intended to lay down the procedures that the Authority will follow should they wish use social media in meetings. It is important that the use of social media does not interfere with how the meeting is conducted, and any failure to abide by these requirements that leads to disruption of the meeting could result in members of the press and public being asked to stop and/or to leave the meeting at the discretion of the chairman.

The Authority would not seek to control what the press or public say, but would ask that they give a fair and accurate account of the content of debate and the outcome.
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PROCEDURE FOR THE CONSIDERATION AND INVESTIGATION OF COMPLAINTS MADE IN RESPECT OF ANY MEMBER OF NORTH WALES FIRE AND RESCUE AUTHORITY

SECTION 1 - BACKGROUND TO THESE PROCEDURES

1.1 These procedures are intended to assist the Standards Committee in dealing efficiently, fairly and effectively with complaints received in respect of any member of North Wales Fire and Rescue Authority. It is hoped that these procedures will assist the Standards Committee in ensuring that it employs a consistent and fair process when considering and investigating all complaints. These procedures also ensure that there is a clear process in place which ensures that Complainants and Members alike are kept fully informed of how the whole process will be approached by the Standards Committee.

1.2 The basic procedure in dealing with complaints is outlined in the various sections of this document. It is envisaged however that these basic principles will be developed over time and will be adapted by the Standards Committee as considered appropriate in order to improve their effectiveness. Such adaptations must naturally be consistent with the Committee's terms of reference and the extent of its role and duties.

SECTION 2 - ORIGIN OF THE COMPLAINT

2.1 The Standards Committee can consider the following complaints against members:

1. A complaint arising under Stage 3 of the Local Resolution Procedure (LRP)
2. A referral from the Public Services Ombudsman for Wales ("the Ombudsman")

2.2 Complaints alleging misconduct on the part of a Member may be made initially in writing to the Ombudsman at The Commission for Local Administration in Wales, 1 Ffordd yr Hen Gae, Pencoed, Bridgend, CF35 5LJ. Complaints may also be submitted to the Clerk and Monitoring Officer at North Wales Fire and Rescue Authority, County Hall, Mold, Flintshire, CH7 6NB, who will advise the complainant on whether to refer the complaint to the Ombudsman or whether the complaint might be suitable for resolution under the LRP.

2.3 The complaint must fully identify the Member(s) involved and give as much detail as possible as regards alleged failures to adhere to the Members' code of conduct. The current model code of conduct is in the Conduct of Councillors (Model Code of Conduct)(Wales) Order 2001 No.2289 as amended). The Clerk and Monitoring Officer may assist

the Complainant in this respect, if assistance is requested by the Complainant.

2.4 The Ombudsman may decide to:
a) reject the complaint;
b) refer the matter back to the Authority for it to handle under its LRP;
c) investigate the complaint.

SECTION 3 – LOCAL RESOLUTION PROCEDURE

3.1 The Authority has adopted a separate local resolution procedure. As described above a complainant may opt to use the LRP from the outset or the matter may be referred back to the Authority by the Ombudsman. As set out in the LRP the first two stages of the procedure are handled by officers. Only if the first two stages fail to resolve a complaint will it be referred to the Standards Committee.

3.2 Where a complaint is referred to the Committee under Stage 3 the process as set out in the LRP will be followed.

SECTION 4 - PROCEDURE WHERE AN INVESTIGATION HAS BEEN CONDUCTED BY THE OMBUDSMAN

4.1 Where the Ombudsman has investigated and referred the matter to the Authority for hearing, the procedure below will be followed:

4.2 The Ombudsman will refer a report containing the findings of the investigation to the Authority. At least 5 working days in advance of the hearing, all parties to the hearing will be given a copy of the Order of Proceedings and the Ombudsman's report so that they have sufficient time to prepare.

4.3 Neither the Complainant nor the Member involved may canvass, directly or indirectly, any member of the Standards Committee during the period of preparation for the hearing.

4.4 If a complaint is made against a member of the Standards Committee, that member will not be involved in any aspect of the investigation, hearing or subsequent decision.

4.5 If a Member fails to attend a hearing or refuses to attend, the Standards Committee is entitled to proceed in his/her absence, should they so decide.

4.6 At the hearing, the following procedure will be adopted, unless there is a justifiable reason not to do so. Only the Standards Committee, Clerk and Monitoring Officer, Ombudsman (or his nominated representative), the Member(s) who is/are the subject of the complaint and friend will be entitled to be present at the hearing. Simultaneous translation will be made available for the purpose of any person involved who requests to give evidence in Welsh. The Clerk and Monitoring Officer will make a detailed note of all the evidence heard:-

4.6.1 The Chair will introduce all persons present and outline the Order of Hearing; the Complainant will then be invited to address the Standards Committee.

4.6.2 The Ombudsman will open the case and address the Standards Committee on all aspects that are to be raised. The Ombudsman may refer to any of the evidence that has been distributed to all parties prior to the hearing and may call witnesses if necessary.

4.6.3 The Member will then be given an opportunity to ask questions of the Ombudsman and/or witness(es) via the Chair of the Standards Committee.

4.6.4 Members of the Committee will be given an opportunity to ask questions of the Ombudsman and/or witness(es).

4.6.5 The Member will then be given the opportunity to put forward his/her case and address the Standards Committee on aspects that he/she wishes to raise. He/she may refer to any of the evidence distributed to all parties before the hearing and may call witnesses if necessary.

4.6.6 The Ombudsman may then ask questions of the Member, via the Chair.

4.6.7 Members of the Committee may then ask questions of the Member.

4.6.8 The Ombudsman will sum up the case.

4.6.9 The Member will sum up his/her case.

4.6.10 The Chair will ask the parties to leave the room. The Committee will then retire in private, along with the Clerk and Monitoring Officer, in order to assess the evidence heard and to make its decision. The reasons for reaching a decision should be carefully recorded. The Committee may make its decision in stages as set out below. If it does so it will seek representations from the Ombudsman and Member at each stage:

4.6.10.1 determine the disputed facts, and which facts are proven;

4.6.10.2 determine whether the proven facts reveal a breach of the code;

4.6.10.3 determine what penalty, if any, should be imposed on the member in respect of any breaches of the code that have been proven.

4.7 Within seven days, the Committee will write to the Ombudsman and Member to set out the decision. The letter will include detail of the member's right to appeal the Standards Committee's decision.

PUBLIC INTEREST DISCLOSURE (WHISTLEBLOWING) AND BRIBERY

1 PURPOSE

Background

1.1 As a public service organisation, the Fire Authority will use public funds prudently and apply the highest standards of conduct throughout the organisation. This procedure encourages all workers to help maintain these standards, by enabling workers to draw attention to any concerns which they may have. Public disclosure may well be justified at some point, but this should not happen before the Service has had the opportunity to investigate the concern. Premature or unnecessary publicity may impede proper investigations.

1.2 The Public Interest Disclosure Act 1998, as amended, provides protection for workers who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by "a worker" who has a reasonable belief that:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

is being, has been, or is likely to be, committed. It is not necessary for the worker to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The worker has no responsibility for investigating the matter - it is the Service's responsibility to ensure that an investigation takes place.

1.3 A worker who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because they have made a disclosure.

Bribery Act 2010

1.4 NWFRS will not tolerate any form of bribery by, or of, its workers, agents or consultants or any person or body acting on its behalf. The Service is committed to implementing effective measures to prevent, monitor and eliminate bribery.

1.5 For the purposes of the Bribery Act 2010, bribery is defined as the giving or taking of a reward for acting dishonestly and/or in breach of the law.

Principles

1.6 All workers should be aware of the importance of preventing and eliminating wrongdoing at work. Workers should be watchful for illegal or unethical conduct and report anything of that nature of which they become aware.

1.7 Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the worker who raised the issue.

1.8 If misconduct is discovered as a result of any investigation under this procedure the Service's disciplinary procedure will be instigated in accordance with the NWFRS Discipline Handbook and/or take other external measures as appropriate.

1.9 No worker will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion/training of or contracts with the worker will not be prejudiced because they have raised a legitimate concern.

1.10 Victimisation of or causing/applying any detriment to a worker for raising a qualified disclosure will be a disciplinary offence. NWFRS will consider terminating any contract with the Service of any organisation that victimises or causes/applies any detriment to a worker who has raised a legitimate concern.

1.11 This policy is not intended to cover concerns or issues that fall within the scope of other procedures, e.g. the grievance procedure.

1.12 Maliciously making a false allegation is a disciplinary offence.

1.13 An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, workers should not agree to remain silent. They should report the matter to a Principal Officer.

2 SCOPE

2.1 This policy applies to "workers", which includes:

- employees (whether permanent or temporary) and office holders;
- agency workers;
- people on work experience or secondment to the Service; and

- people who work for organisations contracted to provide services to the Service

2.2 It is important to the Service that any fraud, misconduct or wrongdoing by workers is reported and properly dealt with. The Service therefore encourages workers to raise any concerns that they may have about the conduct of others in the Service or the way in which the Service is run. This policy sets out the way in which workers may raise any concerns that they have and how those concerns will be dealt with.

3 EFFECTIVE DATE

1 April 2019.

4 PARENT POLICY

The Human Resources Overarching policy.

5 PROCEDURE

How to raise a concern

5.1 When deciding who would be best to approach, the worker should take into account the matter, its seriousness and its sensitivity, and who may be involved. Some examples are:-

- The line manager [i.e. for a local service delivery concern]
- The Head of the Department or another Head of Department [i.e. for a service delivery concern within the wider department]
- Internal Audit or the Head of Finance [i.e. for a concern about financial probity]
- A Principal Officer [i.e. for a concern which has Service wide implications]
- Confidential reporting to the Whistleblowing Manager [i.e. concerns about fraud, theft, damage to equipment, harassment/bullying, or concerns involving line managers]. (Please note that the Whistleblowing Manager is the Head of Human Resources and Deputy Head of Human Resources during periods of business continuity management).

5.2 To raise a concern via the Whistleblowing Manager, there is a confidential Whistleblowing telephone number (01745 535298 or internally extension 55298) with a 24 hour message service. There is also a dedicated email address whistleblowing@nwales-fireservice.org.uk. If the worker wishes to raise their concern other than via the helpline or email address, they can do this in writing, marking the envelope

"personal and confidential" and send to the Whistleblowing Manager, Ffordd Llanelwy, St Asaph Business Park, St Asaph, Denbighshire, LL17 0JJ.

5.3 Whichever contact is chosen, it is important that the worker gives as much information as possible. The following information is useful:

- The worker's name, job and location and if the worker does not wish to be contacted at work their home address and phone number.
- Why the worker is concerned and the background information.
- Any other procedures, which have already been used, and what happened.
- The people who are involved and where they work.
- Dates or periods of time.
- The names and jobs of any other people who will [or may] support the concern.

5.4 The earlier a concern is raised the better. Whilst the worker will not be expected to prove that allegations are true, they will need to show that they have a reasonable basis for concern and that they believe it to be in the public interest to raise it.

Anonymous Allegations

5.5 This policy encourages workers to put their name to their allegations. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the Service.

5.6 In exercising this discretion, the factors to be taken into account would indicate:

- The seriousness of the issues raised;
- The credibility of the concern and
- The likelihood of confirming the allegation from attributable sources.

5.7 The Service will do its best to protect a whistleblower's identity when they raise a concern and do not want their name to be disclosed. However, it must be appreciated that the investigation process may reveal the source of the information and a statement may be required as part of the evidence, particularly if the police or external auditors are involved.

How the concern will be dealt with

5.8 The action taken by the Service will of course depend on the nature of the concern. The matters raised could:

- Be investigated internally by an officer nominated by the Service;
- Be referred to the Police;
- Be referred to the Financial Regulator;
- Form the subject of an independent enquiry.

5.9 Based on the nature of the concern, together with the initial evidence and discussions with a Principal Officer, a decision on the most appropriate course of action will be made. (If the concern is regarding the Chief Fire Officer the concern will be raised with the Chair of the Fire Authority). Some concerns may be resolved by agreed action, without the need for formal investigation.

5.10 Within 10 working days of a concern being received, the Service will contact the worker raising the concern to:

- Acknowledge that the concern has been received;
- Indicate how it proposes to deal with the matter;
- Give an estimate of how long it will take to provide a final response;
- Confirm if any initial enquiries have been made; and
- Indicate if further investigations will take place, and if not why not.

5.11 Within 10 working days of the completion of an investigation process, the Service will write to the worker raising the concern to:

- Confirm the outcome of the investigation;
- Indicate what further action will take place, and if not why not.

5.12 Following the completion of the procedure the worker will be asked to complete the Whistleblowing Feedback Form at Appendix 1. This will ensure the worker is satisfied with any investigation and the response.

5.13 If the worker has used the above procedure and is not satisfied with any action taken in relation to the concerns and feels the need to raise the matter outside the Service, further external contact points are provided below. Please note that the following list is not exhaustive and the worker is able to contact any organisation which they feel will be able to deal properly with the concerns.

Organisation	**Contact details**
Public Services Ombudsman for Wales	0300 790 0203
Wales Audit Office	02920 320500
North Wales Police	101 or 0300 330 0101
Professional Bodies	
The Chartered Institute of Public Finance and Accountancy	020 7543 5600
Regulatory Organisations	

Natural Resources Wales	0300 065 3000
Health and Safety Executive	0300 003 1747
Care Inspectorate Wales	0300 7900 126
Equality and Human Rights Commission	0808 800 0082
Citizens Advice Bureau	08444 772020

5.14 For independent advice, the worker may contact the independent charity Public Concern at Work on 020 7404 6609 or at www.pcaw.co.uk. Their lawyers can give free confidential advice at any stage on how to raise a concern about serious malpractice at work. The worker may prefer to speak to a Trade Union representative to seek advice.

Bribery Act 2010

5.15 Under the Bribery Act 2010 there are four possible offences:

5.16 Bribing another person – the offering, promising or giving of a reward to induce a person to perform a relevant function or activity improperly. For this offence to be committed there needs to be evidence that the act under consideration was carried out with the purpose of inducing the person to act improperly;

5.17 Being bribed – the accepting of, agreeing to accept or requesting of a reward in return for performing a relevant function or activity improperly. A 'relevant function or activity' includes any activity of a public nature or any activity connected to a business. 'Acting improperly' will be any breach of what a reasonable person in the UK would expect in relation to the performing of the function activity. However, note that the offences apply even if the function or activity is not taking place in the UK;

5.18 Bribing a foreign public official – this is a specific offence of trying to influence a foreign public official with the intention of obtaining or retaining business in a situation where the public official was not permitted or required by law to be influenced. The government guidance makes specific comment about situations when seeking tenders for publicly funded contracts, in such situations governments often permit those tendering for the contract to offer some kind of additional investment in the local economy, or to carry out some act what would be of benefit to the local community. If relevant written law permits or requires an official to be influenced by such an offence then this will fall outside of the offence. If the additional investment would amount to an advantage to the foreign public official and there is no reference in local law as to whether this is permitted, the prosecution is possible – consideration would be given to the public interest in prosecuting;

5.19 Failure to prevent bribery – this occurs when an organisation fails to stop people who are operating on its behalf from being involved in bribery. This offence could occur as a result of the activities of a range of people working on behalf of the organisation were involved in accepting or receiving a bribe which resulted in the organisation gaining or retaining business.

5.20 The Service has systems and procedures in place to manage and discharge its functions in an efficient and effective way. These systems incorporate internal controls to prevent and reduce the risk of fraud and corruption, including adequate separation of duties where appropriate.

5.21 Financial Regulations require that the Chief Fire Officer ensures that controls are properly maintained, that staff ensure that working practices comply with appropriate procedures and processes and that Internal Audit regularly check the existence, appropriateness and effectiveness of the controls.

Prohibitions

5.22 NWFRS prohibits workers of associated persons from offering, promising, giving, soliciting or accepting any bribe. The bribe might be cash, a gift or other inducement to, or from, any person or company, whether a public or government official, official of a state-controlled industry, political party or a private person or company, regardless of whether the worker or associated person is situated in the UK or overseas. The bribe might be made to ensure that a person or company improperly perform duties or functions to gain any commercial, contractual or regulatory advantage for the company in either obtaining or maintaining company business, or to gain personal advantage, financial or otherwise, for the individual or anyone connected with the individual.

5.23 The prohibition also applies to indirect contributions, payments or gifts made in any manner as an inducement or reward for improper performance, for example through consultants, contractors or subcontractors, agents or sub-agents, sponsors or sub-sponsors, joint-venture partners, advisors, customers, suppliers or other third parties.

5.24 Workers and associated persons are required to cooperate with the Service's risk management procedures and to report suspicions of bribery to the Head of Human Resources. While any suspicious circumstances should be reported, workers and associated persons are required particularly to report:

- close family, personal or business ties that a prospective agent, representative or joint-venture partner may have with government or corporate officials, directors or workers;

- requests for cash payments;

- requests for unusual payment arrangements, for example via a third party;

- requests for reimbursements of unsubstantiated or unusual expenses; or;

- a lack of standard invoices and proper financial practices.

5.25 If a worker or associated person is in any doubt as to whether or not a potential act constitutes bribery, the matter should be referred to the Head of Human Resources.

6 RESPONSIBILITIES

Compliance, Monitoring and Review

6.1 All policies and procedures will be reviewed on a pre-determined basis. This will be the responsibility of the Head of the Department, and conducted after every 1, 2or 3 years, depending on the importance of the document, from the date of issue or amendment. To ensure the continuous effectiveness of this policy and associated procedures, it is the responsibility of workers to indicate any weakness, omission or amendment that may be considered in order to improve the policy's effective use.

6.2 This Procedure will be reviewed every 3 years.

Reporting

6.3 The Head of Human Resources is responsible for reporting to the NWFRS Executive Board on issues of policy document implementation, compliance, monitoring and review.

Records Management

6.4 All records relevant to developing and approving policy documents are maintained securely. The Health, Safety and Policy Development Manager retains a master copy of all policy documents as permanent records in an accessible format for retrieval.

7 RELATED LEGISLATION AND DOCUMENTS

Related Legislation and Supporting Documents

- Bribery Act 2010
- HR-P04-2017 Grievance Policy
- NWFRA Anti-Fraud and Corruption Strategy Policy Statement
- NWFRA Contract Standing Orders
- NWFRS Discipline Handbook
- NWFRA Financial Regulations – Latest edition
- NWFRA Members' Code of Conduct
- NWFRA Members' Standards Committee Terms of Reference
- Public Interest Disclosure Act 1998.
- Protected Disclosures Act 2014
- SAPPO Section 1, Order No.9 – Data Protection Policy
- SAPPO Section 1, Order No.11 – Freedom of Information Policy
- SAPPO Section 3, Order No.13 – Communications and Information
- SAPPO Section 7, Order No.2 – Standards of Conduct Policy
- SAPPO Section 7, Order No. 13 – Complaints Procedure.
- SAPPO Section 11, Order No.15 – Sharing of Personal Information

8 DOCUMENT DETAILS

If this Procedure requires updating or editing prior to the review date please contact the Owner.

APPROVAL AND REVIEW
Approval Authority North Wales Fire and Rescue Service's Executive Board
Owner The Department/Function responsible for the overall compliance, monitoring and review
Approval date DD/MM/YYYY
Reviewed on DD/MM/YYYY
Next review date DD/MM/YYYY

CONFIDENTIAL
WHISTLEBLOWING PROCEDURE FEEDBACK FORM

Appendix 1

The Service has recently concluded an investigation into your concerns raised under the Public Interest Disclosure (Whistleblowing) and Bribery Procedure. We would welcome your feedback in relation to how the matter was handled as this will assist us when dealing with future cases and when reviewing the procedure. Your reply will be treated as confidential and will be retained by the Whistleblowing Manager.

1. Who did you report your concern to?

□ Line Manager □ Head of Department
□ Internal Audit or Head of Finance □ A Principal Officer
□ Whistleblowing Manager□ Other (please specify)

2. Were you satisfied with the way in which your concern was dealt with by that person?

□ Yes □ No

3. If no, please explain why:

4. Were you aware of the Whistleblowing Policy at the time you raised your concern?

□ Yes □ No

5. If yes, where did you see a copy of the Whistleblowing Policy?

6. Were you advised of how the concern was being dealt with?

□ Yes □ No

7. Overall, are you satisfied with the way your concern has been managed within the Whistleblowing Policy?

□ Yes □ No

8. If no, please explain why:

Thank you for completing this questionnaire. Please return it to the Whistleblowing Manager by email to whistleblowing@nwales-fireservice.org.uk

NORTH WALES FIRE AND RESCUE AUTHORITY

SCHEDULE OF MEMBERS' REMUNERATION 2021/22

Following the approval of the Local Government (Wales) Measure 2011, the Independent Remuneration Panel for Wales (IRPW) has had its powers extended for its national framework to include payments to Members of the Welsh Fire and Rescue Authorities. The North Wales Fire and Rescue Authority's Schedule of Members' remuneration is set in accordance with the determinations of the IRPW.

1 This Schedule shall have effect from 1 April 2021.

2 In this Schedule:

- "the Authority" and "FRA" means the North Wales Fire and Rescue Authority;
- "Member" means a Member of the North Wales Fire and Rescue Authority;
- "Independent/co-opted member" means a person, other than a Member of the Authority, appointed to serve on the Authority's Standards Committee (in accordance with Standards Committees (Wales) Regulations 2001) made under Section 53, Local Government Act 2000;
- "Executive Group" comprises the Chief Fire Officer, Assistant Chief Fire Officers and Assistant Chief Officers
- "Regulations" means the Independent Remuneration Panel for Wales (IRPW) Regulations for the remuneration of members and co-opted members of relevant authorities;
- "Year" means the 12 months ending 31 March.

3 Basic Salary

3.1 A Basic Salary shall be paid to each elected Member of the Authority.

3.2 In accordance with the Regulations, the rate of the Basic Salary shall be reviewed annually as determined by the Independent Remuneration Panel for Wales.

3.3 Where the term of office of a Member begins or ends other than at the beginning or end of a year, their entitlement to the Basic Salary will be pro-rata.

3.4 No more than one Basic Salary is payable to a Member of the Authority.

3.5 A Member of the Authority in receipt of a Level 1 (Leader/Deputy Leader)or 2 (Executive Members) Senior Salary in a constituent council

cannot receive a basic salary from any national park authority or fire and rescue authority for which they have also been nominated.

4 Senior Salaries

4.1 Members occupying specific posts shall be paid a Senior Salary.

4.2 In accordance with the Regulations, the rates of Senior Salaries shall be reviewed annually as determined by the Annual or Supplementary Report of the Independent Remuneration Panel for Wales.

4.3 Only one Senior Salary or Civic Salary is payable to a Member of the Authority.

4.4 A Member of the Authority cannot be paid a Senior Salary and a Civic Salary.

4.5 All Senior and Civic Salaries are paid inclusive of Basic Salary.

4.6 A Senior Salary may not be paid to more than the number of members specified by the Independent Remuneration Panel for Wales in its Annual Report and cannot exceed fifty percent of the total membership of the authority, except to include a temporary Senior Salary office holder providing temporary cover for the family absence of the appointed office holder.

4.7 A Member of the Authority in receipt of a Level 1 (Leader/Deputy Leader)or 2 (Executive Members) Senior Salary in a constituent council cannot receive a senior salary from any national park authority or fire and rescue authority for which they have also been nominated.

4.8 Where the term of Senior Salary or Civic Salary of a Member begins or ends other than at the beginning or end of a year, their entitlement to the Salary will be pro-rata.

5 Renunciation

5.1 A Member may renounce part or all of their Basic and/or Senior Salary. Renouncement must be made in writing to the Clerk to the Fire and Rescue Authority and must specify the date of renouncement. A notice of renouncement may be revoked at any time by giving further written notice to the Clerk. Any revocation cannot be backdated from the date of the further notice.

6 Suspension of a Member

6.1 Where a Member of the Authority is suspended or partially suspended from their responsibilities or duties as a Member of the Authority in

accordance with Part III of the Local Government Act 2000 (Conduct of Members), or regulations made under the Act, the part of the Basic Salary payable to them in respect of that period for which they are suspended will be withheld by the Authority (Section 155 (1) of the Measure).

6.2 Where a Member in receipt of a Senior Salary is suspended or partially suspended from being a Member of the Authority in accordance with Part III of the Local Government Act 2000 (Conduct of Members), or regulations made under the Act, the Authority must not make payments of the Member's Senior Salary for the duration of the suspension (Section 155 (1) of the Measure). If the partial suspension relates only to the specific responsibility element of the payment, the Member may retain the Basic Salary.

7 Repayment of salaries, allowances or fees

7.1 Where payment of any salary, allowance or fee has been made to a Member of the Authority or Co-opted Member in respect of any period during which the Member concerned:

(a) is suspended or partially suspended from that Member's/Co-opted Member's duties or responsibilities in accordance with Part 3 of the 2000 Act or regulations made under that Act;
(b) ceases to be a Member of the Authority or Co-opted Member; or
(c) is in any other way not entitled to receive a salary, allowance or fee in respect of that period,

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

7.2 Basic and senior salaries will be paid by monthly instalments; fees, care allowance and travel and subsistence expenses are paid in arrears. All payments are subject to Income Tax and National Insurance contributions, where applicable.

8 Member Remuneration

8.1 An FRA basic salary is payable to each named Member as shown in Appendix 1.

9 FRA Chair, Deputy Chair and Audit Committee Chair Remuneration

9.1 The named Members holding the offices of Chair, Deputy Chair and Audit Committee Chair shall receive the senior salaries shown in Appendix 1.

10 Independent Persons/Co-opted Members' Fee

10.1 Independent/co-opted members as named of the Standards Committee will be paid a fee as set out in Appendix 1.

10.2 Payments for co-opted members are capped at the equivalent of payment for 4 full days per year each. A half day meeting is defined as up to 4 hours.
A full day meeting is defined as over 4 hours.

10.3 Reasonable time for pre-meeting preparation is eligible to be included in claims made by co-opted members, the extent of which will be determined by the Clerk/Monitoring Officer in advance of the meeting.

10.4 Travelling time to and from the place of the meeting can be included in the claims for payments made by co-opted members (up to the maximum of the daily rate).

10.5 The Clerk/Monitoring Officer will determine in advance whether a meeting is programmed for a full day and the fee will be paid on the basis of this determination even if the meeting finishes before four hours has elapsed.

10.6 Meetings eligible for the payment of fee include other committees and working groups (including task and finish groups), pre-meetings with officers, training and attendance at conferences or any other formal meeting to which co-opted members are requested to attend.

10.7 The fee will be paid in arrears subsequent to the date that meeting is held. Fees are subject to Income Tax and National Insurance contributions, where applicable.

11 Care Allowance

11.1 The FRA will contribute towards necessary costs of care provided by informal or formal carers for:

a) care of a dependant under 16 years of age, or
b) a minor or adult who normally lives with the member as part of their family and who cannot be left unsupervised and
c) for any personal assistance needs of the Member where the support and or cost of any additional needs are not available or are not already met directly by the Authority

11.2 The amount that can be claimed is set out below. Care costs cannot be paid to someone who is a part of a member's household

a) Formal (registered with Care Inspectorate Wales) care costs to be paid as evidenced.

b) Informal (unregistered) care costs to be paid up to a maximum rate equivalent to the Real UK Living Wage at the time the costs are incurred.

11.3 Reimbursement must be for the additional costs incurred by members in order for them to carry out their approved duties. If a Member or Co-opted Member has more than one dependant the Member may claim more than one allowance, provided the Member can demonstrate a need to make separate arrangements for care.

11.4 Eligible Members may claim reimbursement of costs of care for actual and receipted costs up to a maximum amount not exceeding that determined by the Independent Remuneration Panel for Wales as set out in Appendix 1. All claims for reimbursement of costs of care should be made in writing to the Member Liaison Officer detailing times, dates and reasons for claim. Reimbursement for informal or formal care arrangements shall only be made on production of receipts.

12 Travel and Subsistence

12.1 Payment of travel and subsistence shall be made in respect of the official duties undertaken by a Member or Independent/co-opted member, as set out in Appendix 3, as amended from time to time by the Authority.

12.2 The amounts claimable by Members or Independent/co-opted members for travel and subsistence shall be in accordance with the scales determined by the IRPW as set out in Appendix 2. In order to claim subsistence, Members must be away from home for five hours or more in line with the HMRC rules.

12.3 A subsistence rate of £28 over a 24-hour period is available, including breakfast when not provided as part of overnight accommodation. This is a reimbursement of actual costs for official duties with itemised receipts to be provided. Claims must be reasonable and within time limits set out in Appendix 2. Where meals are provided, subsistence claims will not be payable.

12.4 Proper VAT receipts for expenses, including parking fee tickets, are needed in order for the Authority to validate claims and to reclaim VAT. Members should ask for/keep these and attach them to the claim form. Failure to supply a receipt may result in non-payment of a claim and/or inability to reimburse the VAT element.

12.5 The Authority will reimburse actual costs of standard class rail fares or the cheapest alternative.

12.6 When travelling by train, Members should in the first instance contact the Member Liaison Officer who will obtain the ticket at the most

economical price, including utilising wherever possible discount cards of various types. If Members have to purchase their own rail tickets, they should produce their receipt or ticket when claiming reimbursement and should utilise wherever possible discount cards of various types.

12.7 Travel by public transport is encouraged for long distance journeys, but may be undertaken by private car where this is expedient. The Authority will pay Members the appropriate car mileage rate shown in Appendix 2 not exceeding an amount equivalent to the standard class rail fare unless the use of a car for the entire journey has been approved by a member of the Executive Group.

12.8 Taxi fares may be claimed where travel is URGENT or where no suitable public transport is available. Receipts should be produced.

13 Payment / Time Limit for Claims

13.1 The payment of Basic and Senior Salaries is incorporated into the monthly payroll system and paid automatically on the 18th of each month or the nearest banking day by bank credit transfer without any action required by Members .

13.2 These payments are augmented by travelling and subsistence allowances together with care allowances (where appropriate) claimed for the previous month. Claims should be submitted on the appropriate form to the Member Liaison Officer by the 1st of each month.

13.3 Claims must be submitted within three months of the end of the relevant month. The Treasurer may, having consulted the Chair of the Authority, accept a late claim for good cause and make the related payments.

14 Dual Claims

14.1 Where a Member of the Authority is also able to claim allowances as a Member of another Authority, that Member may not receive any allowance, including care allowance, travel or subsistence expenses, from more than one Authority for the same duties.

14.2 Members who perform other Local Authority duties on the same day must ensure that travelling and travelling time together with care allowances (where appropriate) are apportioned reasonably between the paying authorities.

15 Part-Year Entitlement

15.1 The provisions of this paragraph shall have effect to regulate the entitlements to the basic salary or senior salary as appropriate of a Member where, in the course of a year:

(a) This Schedule is amended; or
(b) That person becomes or ceases to be a Member or an independent/co-opted member; or
(c) A Member becomes or ceases to be Chair or Deputy Chair.

15.2 Where paragraph 15.1 applies the entitlement to allowances will be adjusted on a daily basis in accordance with the Regulations.

16 Administration

16.1 The Treasurer to the Authority shall maintain, on behalf of the Authority, a record of all payments made under this Schedule which shall specify in relation to each payment the name of the recipient and the amount and nature of the payment.

16.2 This record shall be available at all reasonable times for inspection by local government electors in the constituent authorities at no charge. Copies will be provided on request on payment of a reasonable fee decided by the Treasurer.

16.3 Arrangements will be made annually to publish payments made in the previous financial year to Members for Basic and Senior Salaries paid, the daily fees paid to independent/co-opted members and Care Allowances and Travel and Subsistence expenses.

17 Further Declarations

17.1 Records are kept of Members' attendance at Fire and Rescue Headquarters.

18 Pensions

18.1 The Authority shall enable its Members who are eligible to join the Local Government Pension Scheme.

19 Compliance

19.1 In accordance with the Regulations, the Authority must comply with the requirements of Independent Remuneration Panel for Wales in respect of the monitoring and publication of payments made to Members and Co-opted Members.

Members and Co-opted Members are reminded that expense claims are subject to both internal and external audit.

For further information please contact the Members Liaison Officer at Fire and Rescue Headquarters, St Asaph Business Park, LL17 0JJ. Phone: 01745 535250.

APPENDIX 1
Entitlement to Basic Salary

A Basic Salary of **£2,026 per year** will be paid to FRA ordinary members as of 1 April 2021.

Entitlement to Senior Salary

A Senior Salary, inclusive of Basic Salary, will be paid to the following office holders:

Chair of the Fire and Rescue Authority –	**£10,818 per year**
Deputy Chair of the Fire and Rescue Authority –	**£ 5,765 per year**
Chair of the Audit Committee –	**£ 5,765 per year**

The maximum limit of Senior Salaries set for the Authority has not been exceeded.

Entitlement to Co-opted Member Fee

The following fees for Independent/co-opted members of the Standards Committee are payable:

Chair -	**£268 4 hours and over (£134 up to 4 hours)**
Other Members –	**£210 4 hours and over (£105 up to 4 hours)**

Subject to an overall maximum payment of the equivalent of 4 days fees in a year.

Reimbursements of Costs of Care

All members are able to claim up to £403 per month when receipts are produced.

APPENDIX 2
Travelling and Subsistence Allowance

1. Motor Car

	Per mile
Mileage allowance - up to 10,000 miles	**45p**
Mileage allowance - over 10,000 miles	**25p**
Passenger allowance (a passenger must have been carried to claim this)	**5p**
Motor Cycle – mileage allowance	**24p**
Bicycle - mileage allowance	**20p**

Additional expenses can be claimed for the actual cost of parking

2. Public Transport

Members are entitled to claim:

a) Train

- Lowest reasonably available standard class fare
- Reservation and left luggage expenses
- Costs of getting to and from the station
- Special first-class fare where the cost is reasonable value by comparison to standard class rail fare

b) Bus/Coach

- The appropriate fare
- Reservations and left luggage expenses

3. Taxi

Members are entitled to claim the fare and reasonable gratuity where the need to travel is URGENT or where no bus service is readily available.

4. Subsistence

Up to a maximum of £28 over a 24-hour period can be claimed; time limits are set out below:

a) Breakfast (where no overnight stay is required)

Payable in respect of absence from home for at least 5 hours, before 11.00am.

b) Lunch

Payable in respect of absence from home for at least 5 hours, including the whole of the period 12 noon to 2.00pm.

c) Evening Meal

Payable in respect of absence from home for at least 5 hours, ending after 7.00 pm.

The above is subject to reasonable claims being made and receipts being attached to claim forms.

d) Overnight

Claims can be made where overnight absences from the usual place of residence exceed 24 hours. All overnight bookings must be made by the Members Liaison Officer. The following maximum amounts are for bed and breakfast:

Visits to London	**£200**
Elsewhere	**£ 95**
Staying with relatives/friends	**£ 30**

5. HOW AND WHEN TO CLAIM

Claims for travelling and subsistence allowances should be submitted to the Member Liaison Officer and must relate to approved duties undertaken (see Schedule 1 for details). Claims will be paid directly to Members' bank accounts on a monthly basis.

Claims must be made on the Members' Allowances claim forms, copies of which are available from the Member Liaison Officer.

Claim forms should be completed for each calendar month in which expenses have been incurred and forwarded to the Member Liaison Officer **no later than the 1st of the following month to ensure payment that month.** Claims must be submitted within three months of the end of the relevant month. The Treasurer may, having consulted the Chair, accept a late claim for good cause and make the related payments.

The full address for completed claim forms is:
Member Liaison Officer
Fire and Rescue Service Headquarters
Ffordd Salesbury
St Asaph Business Park
ST ASAPH
LL17 0JJ

APPENDIX 3

OFFICIAL BUSINESS

For the purposes of the Authority's Schedule of Remuneration, the following shall be regarded as official business:

- Meetings of the Authority.
- Meetings of Committees, Panels and Working Groups of the Authority.
- Any other meeting convened by the Authority (or by the Chair of Deputy Chair in cases of urgency) to which Members are invited.
- Meetings between the Chair and/or the Deputy Chair of the Authority and the Chairs and/or Deputy Chairs of the Authority's Committees and/or officers of the Authority or the Service or other fire authorities or services to discuss Authority business, including the purpose of opening tenders.
- Attendance at NWFRS events, at which Members' attendance is specifically requested.
- Attendance at meetings of the Welsh Local Government Association/Local Government Association (including plenary meetings and Policy Groups) by the appointed Members.
- Meetings organised by the Authority with Ministers and/or Government officials on Authority business.
- Attendance at the Welsh Local Government Association/Local Government Association Annual Fire Conference by the Chair or Deputy Chair or any other Member specifically authorised by the Authority.
- Attendance at any other meetings, groups, seminars, conferences, courses or visits on Authority matters, subject to the prior approval of the Authority (or the Chair or Deputy Chair in the case of urgency) for attendance at external or individual events.
- Meetings of bodies (other than those specified above) to which the Authority has resolved to make appointments or nominations.
- Carrying out any other duty previously approved by the Authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the Authority's functions.
- Pre-arranged meetings arranged through the Member Liaison Officer by Members to fire stations, in the County or County Borough of which they are a Member.