



**Wednesday,  
25 April 2018  
10.30 am**

**Meeting of  
Fire Authority  
Fire Service HQ  
Winsford**

Contact Officer:  
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## **Cheshire Fire Authority**

### **Notes for Members of the Public**

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#### **Attendance at Meetings**

The Cheshire Fire Authority welcomes and encourages members of the public to be at its meetings and Committees. You are requested to remain quiet whilst the meeting is taking place and to enter and leave the meeting room as quickly and quietly as possible.

All meetings of the Authority are held at Fire Service Headquarters in Winsford. If you plan to attend please report first to the Reception Desk where you will be asked to sign in and will be given a visitors pass. You should return your pass to the Reception Desk when you leave the building. There are some car parking spaces available on site for visitors at the front of the Headquarters Building. Please do not park in spaces reserved for Fire Service personnel.

If you feel there might be particular problems with access to the building or car parking please contact the Reception Desk at Fire Service Headquarters on Winsford (01606) 868700.

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#### **Questions by Electors**

An elector in the Fire Service area can ask the Chair of the Authority a question if it is sent to the Monitoring Officer at Fire Service HQ to arrive at least five clear working days before the meeting. The contact officer named on the front of the Agenda will be happy to advise you on this procedure.

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#### **Access to Information**

Copies of the Agenda will be available at the meeting. A copy can also be obtained from the contact officer named on the front of the Agenda. Alternatively, individual reports are available on the Authority's website ([www.cheshirefire.gov.uk](http://www.cheshirefire.gov.uk))

The Agenda is usually divided into two parts. Members of the public are allowed to stay for the first part. When the Authority is ready to deal with the second part you will be asked to leave the meeting room, because the business to be discussed will be of a confidential nature, for example, dealing with individual people and contracts.

**This agenda is available in large print, Braille, audio CD or in community languages upon request by contacting; Telephone: 01606868414 or email: [equalities@cheshirefire.gov.uk](mailto:equalities@cheshirefire.gov.uk)**

#### **Recording of Meetings**

Anyone attending the meeting should be aware the Authority audio-records its meetings. There is a protocol on reporting at meetings which provides further information. Copies are available on the Service's website [www.cheshirefire.gov.uk](http://www.cheshirefire.gov.uk) or alternatively contact Democratic Services for details

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## **MEETING OF THE FIRE AUTHORITY**

**WEDNESDAY, 25 APRIL 2018**

**Time : 10.30 am**

**Lecture Theatre - Sadler Road, Winsford, Cheshire**

### **AGENDA**

#### **PART 1 - BUSINESS TO BE DISCUSSED IN PUBLIC**

##### **1 PROCEDURAL MATTERS**

###### **1A Recording of Meeting**

Members are reminded that this meeting will be audio-recorded.

###### **1B Apologies for Absence**

###### **1C Chair's Announcements**

To receive any announcements that the Chair wishes to make prior to the commencement of the formal business of the meeting.

###### **1D Declaration of Members' Interests**

Members are reminded that the Members' Code of Conduct requires the disclosure of Statutory Disclosable Pecuniary Interests, Non-Statutory Disclosable Pecuniary Interests and Disclosable Non-Pecuniary Interests.

###### **1E Minutes of Fire Authority**

To confirm as a correct record the minutes of the Fire Authority Meeting held on 14<sup>th</sup> February 2018.

(Pages 1 - 20)

###### **1F Questions from Members of the Public**

To deal with any questions submitted by members of the public within the area covered by the Fire Authority, in accordance with procedure rules 4.47 to 4.54.

###### **1G Minutes of Performance and Overview Committee**

To receive, for information, the minutes of the Performance and Overview Committee meeting held on 28<sup>th</sup> February 2018.

(Pages 21 - 28)

###### **1H Minutes of Governance and Constitution Committee**

To receive, for information, the minutes of the Governance and Constitution Committee meeting held on 11<sup>th</sup> April 2018.

(Pages 29 - 32)

###### **1I Minutes of Brigade Managers' Pay and Performance Committee**

To receive, for information, the minutes of the Brigade Managers' Pay and Performance Committee meeting held on 28<sup>th</sup> March 2018.

(Pages 33 - 34)

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|-----------|---|-----------------|
| <b>1J</b> | <b>Minutes of Staffing Committee</b><br>To receive, for information, the minutes of the Staffing Committee meeting held on 7 <sup>th</sup> March 2018.  | (Pages 35 - 36) |
| <b>1K</b> | <b>Notes of the Member Training and Development Group</b><br>To receive, for information, the notes of the Member Training and Development Group meeting held on 9 <sup>th</sup> April 2018.                          | TO FOLLOW       |
| <b>1L</b> | <b>Programme of Member Meetings 2018-19</b><br>Several small changes have been made to the programme of meetings for 2018-19. A copy of the revised programme has been attached for Members' to consider and approve. | (Pages 37 - 38) |

## **ITEMS REQUIRING DISCUSSION / DECISION**

- |          |   |                  |
|----------|---|------------------|
| <b>2</b> | <b>Changes to the Fire Authority's Constitution</b>   | (Pages 39 - 40)  |
|          | <b>2A Members' Code of Conduct</b>  | (Pages 41 – 52)  |
|          | <b>2B Procedure for Handling Complaints</b>   | (Pages 53 - 58)  |
|          | <b>2C Review of Arrangements for Brigade Managers' Pay and Performance Committee and Staffing Committee</b> | (Pages 59 - 64)  |
| <b>3</b> | <b>Recruitment of Chief Fire Officer and Chief Executive</b>  | (Pages 65 - 68)  |
| <b>4</b> | <b>Appointment of Independent (Non-Elected) Member</b>  | (Pages 69 - 70)  |
| <b>5</b> | <b>External Audit Plan for 2017-18</b>  | (Pages 71 - 90)  |
| <b>6</b> | <b>Internal Audit Plan 2018-19</b>  | (Pages 91 - 100) |

## **PART 2 - BUSINESS TO BE DISCUSSED IN PRIVATE**



**MINUTES OF THE MEETING OF THE FIRE AUTHORITY held on Wednesday, 14 February 2018 at Lecture Theatre - Fire Service, Sadler Road, Winsford, Cheshire at 10.30 am**

**PRESENT:** Councillors D Bailey, D Beckett, M Biggin, D Flude, P Harris, N Jones, D Mahon, D Marren, J Mercer, G Merry, K Mundry, S Nelson, S Parker, R Polhill, B Rudd, J Saunders, T Sherlock, M Simon, M Tarr, J Weatherill and S Wright

**1 PROCEDURAL MATTERS**

**A Recording of Meeting**

Members were reminded that the meeting would be audio-recorded.

The Chair also pointed out that the press were in attendance at the meeting and he understood that they intended to film during the meeting.

He stated that the Authority had a protocol in respect of filming, photography and audio-recording by third parties and explained that whilst it was obviously reasonable for members of the Fire Authority and officers to be filmed, other attendees may object to being filmed. This applied, in particular, to others participating in the meeting as there were some people asking questions and they were asked if they had any objections to being filmed. There were no objections raised.

**B Apologies for Absence**

Apologies for absence were received from Councillors A Dirir and E Johnson and the Police and Crime Commissioner D Keane.

**C Chair's Announcements**

The Chair asked Members to note the content of the Chair's announcements, which included details of the Authority's achievements and events that Members had attended since the last Fire Authority meeting in December 2017.

**D Declaration of Members' Interests**

The Director of Governance and Commissioning reminded Members that dispensations had been granted to all Members in relation to the setting of the Council Tax precept and the approval of the Members' Allowances Scheme. He also explained that Members intending to rely upon the dispensation would still need to declare their interests in the relevant items at this point of the meeting.

Members indicated that they had Disclosable Pecuniary Interests in relation to the following items (but intended to rely upon the dispensation in order to take part in the

debate and vote):

Item 4 – Draft Budget, Council Tax Precept and Medium Term Financial Plan 2018-19

All Members present (with the exception of Councillor Bailey).

Item 5 – Members' Allowances Scheme 2018-19

All Members present.

Councillor T Sherlock declared a non-pecuniary interest as he was a director of ENTEP a non-profit making organisation set up for training and employment purposes.

**E Minutes of Fire Authority**

**RESOLVED:**

**That the minutes of the Fire Authority meeting held on 6<sup>th</sup> December 2017 be approved as a correct record.**

**F Questions from Members of the Public**

Questions submitted by members of the public from within the area covered by the Fire Authority were dealt with at this point in accordance with procedural rules 4.47 to 4.54. The questions and responses are annexed to these minutes. Supplementary questions were also posed and the Chair committed to providing a written response. The supplementary questions and responses are also annexed to the minutes.

Laura Smith MP for Crewe and Nantwich Constituency was in attendance at the meeting and made a statement as follows:

'I urge Cheshire Fire Authority to keep the number of wholetime firefighters employed at Crewe Fire Station and to keep the second fire engine staffed on a 24/7 basis.'

She informed the Fire Authority that the online petition in support of the statement had over 4,100 signatures and there were also thousands of signatures on the hard copy of the petition that had been collected by Crewe and Nantwich Labour Party members. She asked that the Fire Authority took account of the petition and the strength of feeling that had been portrayed when making a decision in respect of the second fire engine at Crewe Fire Station.

The Chair thanked the MP for her statement and added that the Authority had received notification that there were 4,146 online and over 1,200 hard copy signatures on the petition. He added that Members should take the petition into account when making the decision on Item 7.

**G Minutes of Estates and Property Committee**

**RESOLVED:**

**That the minutes of the Estates and Property Committee meeting held on 6<sup>th</sup> December 2017 be received, for information.**

**H Minutes of Brigade Managers' Pay and Performance Committee**

**RESOLVED:**

**That the minutes of the Brigade Managers' Pay and Performance Committee meeting held on 10<sup>th</sup> January 2018 be received, for information.**

**I Minutes of Governance and Constitution Committee**

**RESOLVED:**

**That the minutes of the Governance and Constitution Committee meeting held on 31<sup>st</sup> January 2018 be received, for information.**

**J Notes of the Member Training and Development Group**

**RESOLVED:**

**That the notes of the Member Training and Development Group meeting held on 19<sup>th</sup> December 2017 be received, for information.**

**2 CONSULTATION ON POTENTIAL INCREASE IN PRECEPT OF 2.99% FOR 2018-19**

The Policy and Transformation Officer presented this report which provided an update on the consultation on the potential increase in precept of 2.99% for 2018-19. He explained that, on 19<sup>th</sup> December 2017, the Government announced that the threshold set regarding increases in council tax above which a precepting authority would be required to hold a public referendum had been raised from 2% to 3%.

As this announcement was made at a very late stage in the Authority's regular consultation process, and the proposed increase for 2018-19 was explicitly stated as 1.99% in the draft IRMP, the Authority deemed it prudent to consult further on a specific proposal to increase the precept by 2.99%.

The Policy and Transformation Officer provided Members with the final figures: 64% of the public supported the proposal with 34% against; and 60% of staff in support of the proposal with 30% against. He also explained that copies of the full consultation report had been provided for Members and made available on the website once the consultation was concluded on Monday 12<sup>th</sup> February 2018.

A Member stated that he supported the 2.99% increase and that the outcomes of the

consultation showed that there was public support for the increase. He recognised that the increase would be county-wide but highlighted the fact that in South East Cheshire residents were being asked to pay more in Council Tax for a downgraded service. He also sought clarification that decisions on this Item and Item 4 would not hinder deliberation of and decisions in relation to Item 7. Others confirmed that Members would not be impacting upon the ability to make decisions on Item 7 by concluding this Item and Item 4.

**RESOLVED: That**

**[1] the report be noted.**

### **3 TREASURY MANAGEMENT STRATEGY AND PRACTICES 2018-19**

The report of the Joint Head of Finance sought Members approval for the Fire Authority's Treasury Management Strategy and Practices for the year 2018-19. This was a requirement of guidance issued by the Department for Communities and Local Government, the 2009 CIPFA Treasury Management Code and the CIPFA Prudential Code. It also assisted the Authority in demonstrating its compliance with requirements contained in the Local Government Act 2003.

The Treasury Management Strategy comprised of three main elements: Borrowing Strategy; Annual Investment Strategy; and Minimum Revenue Provision Strategy. It was proposed that the Authority continued to set the Minimum Revenue Provision at 6.7% of the opening Capital Financing Requirement, as it was considered to be a prudent and sustainable approach. The Authority's approach to treasury risk management and its treasury management practices, which had been published on the Authority's website with the agenda, were also detailed in the report.

The Joint Head of Finance drew Members attention to the changes to the Borrowing Strategy to reflect the fact that the Authority had approved the use of borrowing to fund its training centre project (and associated works) in order to preserve reserves for other matters requiring capital expenditure.

A Member made reference to the 2016 budget meeting and queried what the approx £15m of capital investment spend with revenue funding of £12.144m in the 2016/17 budget consisted of and also sought clarification on the difference between reserves and revenue contributions.

The Joint Head of Finance explained that a reserve was funding set aside for a specific purpose and revenue contributions either came from reserves or external sources. She committed to review the 2016/17 budget and provide further detail.

A Member asked why the particular borrowing method with the Public Work Loans Board (PWLB) would continue to be the preferred source of borrowing rather than an annuity loan. The Head of Finance explained that the PWLB (equal payments) provided certainty to plan as the annuity method was linked into interest rates.



**RESOLVED: That**

- [1] the Authority's Treasury Management Strategy for the year 2018-2019 be approved;**
- [2] the Authority's approach to treasury risk management and its Treasury Management Practices be approved; and**
- [3] the Authority's prudential indicators included the Authorised Limit and Operational Boundary be approved.**

**4 DRAFT BUDGET, COUNCIL TAX PRECEPT AND MEDIUM TERM FINANCIAL PLAN 2018-19**

Cheshire Fire Authority was required to approve its budget and set the Council Tax precept for the financial year commencing 1<sup>st</sup> April 2018. In determining a budget that it considered reasonable, the Authority was required to have regard to all relevant factors, including the likely impact of policy options on the achievement of the Authority's objectives and uncertainties associated with the economic scenario.

The Treasurer presented the report which sought Members' approval for the Authority's budget for 2018-19, the Authority's precept, as required by law, for 2018-19 and its Medium Term Financial Plan (MTFP) for 2018 to 2021. This was the second budget report, with the first being presented at the Fire Authority meeting on 6<sup>th</sup> December 2017. Members had also considered the Authority's financial information at their Planning Days, most recently in January where Members had the opportunity to challenge the assumptions and proposals being put forward by officers as part of the draft budget and MTFP.

The report asked Members to consider three budget proposals, based on:

- a) Increasing the Council Tax precept by 2.99% (£75.48 for a Band D property);
- b) Increasing the Council Tax precept by 1.99% (£74.75 for a Band D property);  
or
- c) Maintaining the Council Tax precept at its 2017-18 level (£73.29 for a Band D property).

The three budget proposals were detailed in Table 1 of the report. Appendix 1 of the report presented the MTFP modelled on the effect of existing assumptions and showed how the Authority would produce a balanced budget in 2018-19 based on the three budget proposals. In each case there was still a requirement to make savings for 2018/19. The medium term position, looking forward up to 2021, showed that the Authority would still be required to make savings despite further increases in Council Tax in future financial years. The MTFP was based on a number of assumptions including savings relating to proposed changes at Crewe and Ellesmere Port in the base budget. These savings would have to be funded from other compensating savings identified or future contributions from reserves if they were not delivered as planned. The current reserves strategy took account of the

fact that reserves could be used to fund the second fire engines at Crewe and Ellesmere Port.

The Treasurer informed Members that the Government consultation on the Fire and Rescue National Framework made reference to reserves and the need for Fire Authorities to have a policy on reserves. It also stated the level of General Reserve would need to be justified if it was over 5% of the revenue budget. This figure was broadly accepted by Local Government Finance officers as being an appropriate level. He proposed that the general reserve be set at 5% as a minimum level and maintained at that level for the medium term. The current reserves strategy, including the forecast level of reserves, was attached as an appendix to the report and assumed that reserves would be used to support the capital programme and also the fact that reserves could be used to fund Crewe and Ellesmere Port, if necessary.

He concluded by stating that a 2.99% increase in precept would provide a better basis for financial planning for future years and a prudent medium term position but reiterated that the Authority would still need to make further savings to balance the budget.

A Member asked for clarification as to why the budget proposed a £40k revenue contribution to capital and also if the level of reserves over 5% had to be justified could the Authority not reduce them further.

The Treasurer explained that there was not a nationally prescribed reserves level but finance officers across Local Government thought it prudent to have a 5% minimum. However this was a decision for each precepting Authority to make. He was satisfied that a general reserve of £2.2m (5% net revenue budget) was prudent.

The Joint Head of Finance explained that the £40k revenue contribution had been used to fund part of the annual replacement programme on short life items such as IT equipment and vehicles. These items had an average lifespan of 3 to 5 years so it was too costly to borrow short term and, as there was no longer capital funding provided by the Government, the Authority put a pot of money aside each year to cover short life capital expenditure.

A Member stated that he was disappointed that no figures had been provided about revenue underspend in previous years and where it was being spent despite him raising this issue on a number of occasions. He sought clarification on whether it was still the policy of the Authority to use revenue underspend to support capital projects and asked how much of the Authority's underspend had been redirected to capital projects since 2010. He drew attention to the IRMP reserve and queried if this was being whittled down by capital spend when it could be used to fund the revenue budget. He stated that he was not questioning officers but rather the political decisions made by the Authority over the last few years and added that, in his opinion, some of the capital expenditure such as new stations and firefighter equipment was welcome but some such as the new Safety Centre was not.

The Treasurer confirmed that he would obtain more detailed information in respect of the previous underspends and would provide a written response to all Members.

The Chair thanked Members for their input and proposed a further recommendation (No 9) to be added to the report for Members to consider:

That Cheshire Fire Authority should ask officers to write to the Government as follows:

After eight years of austerity, Cheshire Fire Authority have found £12 million in cuts to their budget, the policy to reduce the Revenue Support Grant to zero by 2020 whilst imposing a cap on council tax is not sustainable.

We call upon the Government to lift the cap to enable local government to have the choice of continuing to make cuts or to increase council tax to balance the budget.

Capital Finance Grants ceased to Cheshire Fire Authority in 2014/15 and so we have had to self finance capital projects. We ask the Government to re-introduce the Capital bid scheme that allows Fire Authorities to bid for capital finance for large capital projects.

The Group spokesperson for the Conservative Party stated that she was pleased to support this additional recommendation and also a 2.99% increase in Council Tax. She added that she did not believe making this decision would pre-determine any other decisions as this was the budget and any decisions made later on the agenda would not change the budget decision.

The Chair concluded that Members had expressed their views and Members were asked to vote on the proposal to increase the council tax by 2.99%. The proposal to increase the Council Tax precept by 2.99% was carried with 20 Members voting in support of the increase (1 Member abstained). The other recommendations were approved (including the additional recommendation).

**RESOLVED: That**

- [1] the budget for 2018/19 (reflecting a 2.99% increase in Council Tax precept) shown in Table 1 to the report be approved;**
- [2] the Council Tax precept increase of 2.99% for 2018/19 as set out in Table 3 to the report be approved;**
- [3] the Medium Term Financial Plan shown at the top of Appendix 1 be approved (2.99% increase in Council Tax precept);**
- [4] the revenue growth proposals for 2018-19 as set out in Appendix 2a be approved;**
- [5] the revenue one-off proposals for 2018-19 set out in Appendix 2b be approved;**
- [6] the revenue savings proposals for 2018-19 as set out in Appendix 2c be approved;**
- [7] the proposed capital programme for 2018-19 set out in Table 2 (para 24)**

**be approved together with its associated financing;**

- [8] the Reserves Strategy set out in Appendix 4 be approved;**
- [9] the Statement on Robustness of Estimates set out in Appendix 3 be noted;**
- [10] the Financial Health Targets (paragraph 27) be adopted for 2018-19; and**
- [11] officers be instructed to submit the following statement to the Government on behalf of Cheshire Fire Authority:**

**After eight years of austerity, Cheshire Fire Authority have found £12 million in cuts to their budget, the policy to reduce the Revenue Support Grant to zero by 2020 whilst imposing a cap on council tax is not sustainable.**

**We call upon the Government to lift the cap to enable local government to have the choice of continuing to make cuts or to increase council tax to balance the budget.**

**Capital Finance Grants ceased to Cheshire Fire Authority in 2014/15 and so we have had to self finance capital projects. We ask the Government to re-introduce the Capital bid scheme that allows Fire Authorities to bid for capital finance for large capital projects.**

## **5 MEMBERS' ALLOWANCES SCHEME 2018-19**

The Director of Governance and Commissioning introduced this report which provided details of the Members' Allowance Scheme for 2018-19 and Members were asked to determine the level of Members' allowances for the coming year.

Councillor Merry stated that, in these times of austerity, she could not support the increase in the Members' Allowances for 2018-19 as proposed in recommendation 2 of the report. Members voted on the recommendation, the vote was lost (9 for and 10 against) and the proposed increase in allowances for 2018/19 was not approved.

**RESOLVED: That**

- [1] the Members' Allowance Scheme for 2018-19 (contained in appendix 1) be approved.**

**Note: The Scheme would reflect the fact that no annual increase would be applied for 2018-19.**

## **6 INTEGRATED RISK MANAGEMENT PLAN 2018-19 (IRMP 15) - ANNUAL ACTION PLAN**

The Policy and Transformation Officer presented the report which sought Members'

approval to publish the Authority's annual action plan for 2018-19 (IRMP 15), following the conclusion of a formal 13 week consultation programme.

He provided Members with an overview of the consultation programme and a summary of the key issues highlighted in the full consultation report. A total of 832 members of the public completed the formal consultation survey, compared to 632 in the previous year. This response level provides a margin of error of plus or minus 3.44% at a 95% level of confidence.

The final draft of IRMP 15 had been distributed with the agenda having been updated to reflect issues raised during the consultation and considered by Members at the Planning Day on 12<sup>th</sup> January.

Members discussed the IRMP proposals and welcomed the report which demonstrated the support the public had for the Service. A Member wished to thank the FBU for their responses to the IRMP consultation and noted that it had been agreed that the recommendations contained within the FBU response would be considered further through the relevant Fire Authority committees.

**RESOLVED: That**

- [1] the publication of the annual action plan for 2018-19 (IRMP 15) by 31<sup>st</sup> March 2018 be approved; and**
- [2] the Chief Fire Officer and Chief Executive be authorised to make any final drafting changes to the annual action plan (IRMP 15), including the addition of final performance and financial information.**

**7 REVIEW OF THE AUTHORITY'S PLANS TO CHANGE THE DUTY SYSTEM FROM WHOLETIME TO ON-CALL FOR THE SECOND FIRE ENGINES AT CREWE AND ELLESMERE PORT FIRE STATIONS**

Before discussion of the report commenced, the Chair proposed a motion in respect of the duty system for the second fire appliance at Crewe Fire Station. The motion was seconded by Councillor Nelson and was as follows:

'The introduction of the Nucleus Duty system for the second fire engine at Crewe'.

The Chief Fire Officer and Chief Executive then presented the report which provided detailed information on the findings of the review into the Authority's plans to change the duty system from wholetime to on-call for the second fire engines at Crewe and Ellesmere Port Fire Stations; and to agree a timescale for any changes to be implemented. Michael Wright, Greenstreet Berman was in attendance at the meeting and summarised the outcomes of the independent assessment.

Councillor Merry stated that she could not support the motion proposed and proposed an amendment to the motion presented at the meeting as follows:

'Members consider the findings of the review and determine that the future duty system for the second fire engine at Crewe Fire Station should be wholetime, 24

hours a day, 7 days a week.' The amendment was seconded by Councillor Marren.

Note: as this had the effect of negating the original motion it was subsequently treated as an alternative motion.

Members held detailed discussions and a lengthy debate on the content of the report and a number of comments were made. A number of questions were raised including:

A Member raised concerns over the on-call availability figures provided and the proposal to use the same model to improve availability that was used at Wilmslow. He asked officers about the projected figure of 85% availability and the appliance average attendance time of 4 minutes 27 seconds for the second fire engine at Crewe.

The Head of Service Delivery informed Members that the Service had committed to meeting the 85% availability target for the on-call appliance at Wilmslow and it was proposed that the same commitment would be given at Crewe. He referred to the details in the report which demonstrated that the availability figures for Crewe were based on using the same model as that at Wilmslow which would ensure that the target would be achieved. He added that the availability figure for Ellesmere Port was modelled on the actual availability at other similar on-call stations. He also explained that response times for the second fire engine, as shown in the report, were based on the premise that, if the second fire engine at Crewe changed to on-call it would be mobilised from Crewe Fire Station. Currently the response times for the second fire engine at Crewe were an average of 7 mins 38 seconds due to the fact that the second fire engine was often from one of the surrounding fire stations (rather than Crewe Fire Station).

A Member was concerned about COMAH sites and what would happen if there was a major incident: What level of support would be required from CFRS and neighbouring fire services?

The Chief Fire Officer and Chief Executive explained that the Service had national mutual aid arrangements in place for major incidents and the Section 13/16 agreements provided additional support from neighbouring services. The Service worked closely with COMAH sites and there were regular tests of the major incident arrangements.

A Member stated that there was no need to continue the debate about having an on-call duty system at Crewe as it was obvious there was little support for this. There were two proposals to consider; Nucleus or Whole Time and he asked for the Chief Fire Officer's advice on the operational consequences of the two proposals and also the budget implications.

The Chief Fire Officer and Chief Executive explained that the position he held meant that he had a legal responsibility to ensure that Members had the information they need to make the decisions required. He explained that the wholetime duty system did provide the best response. However it was also his responsibility to ensure that the Authority set a legal budget. The report stated that the plan to change the duty systems from wholetime to on-call at Crewe and Ellesmere Port was still

appropriate. Whilst he understood the views expressed and the alternative proposals, officers were trying to present the least worst option to balance the budget which would be to implement the changes previously agreed as part of the Emergency Response Review to change the duty systems for the second fire engine at Crewe and Ellesmere Port. If the changes were not implemented then the savings of £900k, already reflected in the MTFP, would need to be found from elsewhere. Alternatively Members could look at the option to hold a referendum to increase the Council Tax by more than 2.99%.

Members discussed the proposal in respect of the Nucleus crewing duty system for Crewe and it was stated that Cheshire East Councillors would not support any change to the duty system for the second fire engine at Crewe. Members were urged to look again at other alternatives for savings and, in the meantime, the wholetime duty system would continue to be funded from reserves.

Members then moved to vote on the motion and alternative motion.

In accordance with paragraph 4.44 of the Authority's constitution a request was made that the voting should be recorded to show how each Member present, and voting, cast their vote or whether he/she abstained. The voting was recorded as follows:

Motion proposed by Chair (seconded by Councillor Nelson)

'The introduction of the Nucleus Duty System for the second fire engine at Crewe'

For: Councillors Beckett, Biggin, Harris, Mercer, Mundry, Nelson, Polhill, Rudd, Tarr and Wright.

Against: Councillors Bailey, Flude, Jones, Mahon, Marren, Merry, Parker, Saunders, Sherlock, Simon and Weatherill

The motion was lost by 10 votes for to 11 votes against.

Alternative motion proposed by Councillor G Merry (seconded by Cllr D Marren)

'Members consider the findings of the report and determine that the future duty system for the second fire engine at Crewe Fire Station should be wholetime 24 hours a day, 7 days a week'.

For: Councillors Bailey, Biggin, Flude, Jones, Mahon, Marren, Merry, Parker, Saunders, Sherlock, Simon and Weatherill

Against: Councillors Beckett and Rudd

Abstained: Councillors Harris, Mercer, Mundry, Nelson, Polhill, Tarr, Wright

The amendment was carried by 12 votes to 2 with 7 abstentions.

Following the vote Councillor Sherlock proposed a motion, which was seconded by Councillor Bailey, in respect of the future duty system for the second fire engine at

Ellesmere Port:

'Continue 24/7 52 weeks of the year with two pumps at Ellesmere Port'

The Chair proposed an amendment to the motion, seconded by Councillor Nelson:

'Instruct officers to determine if the second fire engine at Ellesmere Port could be relocated to another area or station in order to satisfy the sustainability question and value for money challenge presented by the review'

Members discussed the two options proposed and then moved to the vote. The motion proposed by Councillor Sherlock was lost (3 for, 15 against) and the amendment proposed by the Chair was carried by 18 votes to 3.

**RESOLVED That:**

- [1] the findings of the review be noted;**
- [2] the future duty system for the second fire engine at Crewe Fire Station remains wholetime 24 hours a day, 7 days a week; and**
- [3] officers be instructed to determine if the second fire engine at Ellesmere Port could be relocated to another area or station in order to satisfy the sustainability question and value for money challenge presented by the review.**

**Note: Resolution No [3] followed a vote intended to secure the continuation of the existing wholetime duty system for the second fire engine at Ellesmere Port. The vote was lost.**

## **8 FIRE AND RESCUE NATIONAL FRAMEWORK FOR ENGLAND - CONSULTATION RESPONSE**

The Policy and Transformation Officer presented this report to Members and explained that the report provided an outline of the Government's consultation on a revised Fire and Rescue National Framework for England. Members were asked to consider the proposed response (attached as Appendix 1 to the report) for submission.

Members discussed the proposed response and were satisfied that it should be submitted to the Government subject to the addition of text to highlight the benefits of the combined authority governance model.

**RESOLVED: That**

- [1] the consultation response detailed in appendix 1 (subject to the addition of a reference to the combined authority model) be approved for submission to the Home Office.**



## **9 PAY POLICY STATEMENT 2018-19**

The Director of Transformation presented this report to Members which sought approval to publish the Pay Policy Statement for 2018-19 as detailed in appendix 1 to the report. She explained that the publication of the statement was an annual requirement and that the statement must be published by 31<sup>st</sup> March immediately preceding the financial year to which it relates.

The Director of Transformation drew Members attention to paragraph 16 of the report and highlighted that there was an outstanding issue in relation to the introduction of the Public Sector Exit Regulations that may necessitate changes to the Pay Policy Statement during the course of the financial year 2018-19.

### **RESOLVED: That**

- [1] the Pay Policy Statement attached as Appendix 1 be approved; and**
- [2] the Director of Transformation in conjunction with the Director of Governance and Commissioning be authorised to make any in-year changes to the Pay Policy Statement necessitated by new legislation or guidance.**

## **10 CAPITAL FUNDING FOR A REPLACEMENT FIRE STATION IN CHESTER**

The Director of Governance and Commissioning introduced this report which provided details of the capital funding required to build a replacement fire station on part of the existing site at St Anne Street, Chester. He added that the Fire Authority had previously confirmed its intention to replace the existing fire station in Chester at the current site at St Anne Street in December 2017. Members had also agreed to market part of the existing site that will be surplus to requirements.

He provided an update on a number of outstanding issues that had now been clarified and the Authority's external advisers had confirmed that the anticipated budget for the replacement fire station was very similar to the figure previously reported. The funding allocation required was £5.51m plus a 5% contingency of £275,500. Members were asked to note that there were also some potential costs that were not factored in to the budget which included any costs associated with moving and accommodating staff elsewhere and any possible delays and costs associated with any archaeological activities that may arise.

### **RESOLVED: That**

- [1] a capital allocation in the sum of £5.51m plus a 5% contingency of £275,500 to allow the delivery of a replacement fire station at St Anne Street, Chester be approved.**

**11 SALE OF TARPORLEY MUSEUM BUILDING**

The Director of Governance and Commissioning presented this report which provided details of the proposal to sell the building that previously housed a Fire Service Museum at Tarporley. He explained that the museum was no longer open to the public and the volunteer curator confirmed that he did not wish to continue to operate the fire museum.

A Member queried what was happening to the surplus fire service equipment and memorabilia. The Director of Governance and Commissioning confirmed that the building had been emptied in recent months and that the contents did not belong to the Service.

**RESOLVED: That**

- [1] Officers be authorised to arrange for the sale of the building formerly operated as a fire service museum in Park Road, Tarporley.**

## Annex to minutes of Cheshire Fire Authority 14<sup>th</sup> February 2018

### 1F Questions from Members of the Public

In accordance with procedural rules no 4.47 to 4.54 questions had been submitted by members of the public from within the area covered by the Authority. The following questions were asked and responded to at the meeting.

**Michael Jones:**

**What was the number of full time fire fighters employed by CFRS in 2010, and what was the number of non operational staff employed by the service in 2010 in comparison with the number of full time fire fighters employed by CFRS in 2017, and the number of non operational staff employed by the service in 2017?**

Response:

*The number (headcount) of full time (wholetime duty system) firefighters employed by Cheshire Fire and Rescue Service in 2009/10 was 524 and the number (headcount) of non operational staff (support staff) employed by Cheshire Fire and Rescue Service in 2009/10 was 262.*

*The number (headcount) of full time (wholetime duty system) firefighters employed by Cheshire Fire and Rescue Service in 2016/17 was 407 and the number (headcount) of non operational staff (support staff) employed by Cheshire Fire and Rescue Service in 2016/17 was 227.*

*It will also be worth noting that the number (headcount) of on-call firefighters employed by Cheshire Fire and Rescue Service in 2009/10 was 196 and the number (headcount) of on-call firefighters employed by Cheshire Fire and Rescue Service in 2016/17 was 268.*

In accordance with the Constitution the questioner asked a supplementary question summarised as follows:

**Does the Chairman agree, that the reduction in the number of whole time operational staff, explains why Cheshire in 2012 achieved its attendance target for dwelling fires on 98.7% of occasions, whilst this success rate dropped to only 88% of occasions last year.**

**In short, does he agree that reductions in whole time firefighter posts give rise to increased attendance times bearing in mind that speed and weight of attack have always, and will always be, fundamental to any successful firefighting and rescue?**

*The Chair stated that he did not propose to ask Members to provide a response at the meeting. He confirmed that a written response would be provided in due course.*

Response provided:

The attendance target of 98.7% mentioned within the question was the projected attendance standard for residential properties in 2011/12 (see IRMP 9 page 17), which is based on the definition for the Cheshire Standard detailed below. The risk categories were determined on a ward level.

Risk level	Response Standard
Very High	0-5 mins
High	6-10 mins
Medium	11-15 mins
Low	16-20 mins
Very Low	Within 21 mins

The current Cheshire Standard was adopted on 1<sup>st</sup> April 2013 in which a blanket response standard of 10 minutes was introduced for all dwelling fires and road traffic collisions for which the current performance is 88%.

Accordingly, it is difficult to compare the two figures that are quoted.

**Andy Spencer:**

**The Chief Fire Officer and the DCFO are remunerated as part of their salary and given vehicles for being on call as Gold Incident Commanders.**

**During the 2 Year period 2016-2018 on how many occasions were either the CFO or the DCFO mobilised to an incident type as a Gold Commander.**

**Additionally have any of the two officers responded to any incidents on Blue Lights.**

Response:

*The Fire Authority provides appropriate vehicles for the Chief Fire Officer and Chief Executive and the Deputy Chief Fire Officer in order for them to fulfil their contractual and operational duty requirements.*

*The Chief Fire Officer and the Deputy Chief Fire Officer each attended one incident during the two year period 2016-2018.*

*Both the Chief Fire Officer and the Deputy Chief Fire Officer have not responded to any incidents on Blue Lights during the same period.*

In accordance with the Constitution the questioner asked a supplementary question summarised as follows:

**Given your response and the obvious cost implications of having dedicated luxury vehicles for the Senior management team, which are not used operationally for Blue Light incidents.**

**Might the Fire Authority consider Pool Vehicles which would reduce costs significantly.**

**Derbyshire CFO currently drives a 4 year old pool car which is a Toyota Avensis valued at less than £4k. That demonstrates real austerity.**

*The Chair indicated that a written response would be provided in due course.*

Response provided:

Not all members of the service management team have vehicles which are supplied by the Authority.

The Authority operates a lease scheme, which is cost-neutral, because of the contributions made by those taking a lease car.

The Authority also has pool cars for those staff who do not wish to have a lease car.

Some staff use their own vehicles and are reimbursed reasonable expenses for business use.

The Authority provide cars for two officers: the Chief Fire Officer and Chief Executive; and the Deputy Chief Fire Officer. The Fleet Manager arranges for these cars to be sourced in the most cost-effective way (lease or purchase). The vehicles may be retained in the fleet and used for operational duties, or sold at the optimum time.

The suitability of the vehicles is a matter for the Fire Authority, but is also governed by the terms and conditions of employment of staff.

**Terry Coe:**

**What is the total sum of the budget under-spend from service delivery department (operational) for the 7 year period 2010-2017?**

Response:

*The total underspend for the 7 year period amounts to £1.9m.*

*The total amount of expenditure during this period is over £142m. Therefore the underspend equates to 1.3% of expenditure.*

**SERVICE DELIVERY - OUTTURN**  
**POSITION**

Year	Budget £000	Outturn £000	Variance £000
2010-11	21,131	21,135	4
2011-12	21,177	20,984	-193
2012-13	20,682	20,454	-228
2013-14	20,787	20,454	-333
2014-15	20,251	20,094	-157
2015-16	19,855	19,560	-295
2016-17	20,086	19,388	-698

In accordance with the Constitution the questioner asked a supplementary question summarised as follows:

**Given that we have lost over 160 operational posts between 2010-17, the Fire Authority intend to employ over 30 non-uniform staff.**

**How will this improve Service Delivery?**

*The Chair indicated that a written response would be provided in due course.*

Response provided:

The information below includes figures that were provided in response to a question dealt with at the Fire Authority meeting on the 14<sup>th</sup> February 2018.

**Operational Staff**

	Wholetime	On-Call	Total
2009/10	524	196	720
2016/17	407	268	675
Change	-117	+72	-45

**Non-Operational Staff**

In 2019/10 there were 262: in 2016/17 there were 227, a reduction of 35. The reference to 30 non-uniform staff is not understood.

Changes to service delivery have been made for a variety of reasons, not least as a result of pressure on the Fire Authority's budget.

**Ted Wall:**

**Since the implementation of cuts to fire services in Cheshire East we have seen a rise in the occurrence of fires as well as the stretching of remaining services, as a result all settlements in cheshire east will suffer as a result of the proposed plan to downgrade Crewe's second pump. Is it not time to rethink this idea which could cause a great deal of damage to an already woefully served Cheshire East?**

Response:

*Item 7 on the agenda deals with the plans to change the duty system from wholetime to on-call for the second fire engine at Crewe. The report contains statistics about the number of fires. Your question is noted and will be taken into account when we deal with Item 7.*

In accordance with the Constitution the questioner asked a supplementary question summarised as follows:

**Would this be a greater idea to perhaps implement the austerity proposals these gentlemen have proposed rather than cause a great deal of suffering to residents.**

*The Chair indicated that a written response would be provided in due course.*

Response provided:

I am attaching a copy of one of the other supplementary questions and the response (see question and response re: vehicles above). This contains the only obvious reference to austerity.

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**MINUTES OF THE MEETING OF THE PERFORMANCE AND OVERVIEW COMMITTEE  
held on Wednesday, 28 February 2018 at Lecture Theatre - Sadler Road, Cheshire at  
10.00 am**

**PRESENT:** Councillors M Biggin, P Harris and T Sherlock

**1 PROCEDURAL MATTERS**

**A Record of Meeting**

Members were reminded that the meeting would be audio-recorded.

**B Apologies for Absence**

Apologies were received from Councillors D Bailey, A Dirir, J Saunders and M Simon.

**C Declaration of Members' Interests**

There were no declarations of Members' interests.

**D Minutes of the Performance and Overview Committee**

The Chief Fire Officer and Chief Executive referred Members to the last two paragraphs of Item 3 – Quarter 2 Performance Report 2017-18 in the minutes. He informed Members that the Head of Service Delivery would cover the questions raised within this section of the minutes during discussion of Item 3.

**RESOLVED: That**

**[1] the minutes of the Performance and Overview Committee held on 22<sup>nd</sup> November 2017 be confirmed as a correct record.**

**2 QUARTER 3 FINANCE REPORT 2017-18**

The Head of Finance introduced the report which provided a summary of the Service's Quarter 3 revenue position and the status of projects in the capital programme.

She informed Members that, in relation to the revenue budget, the Quarter 3 review was reporting a forecast underspend of £631k – a net overall total for 2017/18 of £961k underspend. Further details were contained within Appendix 1 to the report and key areas of change since mid-year included further underspends of:

- £212k in Service Delivery
- £84k in Protection
- £73k in Planning Performance and Communications
- £74k in Fleet Services

She referred Members to Appendix 2 to the report which contained details of the individual projects and schemes within the capital programme. The capital programme was forecasting an overall outturn of £30.03m against an approved budget of £30.13m.

**RESOLVED: That**

**[1] the Quarter 3 Finance report 2017-18 be noted.**

### **3 QUARTER 3 PERFORMANCE REPORT 2017-18**

The Chief Fire Officer and Chief Executive introduced the report which provided an update on the 2017-18 Quarter 3 review of performance for each of the Service's Key Performance Indicators (KPIs). Appendix 1 to the report contained the corporate performance scorecard reflecting the Quarter 3 position against targets set and the year-on-year direction of travel for the Service's KPIs.

The Chief Fire Officer and Chief Executive introduced the Head of Service Delivery who responded to the following queries raised by Members at the last meeting of the Committee in November 2017 (extracts from the minutes from Item 3 – Quarter 2 Performance Report 2017-18 are in italics):

*'A Member queried whether officers could provide a separate report with the number of occasions when the appliance was kept available at Wilmslow due to cover from individuals from other stations. Officers confirmed that they would provide this information to Members.'*

The Head of Service Delivery referred Members to a document containing an overview of on-call availability at Wilmslow Fire Station. A nucleus duty system was currently in place at Wilmslow, with wholtime cover provided from 0700-1900 and on-call cover from 1900-0700 every day. The average availability of the on-call team at Wilmslow was 62% from October 2017 to December 2017. Further supplementary crewing provided an additional 33% average availability over the same period, increasing total availability to an average of 95% over that period. He explained that surplus individuals from other stations could volunteer or do overtime to act as supplementary crew to increase the availability at Wilmslow Fire Station.

The Head of Service Delivery informed Members that the year-to-date spend for on-call staff at Wilmslow was £59k. Supplementary crewing costs were £42k, meaning that the total year-to-date spend was £101k against a total budget of £162k.

He drew Members' attention to further developments that were being implemented to improve availability at Wilmslow. He highlighted that a recruitment campaign at Wilmslow Fire Station had led to four further suitable candidates being found. As part of a new pilot scheme, two Crew Managers had also been stationed at Wilmslow to work alternating night shift patterns. This was expected to improve availability as it would ensure that the skillsets essential to maintaining the availability of an appliance were available (i.e. full competence, ability to drive an appliance, officer in charge). Having a Crew Manager available during evenings

was also expected to assist with the completion of administrative work.

*‘A Member requested information on the response times of on-call appliances at the following stations for the last 10 incidents attended by each of them: Wilmslow, Macclesfield, Penketh, Congleton, Runcorn and Winsford. The Head of Service Delivery confirmed that officers would provide this information.’*

The Head of Service Delivery drew Members’ attention to a document containing average on-call turnout times for the last 10 turnouts for Wilmslow, Macclesfield, Penketh, Congleton, Runcorn and Winsford:

<b>On-Call Appliance</b>	<b>Average turnout times (last 10)</b>	<b>Average turnout times April – December 2017</b>
Runcorn	4 mins 6 secs	4 mins 33 secs
Congleton	6 mins 5 secs	6 mins 11 secs
Macclesfield	4 mins 55 secs	5 mins 1 sec
Wilmslow	4 mins 40 secs	4 mins 22 secs
Winsford	3 mins 29 secs	4 mins 43 secs
Penketh	5 mins 21 secs	5 mins 29 secs

A Member asked for further clarification concerning turnout times of crews and the time taken to get to an incident. The Head of Service Delivery explained that turnout time was the time taken from being alerted to when the fire appliance was ready to leave the station. Attendance time was the time taken from an appliance being mobilised from its current location to arrive at an incident.

The Chief Fire Officer and Chief Executive referred Members back to Appendix 2 of the report which contained a detailed description of each KPI, including a summary of current performance and any actions taken to improve performance. Each KPI had a previous and current progress status against its target (green, amber or red). He expanded on several of the KPIs, providing further context particularly where the status was currently amber or red.

A Member referred to the KPI concerning fires in non-domestic premises and queried what officers were doing to tackle the number of fires in prisons. The Deputy Chief Fire Officer informed the Committee that significant progress had been made over the years to reduce the number of incidents at prisons as part of the Service’s prevention agenda. Memoranda of Understanding had been agreed with prisons in the area and individuals could be prosecuted for setting fires. He advised that a new Memorandum of Understanding had been produced with one of the prisons in the area, which he hoped would be signed off soon.

The Chief Fire Officer and Chief Executive concluded by referring Members to progress concerning on-call availability and informed the Committee that the Service

was working alongside Staffordshire Fire and Rescue Service to share ideas on how to improve availability.

**RESOLVED: That**

**[1] the Quarter 3 Performance Report 2017-18 be noted.**

#### **4 QUARTER 3 PROGRAMME REPORT 2017-18**

The Chief Fire Officer and Chief Executive introduced the report which provided an update on the Service's 2017-18 Integrated Risk Management Plan (IRMP) programmes and projects. He referred Members to Appendix 1 to the report which contained a health report for the third quarter of 2017-18.

He informed Members of the progress made in respect of the Blue Light Collaboration Programme. The current progress status of the programme was now green (previously red) due to the realignment of the date for the Service on-boarding to the Multi Force Shared Service arrangement. Stores, Procurement, Finance and HR were still on track to TUPE transfer to Cheshire Constabulary employment on 1<sup>st</sup> April 2018. Work was also ongoing to finalise the End State Collaboration Agreement between the Service and Cheshire Constabulary.

The Chief Fire Officer and Chief Executive highlighted several programmes where closedown reports had been agreed by the Service's Performance and Programme Board, including Lymm, Powey Lane and Knutsford Fire Stations and the reviews of the second appliances at Crewe and Ellesmere Port. He informed Members that a Staffing Committee meeting was taking place on 7<sup>th</sup> March 2018 and the agenda included a report on the implications for the existing cohorts of on-call firefighters following the decision made by the Fire Authority concerning the duty systems for the second fire appliances at Crewe and Ellesmere Port. He explained that the report sought an endorsement from Members of the proposal to facilitate the migration of those on-call firefighters that wished to become wholetime firefighters.

He highlighted that an agreement had been reached with the Fire Brigades Union concerning the Nucleus Duty System Review (Birchwood, Macclesfield and Wilmslow) which would facilitate new working arrangements. He also drew Members' attention to delays concerning the Cardiac Response Programme and Emergency Services Mobile Communication Programme which were national issues with delays beyond the Service's control.

**RESOLVED: That**

**[1] the Quarter 3 Programme Report 2017-18 be noted.**

#### **5 INTERNAL AUDIT PLAN - QUARTERLY PROGRESS REPORT (Q3)**

Kevin Lloyd (the Auditor), a representative from Mersey Internal Audit Agency (MIAA) was in attendance at the meeting to present the quarterly progress summary of the 2017-18 Internal Audit Plan (attached as Appendix 1 to the report).

He informed Members that reviews had been completed on the following three areas: Equality and Diversity – Recruitment; Fire Safety Audits; and Business Continuity. Each review had received a ‘significant’ assurance level.

**RESOLVED: That**

**[1] the Internal Audit Plan – Quarterly Progress Report (Q3) be noted.**

## **6 EQUALITY AND INCLUSION UPDATE REVIEW**

The Director of Transformation introduced the report which provided an overview of key equality and inclusion developments within the Service and progress made against the Equality, Diversity and Inclusion Action Plan.

She covered the following matters: addressing disproportionality in the workforce; the Stonewall Workplace Equality Index; the Staff Survey; and the Equality and Diversity Recruitment Review. She also highlighted upcoming equality, diversity and inclusion work that was anticipated in relation to the inspection from Her Majesty’s Inspectorate of Constabulary and Fire and Rescue Services (HMICRFS).

The Chair queried how the Service went about recruiting from disadvantaged areas in and outside of the Cheshire boundaries. The Director of Transformation informed Members that social media was often used to engage candidates from all backgrounds, particularly as part of the recruitment process for apprentices and the high potential development scheme. She highlighted how the introduction of the Living Wage for the Service’s apprentices had reduced barriers to recruitment for individuals from disadvantaged backgrounds. She also explained that the Service was linking in to schools and colleges from all areas within the county to try and engage with individuals from under-represented backgrounds. Individuals undertaking work experience with the Service were also eligible to claim expenses.

The Chair referred the Committee to the results of the Staff Survey which were included in the report and asked for further information on bullying and harassment within the Service and whether any issues came out of the survey that Members should be aware of. The Director of Transformation informed the Committee that the Service did not have a significant problem with bullying and harassment, and that arrangements were in place (and being reviewed) to allow staff to report concerns.

In terms of other issues raised with the Staff Survey, the Director of Transformation explained that employees had raised concerns over feeling fairly rewarded and valued. As a result of this feedback, more engagement work had been undertaken and officers had started working on improving the Service’s pay and recognition policy.

**RESOLVED: That**

**[1] the Equality and Inclusion Update Review be noted.**

## **7 ANNUAL BONFIRE PERIOD REPORT 2017**

The Arson Reduction and Road Safety Manager introduced the report which appended the Authority's Annual Bonfire Period Report 2017, containing details of the preventative and operational activities of the Service and its partners during the bonfire period dated 24<sup>th</sup> October 2017 to 7<sup>th</sup> November 2017.

He elaborated on the information contained within each section of the report, highlighting plans that had been implemented following recommendations arising from the previous bonfire periods. He drew Members' attention to unitary area and station area performance during the 2017 bonfire period; 79% of all secondary deliberate fire activity recorded during the period had occurred in the following station areas: Warrington, Widnes, Ellesmere Port, Winsford and Runcorn.

A Member welcomed recommendation 1) within Section 12 of the report which referred to the practice of making cash contributions to organised displays and funding the provision of diversionary activities in known areas of increased call activity.

**RESOLVED: That**

**[1] the report be noted; and**

**[2] the recommendations in Section 12 of the Annual Bonfire Period Report 2017 (attached as Appendix 1) be supported.**

## **8 ANNUAL PROSECUTIONS REPORT 2016-17**

The Policy and Development Manager (Protection) presented the Annual Prosecutions Report 2016-17 which provided an update on the Authority's audit activity and prosecutions under the Regulatory Reform (Fire Safety) Order 2005. Cases to date were attached as Appendix 1 to the report.

**RESOLVED: That**

**[1] the Annual Prosecutions Report 2016-17 be noted.**

## **9 NEW TRAINING CENTRE - TRAINING TRANSITION REPORT**

The Interim Head of Operational Policy and Assurance introduced the report which provided details of the plans which had been developed to relocate the Service's operational and command training during the construction of the new training centre at Sadler Road.

The Training Centre Programme Manager referred Members to Appendix 1 to the report which contained a full list of courses and alternative venues for use by the

Service during the construction of the new training centre.

**RESOLVED: That**

**[1] the New Training Centre – Training Transition Report be noted.**

**10 FORWARD WORK PROGRAMME**

The forward work programme was considered by Members and the Chief Fire Officer and Chief Executive informed them of an additional item concerning the action plan arising from the forthcoming HMICFRS inspection which he believed should provisionally be added to the agenda for the November 2018 meeting.

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**MINUTES OF THE MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on Wednesday, 11 April 2018 at Lecture Theatre - Sadler Road, Winsford, Cheshire at 10.30 am**

**PRESENT:** Councillors D Beckett, D Marren, R Polhill and S Wright

**1 PROCEDURAL MATTERS**

**A Recording of Meeting**

Members were reminded that the meeting would be audio-recorded.

**B Apologies for Absence**

Apologies were received from Councillors M Biggin and E Johnson and Independent (Non-Elected) Member L Thomson also submitted her apologies.

**C Declarations of Members' Interests**

There were no declarations of Members' interests.

**D Minutes of the Governance and Constitution Committee**

**RESOLVED:** That

**[1] the minutes of the meeting of the Governance and Constitution Committee held on Wednesday 31st January 2018 be confirmed as a correct record.**

**2 COMPLETION OF ACTIONS ARISING FROM MEETINGS OF GOVERNANCE AND CONSTITUTION COMMITTEE**

The Director of Governance and Commissioning informed Members that actions arising from previous meetings of the Committee had now been completed. The following items contained documents that had been prepared on the instruction of the Committee and were appended for final consideration before recommendation to the Fire Authority:

- Item 2A – Complaints about a breach of the Members' Code of Conduct – Procedure for Handling Complaints
- Item 2B – Revised Members' Code of Conduct (and Notice of Disclosable Interests)

**A Complaints about a breach of the Members' Code of Conduct - Procedure for Handling Complaints**

The Director of Governance and Commissioning explained that this had been updated following a workshop with members of the Committee. Changes to the original were shown in red and major additions were shown in blue.

Members discussed the procedure and were broadly content with it. Suggestions were made about changes to paragraphs 1 (narrowing the Monitoring Officer's discretion) and 21 (clarifying the process where there were difficulties bringing about a proposed local resolution).

**RESOLVED: That**

**[1] the revised procedure be approved and be made known to the Fire Authority, subject to:**

- **paragraph 1 being amended to make it clear that the Monitoring Officer was only able to exercise his discretion not to inform a Member subject to a complaint in exceptional circumstances; and**
- **paragraph 21 being developed further to provide the Monitoring Officer with some discretion about whether a matter should be referred for a hearing.**

**B Revised Members' Code of Conduct (and Notice of Disclosable Interests)**

The Director of Governance and Commissioning explained that officers had updated the Code in line with guidance provided by the Committee at previous meetings. Changes to the original Code were shown in red and major additions were shown in blue. Members also had sight of the updated Notice.

**RESOLVED: That**

**[1] the revised Code of Conduct be approved and referred to the Fire Authority for adoption.**

**3 PREPARATION OF STATEMENT OF ASSURANCE 2017-18**

The Director of Governance and Commissioning introduced the report which provided information about the timelines and process for the preparation of the Statement of Assurance 2017-18.

**RESOLVED: That**

**[1] the report be noted.**

**4 REVIEW OF ARRANGEMENT FOR BRIGADE MANAGERS' PAY AND PERFORMANCE COMMITTEE AND STAFFING COMMITTEE**

The Director of Governance and Commissioning explained that the report provided the opportunity for Members to consider and agree updated responsibilities of Brigade Managers' Pay and Performance Committee (BMPPC) and Staffing Committee. He indicated that a review of the arrangements had been carried out with a view to simplifying the language and ensuring that the responsibilities were sufficiently comprehensive.

A Member queried whether the appointment of the Chief Fire Officer and Chief Executive fell under the remit of the Fire Authority. The Monitoring Officer explained that the Fire Authority did appoint the Chief Fire Officer and Chief Executive and that the BMPPC determined and undertook the appointment process. It was agreed that the wording would be amended within the proposed responsibilities of BMPPC (attached as Appendix 1 to the report) to reflect this.

A Member also asked that the last bullet point be improved by making it clear that HR/IR matters would be dealt with in accordance with policies and procedures related to the Brigade Managers.

**RESOLVED: That**

**[1] the updated responsibilities for Brigade Managers' Pay and Performance Committee and Staffing Committee be agreed and recommended to the Fire Authority for approval, subject to:**

- **the amendment of the first bullet point within the proposed responsibilities of BMPPC to reflect that the Committee determine and undertake the appointment process of the CFOCE and DCFO, rather than appoint them; and**
- **the addition of a reference to policies and procedures in the last bullet point of the responsibilities of BMPPC.**

**5 REVIEW OF LOCAL GOVERNMENT ETHICAL STANDARDS - STAKEHOLDER CONSULTATION**

The Director of Governance and Commissioning informed Members that the Committee on Standards in Public Life was undertaking a review of Local Government Ethical Standards and was consulting with stakeholders.

**RESOLVED: That**

**[1] the report and consultation be noted.**

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**MINUTES OF THE MEETING OF THE BRIGADE MANAGERS' PAY AND PERFORMANCE COMMITTEE held on Wednesday, 28 March 2018 at Leadership Team Conference Room - Fire Service, Clemonds Hey, Winsford, CW7 2UA at 10.00 am**

**PRESENT:** Councillors D Flude, E Johnson, S Nelson, B Rudd and M Tarr

**1 PROCEDURAL MATTERS**

**A Apologies for Absence**

Apologies were received from Councillor G Merry and S Parker.

**B Declaration of Members' Interests**

There were no declarations of interest.

**C Minutes of the last meeting**

**RESOLVED: That**

**The minutes of the meeting of the Brigade Managers' Pay and Performance Committee, held on 10<sup>th</sup> January 2018, be confirmed as a correct record.**

**2 EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED: That**

Under Section 100 (A) (4) of the Local Government Act 1972, as amended by the Local Government (Access to Information) Order 2006, the press and public be excluded from the meeting for the item of business listed below on the grounds that it involves the likely disclosure of exempt information as defined in Schedule 12A to the Act in the paragraph indicated.

**Item 3: Chief Fire Officer and Chief Executive – Performance Appraisal and Development Scheme**

**Paragraph**

**(1) Information relating to any individual**

**3 CHIEF FIRE OFFICER AND CHIEF EXECUTIVE: PERFORMANCE APPRAISAL AND DEVELOPMENT SCHEME**

Prior to a review of the Chief Fire Officer and Chief Executive's (CFO) performance against agreed objectives, the CFO advised Members of his intention to retire after 34 years of service. He explained his rationale for the

timing of the decision and advised that he would provide a minimum of 3 months notice and/or would remain in post until a new CFO had been appointed. Members thanked the CFO for his loyal and dedicated service to Cheshire Fire and Rescue Service.

A discussion took place in respect of the proposed selection process for the new CFO and it was agreed that the process would take the form of a 2 day assessment process comprising of the following:

- A technical interview with an independent Chief Fire Officer and HR Consultant;
- A media assessment with external journalists; and
- A presentation and interview with 4 Members of the Brigade Managers' Pay and Performance Committee.

It was agreed that the CFO would contact the external HR consultant to provide a recommendation for the starting salary based on an average of CFO pay nationally. This would be ratified by Members prior to the commencement of the recruitment campaign.

The CFO then commenced his presentation in respect of this performance appraisal. Upon conclusion Members agreed that many of the key objectives were still relevant. The Director of Transformation suggested that she would liaise with the CFO and draft and circulate proposed objectives for the appraisal with the incoming CFO.

**RESOLVED: That**

- [1] the Chief Fire Officer and Chief Executive's appraisal be agreed as discussed;**
- [2] the appraisal objectives for the incoming Chief Fire Officer and Chief Executive be drafted and sent to Members for approval; and**
- [3] the recruitment process for the new Chief Fire Officer and Chief Executive be progressed as discussed and agreed.**



**MINUTES OF THE MEETING OF THE STAFFING COMMITTEE held on Wednesday, 7 March 2018 at Leadership Team Conference Room - Fire Service, Clemonds Hey, Winsford, CW7 2UA at 1.30 pm**

**PRESENT:** Councillors B Rudd, S Nelson, G Merry and S Parker

**1 PROCEDURAL MATTERS**

**A Apologies for Absence**

No apologies for absence were received for this meeting.

**B Declaration of Members' Interests**

There were no declarations of Members' interests.

**C Minutes of the last meeting**

**RESOLVED: That**

**The minutes of the meeting of the Staffing Committee held on 30<sup>th</sup> October 2017 be confirmed as a correct record.**

**2 IMPLICATIONS OF DECISIONS MADE IN RESPECT OF THE DUTY SYSTEMS FOR THE SECOND FIRE ENGINES AT CREWE AND ELLESMERE PORT**

The Chief Fire Officer and Chief Executive introduced the report which provided an update in relation to the existing cohorts of on-call firefighters at Crewe and Ellesmere Port following the decisions made in respect of the duty systems for the second fire engines at Crewe and Ellesmere Port at the meeting of the Fire Authority on 14<sup>th</sup> February 2018.

He summarised the main points in the report and explained that it was possible to accommodate the wishes of the on-call, firefighters with the majority wishing to become wholetime firefighters. Members endorsed the proposed outlined to support the individuals in their migration from the on-call to wholetime duty system. They were also content that the Service had assisted any individual that decided not to or was unable to complete the migration by making some form of payment to them in recognition of their efforts.

**RESOLVED: That**

**[1] the position of the existing cohorts of on-call firefighters at Crewe and Ellesmere Port be noted;**

**[2] the proposal to redeploy the on-call firefighters in the existing cohorts at**

**Crewe and Ellesmere Port elsewhere within the Service be endorsed; and**

**[3] the proposal to facilitate the redundancy of the on-call firefighters at Crewe and Ellesmere Port who do not wish to be redeployed elsewhere within the Service be endorsed.**

### **3 WORKFORCE UPDATE**

The Chief Fire Officer and Chief Executive provided Members with a table showing figures for wholetime firefighters, on-call firefighters and support staff. He explained that the figures were validated by the Home Office and showed Members the data on the Home Office website.

**RESOLVED: That**

**[1] the Workforce Update be noted.**

### **4 EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED: That**

That under Section 100(A) (4) of the Local Government Act 1972, as amended by the Local Government (Access to Information) Order 2006, the press and public be excluded from the meeting for the items of business listed below on the grounds that they involve the likely disclosure of exempt information as defined in Schedule 12A to the Act in the paragraphs indicated:

**Item 5: Interview for the Head of Protection and Organisational Performance**

**Paragraph**

(1) Information relating to any individual

### **5 INTERVIEW FOR THE POST OF HEAD OF PROTECTION AND ORGANISATIONAL PERFORMANCE**

The Committee conducted an interview with the shortlisted candidate for the position of Head of Protection and Organisational Performance.

**RESOLVED: That**

**[1] Lee Shears be appointed to the post of Head of Protection and Organisational Performance.**



**TIMETABLE OF MEETINGS FOR THE MUNICIPAL YEAR 2018/19**

<b>Cheshire Fire Authority Wednesdays - 10.30am</b>	<b>Governance and Constitution Committee Wednesdays - 10.00am</b>	<b>Performance and Overview Committee Wednesdays - 10.00am</b>	<b>Estates and Property Committee Wednesdays – 1.00pm</b>
<b>20 June 2018 (annual meeting) (Q4 – EOY Reports)</b>	<b>4 July 2018</b>	<b>11 July 2018 (Q4 EOY Reports)</b>	<b>20 June 2018</b>
<b>18 July 2018 (sign-off – final accounts)</b>			<b>18 July 2018</b>
<b>19 September 2018 (Annual report) (IRMP Consultation)</b>		<b>5 September 2018 (Q1 Performance Reports)</b>	<b>19 September 2018</b>
<b>12 December 2018 (Consider outline budget)</b>	<b>14 November 2018</b>	<b>28 November 2018 (Q2 Mid-Year Performance Reports)</b>	<b>12 December 2018</b>
<b>13 February 2019 (Approve final budget and IRMP sign-off)</b>	<b>30 January 2019</b>	<b>27 Feb 2019 (Q3 Performance Reports)</b>	<b>13 February 2019</b>
<b>24 April 2019</b>	<b>10 April 2019</b>		<b>24 April 2019</b>

**ADDITIONAL MEMBER MEETINGS:**

**Member Planning Days:** Friday 13 July 2018  
Friday 7 September 2018  
Friday 9 November 2018  
Friday 11 January 2019

**Closure of Accounts (pm):** Wednesday 29 May 2019

**Risk Management Board: 10am – 12pm** Tuesday 16 October 2018  
Tuesday 12 March 2019

**Member Training and Development Group: 10am – 12pm** Thursday 5 July 2018 (TBC)  
Wednesday 3 October 2018  
Wednesday 5 December 2018  
Wednesday 20 March 2019

**BM Pay & Performance Committee dates: 10am – 12pm**  
CFO Interim Appraisal: Wednesday 31 October 2018  
BM Pay Review: Wednesday 9 January 2019  
CFO Appraisal: Wednesday 27 March 2019

**Staffing Committee dates: 12pm – 2pm** Wednesday 31 October 2018  
Wednesday 27 March 2019

## CHESHIRE FIRE AUTHORITY

**MEETING OF:** CHESHIRE FIRE AUTHORITY  
**DATE:** 25<sup>TH</sup> APRIL 2018  
**REPORT OF:** DIRECTOR OF GOVERNANCE AND COMMISSIONING  
**AUTHOR:** ANDREW LEADBETTER

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**SUBJECT:** CHANGES TO THE FIRE AUTHORITY'S  
CONSTITUTION

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The Governance and Constitution Committee has been reviewing elements of the Fire Authority's Constitution.

### **A. MEMBERS' CODE OF CONDUCT**

The attached version (marked 2A) has been updated to reflect the discussions at two meetings of the Committee. Members asked that the Code was simplified and that aspects were made clearer. The main changes can be found at:

- Paragraph 2.2 Information and Confidentiality has been added
- Section 4. Declaring of Interests and Participation in Meetings has been broken down to make it clearer.
- Appendix 4 of the Code (which contained extracts from the Localism Act 2011) has been removed as Members did not believe it added value.

Separately, Members asked that the Notice of Disclosable Interests form be updated. It now includes the following declaration to be made by each Member:

"I have received a copy of the Members' Code of Conduct and agree to abide by it."

### **Decision**

**Members are asked to approve the adoption of the Members' Code of Conduct attached to this report as 2A. This is recommended by Governance and Constitution Committee.**

### **B. PROCEDURE FOR HANDLING COMPLAINTS**

Members assisted officers in the production of a new version of the Procedure. The attached version seeks to reflect the best elements of the various procedures elsewhere.

The Procedure is attached for information only as the Committee is responsible for agreeing the arrangement for investigation and decision-making in relation to

allegations of breaches of the Members' Code of Conduct. The Procedure is attached (marked 2B).

Separately Members asked for clarification about the membership of the Members' Code of Conduct Sub-Committee. They believe that the Sub-Committee shall, wherever possible, have two Members from each of the two main political groups. Those Members are drawn from Governance and Constitution Committee. A note to this effect will be included in the report dealing with committee appointments etc. in June.

#### **C. REVIEW OF ARRANGEMENTS FOR BRIGADE MANAGERS' PAY AND PERFORMANCE COMMITTEE AND STAFFING COMMITTEE**

The attached document (marked 2C) has been updated to reflect decisions at a recent meeting of Governance and Constitution Committee.

The report (with appendix) considered by the Committee is also attached for reference.

#### **Decision**

**Members are asked to approve the responsibilities of the Brigade Managers' Pay and Performance Committee and Staffing Committee, attached to this report as 2C. These are recommended by Governance and Constitution Committee.**

**CONTACT: JOANNE SMITH, FIRE SERVICE HQ, WINSFORD  
TEL [01606] 868804  
BACKGROUND PAPERS: NONE**

## SECTION 8 - CHESHIRE FIRE AUTHORITY: MEMBERS' CODE OF CONDUCT

## SECTION 8 – CHESHIRE FIRE AUTHORITY: MEMBERS' CODE OF CONDUCT

### Contents

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10. Constitution

#### Definitions

Appendix 1 – Statutory Disclosable Pecuniary Interests

Appendix 2 – Non-Statutory Disclosable Pecuniary Interests

Appendix 3 – Disclosable Non-Pecuniary Interests

### **1. Introduction**

- 1.1 Cheshire Fire Authority (the Authority) has adopted this Code of Conduct to promote and maintain high standards of conduct and underpin public confidence in the Authority and its Members and co-opted Members.
- 1.2 The Code has been adopted as required by Section 27 of the Localism Act 2011 and is based around the following core principles contained in Section 28 of the Localism Act 2011 - selflessness, integrity, objectivity, accountability, openness, honesty and leadership. It sets out general obligations about the standards of conduct expected of Members Co-opted Members and Independent Members of the Authority, together with provisions about registering and declaring interests.
- 1.3 The Authority benefits from the input of Independent Members (non-political, non-councillors) who act in an advisory capacity. Whilst the criminal sanctions in the Act do not apply to Independent Members, Members decided that it was important that Independent Members were caught by certain parts of this Code.
- 1.4 Accordingly, Independent Members must, when acting in an advisory capacity take heed of Section 2 and disclose, at any meeting that they attend, any interests of the type outlined in Appendices 1, 2 and 3 of this Code and comply with the requirements relating to participation as if they were Members of the Authority.

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### 2. General obligations

2.1 Whenever you are acting as a Member or co-opted Member of this Authority you must act in accordance with the following obligations:

1. *Selflessness*

(a) You must act solely in the public interest and must never use or attempt to use your position improperly to confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, friends or close associates.

2. *Integrity*

(a) You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

(b) You should exercise independent judgement. Although you may take account of the views of others (including a political group), you should reach your own conclusions on the issues before you and act in accordance with those conclusions.

3. *Objectivity*

(a) When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

(b) You should remain objective, listen to the interests of all parties appropriately and impartially and take all relevant information, including advice from the Authority's officers, into consideration.

4. *Accountability*

(a) You are accountable to the public for your decisions and you must co-operate fully with whatever scrutiny is appropriate to your office, including by local residents.

(b) You must not bring your office or the Authority into disrepute whilst acting in your official capacity.

5. *Openness*

(a) You must be as open and transparent as possible about your decisions and actions and the decisions and actions of your Authority. You should be prepared to give reasons for those decisions and actions. You must not prevent anyone getting information that they are entitled to by law.

(b) Where the law or the wider public interest requires it, you must not disclose confidential information or information to which public access is restricted.

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### 6. *Honesty*

- (a) You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests as set out in the Appendices to this Code.
- (b) You must only use or authorise the use of the Authority's resources in accordance with the Authority's requirements. You must, when using or authorising the use by others of such resources, ensure that they are used for proper purposes only. Resources must not be used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

### 7. *Respect for others*

- (a) You must treat others with respect. You should engage with colleagues and staff in a manner that underpins mutual respect, essential to good local government.
- (b) You must not do anything which may cause your Authority to breach any equality laws.
- (c) You must not compromise or attempt to compromise the impartiality of anyone who works for, or on behalf of, the Authority.
- (d) You must not bully any person, including other councillors, officers of the Authority or members of the public.

### 8. *Leadership*

- (a) You must promote and support high standards of conduct when serving as Member or co-opted Member of the Authority, by leadership and example, championing the interests of the community.
- (b) You should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in you.

## 2.2 Information and Confidentiality

- (a) You must not disclose information given to you in the course of your role as a Member of the Fire Authority or information acquired by you when in that role which you believe, or ought reasonably to be aware, is confidential in nature, except where:

- 1.1 you have the consent of a person authorised to give it; or

## **SECTION 8 - CHESHIRE FIRE AUTHORITY: MEMBERS' CODE OF CONDUCT**

- 1.2 you are required by law to do so; or
- 1.3 the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
- 1.4 the disclosure is:
  - (i) reasonable and in the public interest; and
  - (ii) made in good faith and in compliance with the reasonable requirements of the Authority.

### **3. Registration of Disclosable of Interests**

- 3.1 You must within 28 days of:
  - (a) this Code being adopted by the Authority or
  - (b) your appointment to the Authority or
  - (c) a change to the descriptions of Disclosable Interest incorporated into this Code or
  - (d) a declaration of a Disclosable Interest at a Meeting which has not previously been disclosed
- 3.2 Tell the Monitoring Officer in writing about the Disclosable Interests described in Appendices 1 and 3 of this Code that you have.
- 3.3 You must within 28 days of becoming aware of:
  - (a) any new Disclosable Interests or
  - (b) any change to a Disclosable Interest

of the kind described in Appendices 1 and 3 of this Code tell the Monitoring Officer in writing about the Disclosable Interests.

### **4. Declaring of Interests and Participation in Meetings**

#### **Disclosable Pecuniary Interests**

- 4.1 If you are present at a meeting and you have a Disclosable Pecuniary Interest (Statutory or Non-Statutory):
  - (a) you must make a verbal declaration of that interest if an item of business affects or relates to that interest, at or before the item is considered or as soon as the interest becomes apparent;
  - (b) you must not participate in the item at the meeting;
  - (c) you must not vote on the item;
  - (d) you must leave the room where the meeting is held during the item.

Note: If the interest is statutory and is not already registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.



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### **Disclosable Non-Pecuniary Interests**

- 4.2 If you are present at a meeting and you have a Disclosable Non-Pecuniary Interest:
- (a) you must make a verbal declaration of that interest if an item of business affects or relates to that interest at or before the item is considered or as soon as the interest becomes apparent
  - (b) you may participate in and vote on the item of business unless the circumstances in (c) below apply
  - (c) if the item involves something that significantly affects the financial interests of the body in which you have an interest or relates to a licensing or regulatory matter concerning that body
    - (i) you must declare your interest ;
    - (ii) you must not participate in the item at the meeting;
    - (iii) you must not vote on the item.

Note: You are able to remain in the meeting and at the Chair's discretion may be allowed to make a short statement at the beginning of the item (the length of which will be determined by the Chair).

Note: If your interest is not already registered and is not the subject of a pending notification, you must notify the Monitoring Officer within 28 days.

### **5. Dispensations**

- 5.1 The Governance and Constitution Committee may provide a dispensation to allow Members to take part in a debate if the effect of compliance with this Code would be to cause a disproportionate number of members of a political group and/or a constituent Authority to be required to withdraw from a debate and be unable to vote after they had disclosed and/or declared a Disclosable Interest.

### **6. Sensitive Interests**

- 6.1 Where you consider that disclosure of the details of a Disclosable Interest could lead to you or a person connected with you being subject to violence or intimidation and the Monitoring Officer agrees that it is a "sensitive interest", you need only declare the fact that you have a Disclosable Interest but not the details of that Disclosable Interest. Copies of the public register of interests may state that you have an interest the details of which are withheld.

### **7. Publication of the Register of Members' Interests**

- 7.1 The Disclosable Interests that you disclose will be published by the Authority in a Register of Members' Interests. The Register will be made up of copies of the notice of disclosable interests that you have provided but will not

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include personal information related to anyone but you and will not include your signature.

### **8. Gifts and Hospitality**

- 8.1 You must within 28 days of receipt notify the Monitoring Officer of any gift benefit or hospitality with an estimated value of £50 or more which you have accepted as a Member from any person or body other than the Authority. The notification will be entered on a public register of gifts and hospitality.

### **9. Member/Officer Protocol**

- 9.1 You must observe the requirements of any Member/officer protocol that is in existence from time to time.

### **10. Constitution**

- 10.1 Because this Code forms part of the Authority's Constitution it not only enhances the statutory position set out in the Localism Act 2011 (and secondary legislation associated with that Act) but means that Members are specifically required to comply with it.

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### Definitions

Member	A Councillor appointed to Cheshire Fire Authority by a Constituent Authority. And a Co-opted Member.
Co-opted Member	A person who is not a member of the Authority but either is a member of any of its committees or sub committees or a member of and represents the Authority on a joint committee or joint sub committees of the Authority and who is entitled to vote at such meetings.
Independent Member	A person who acts in an advisory role (who is not a Member or Co-opted Member).
Meeting	Any meeting of the Authority or any of its committees, sub committees, joint committees or joint sub committees.
Disclosable Interests	Means those interests described in Appendices 1, 2, and 3 of this Code.
Constituent Authority	Cheshire East Borough Council, Cheshire West and Chester Borough Council, Halton Borough Council and Warrington Borough Council.
Member of your Family	<p>This will include a parent in-law, a son or daughter, a stepson or step daughter, the child of a partner, a brother or sister, a brother or sister of your partner, a grandparent, a grandchild, an uncle or aunt, a nephew or niece and the partners of any of these people.</p> <p>Note: Interests of individuals of this kind do not need to be listed on the form. However, they are relevant to declarations during meetings.</p>
Close Associate of Yours	<p>Is someone that you are in either regular or irregular contact with over a period of time who is more than an acquaintance. It is someone that a reasonable member of the public might think you would be prepared to favour or disadvantage when discussing a matter that affects the close associate of yours. It may be a friend, a colleague, a business associate or someone whom you know through general social contacts.</p> <p>Note: Interests of individuals of this kind do not need to be listed on the form. However, they are relevant to declarations during meetings.</p>
Partner	Your spouse or civil partner, a person you live with as husband and wife or a person you live with as if you are civil partners.
Sensitive Interests	This is described in the Localism Act 2011 as an interest whose disclosure could lead to the Member or Co-opted Member or a person connected with the Member or Co-opted Member being subject to violence or intimidation.

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### Appendices

#### Disclosable Interests

##### Appendix 1 – Statutory Disclosable Pecuniary Interests

Statutory Disclosable Pecuniary Interests relate to you and your partner

<b>YOU</b>			
<b>YOUR PARTNER</b> where you are aware of your partner's interest	Partner means: Your spouse or civil partner	Partner means: A person who you live with as husband and wife	Partner means: A person who you live with as if you are civil partners
<b>Subject</b>	<b>Description</b>		
EMPLOYMENT, OFFICE, TRADE, PROFESSION OR VOCATION	Any employment, office, trade, profession or vocation carried on for profit or gain by YOU or YOUR PARTNER.		
SPONSORSHIP	Any payment or provision of any other financial benefit (other than from the Fire Authority) in respect of expenses incurred by YOU in carrying out your duties as a Member, or towards the election expenses incurred by YOU. (this includes any payment or financial benefit from a trade union)		
CONTRACTS	Any contract between YOU or YOUR PARTNER (or a body in which YOU or YOUR PARTNER have a beneficial interest) and the Fire Authority. (for which goods or services are to be provided or works are to be carried out and which has not been completed)		
LAND	Any beneficial interest in land which is within the area of the Fire Authority that YOU or YOUR PARTNER has.		
LICENCES	Any licence to occupy land which is within the area of the Fire Authority that YOU or YOUR PARTNER has.		
CORPORATE TENANCIES	Any tenancy of land which is within the area of the Fire Authority where (YOU know) that the Fire Authority is the landlord and the tenant is a body in which YOU or YOUR PARTNER have a beneficial interest.		
SECURITIES	Any beneficial interest in the securities of a body that YOU or YOUR PARTNER has where (YOU know) that the body has a place of business or land within the area of the Fire Authority and either:  The total value of the securities exceeds £25,000, or a hundredth of the total issued share capital.		

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These matters are prescribed in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Members must be aware that there are offences relating to Disclosable Pecuniary Interests contained within the Localism Act 2011.

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### Appendix 2

#### Non-Statutory Disclosable Pecuniary Interests

Non-Statutory Disclosable Pecuniary Interests relate to a Member of your Family (other than your Partner – who is covered by the Statutory Disclosable Pecuniary Interests) or a Close Associate of Yours and are listed in the table below:

Subject	Description
EMPLOYMENT, OFFICE, TRADE, PROFESSION OR VOCATION	Any employment, office, trade, profession or vocation carried on for profit or gain by a Member of Your Family or a Close Associate of Yours.
CONTRACTS	Any contract between a Member of Your Family or a Close Associate of Yours (or a body in which a Member of Your Family or a Close Associate of Yours has a beneficial interest) and the Fire Authority (for which goods or services are to be provided or works are to be carried out and which has not been completed)
LAND	Any beneficial interest in land which is within the area of the Fire Authority that a Member of Your Family or a Close Associate of Yours (or a body in which a Member of Your Family or a Close Associate of Yours) has.
LICENCES	Any licence to occupy land which is within the area of the Fire Authority that a Member of Your Family or a Close Associate of Yours (or a body in which a Member of Your Family or a Close Associate of Yours) has a beneficial interest.
CORPORATE TENANCIES	Any tenancy where (YOU know) that the Fire Authority is the landlord and the tenant is a Member of Your Family or a Close Associate of Yours (or a body in which a Member of Your Family or a Close Associate of Yours) <del>has a beneficial interest</del> within the area of the Fire Authority..
SECURITIES	Any beneficial interest in the securities of a body in which a Member of Your Family or a Close Associate of Yours have a beneficial interest where (YOU know) that the body has a place of business or land within the area of the Fire Authority and either:  The total value of the securities exceeds £25,000, or a hundredth of the total issued share capital.

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### **Appendix 3**

#### **Disclosable Non-Pecuniary Interests**

Disclosable Non Pecuniary Interests relate to or are likely to affect:

Any body of which you are a member or in a position of general control or management which:

- exercises functions of a public nature, and/or
- is directed to a charitable purpose, and/or
- has a principal purpose of influencing of public opinion or policy (including any political party or trade union), and/or
- you are appointed to or nominated for by the Authority

Note: A Member that donates to a charity will not be deemed to have a Disclosable Interest in that charity solely because of the donation or donations (i.e. whether it is a one-off or continuing arrangement).

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## **Complaints about a Breach of the Members' Code of Conduct - Procedure for Handling Complaints**

### Definitions

Code – means the Code of Conduct adopted by the Fire Authority and in existence at the time of the subject matter leading to the Complaint

Complaint – means a written allegation that there has been a breach of the Code from an identified Complainant

Complainant – means a person lodging a Complaint

Member Subject of Complaint (MSOC) – means the Member who is the subject of the Complaint

Independent Person – means a person appointed by the Fire Authority

Sub-Committee – means the Members' Code of Conduct Sub-Committee

1. The Monitoring Officer receives a Complaint and acknowledges receipt. The Monitoring Officer will normally disclose details of the Complaint to the MSOC at this stage (but in exceptional circumstances may exercise his/her discretion not to do so).

### **Initial Assessment/Gateway Procedure**

2. The Monitoring Officer will consider the written complaint within 21 days and determine whether to;
  - **Take no action**
  - **Arrange other actions i.e. training or mediation**
  - **Refer the matter to the relevant Group Leader for informal action**
  - **Refer the matter for formal investigation**
  - **Refer the matter to the police or other regulatory agency**
3. With experience criteria may be developed to assist in making decisions, aimed at ensuring consistency.
4. The Monitoring Officer may consult the Independent Person at this stage.
5. An initial assessment decision to take no action will be final. Accordingly there will be no right of review for either the Complainant or MSOC.

## Independent Person

6. The MSOC has the opportunity to consult the Independent Person at any stage.

## External Investigation

7. Where the Monitoring Officer decides that the complaint requires further investigation a suitable investigator will be appointed.
8. The investigation should normally be completed within 12 weeks of the referral.
9. The report of the investigator should incorporate the following:-
  - **Executive Summary** – An outline of the allegation, who made it, the relevant provisions of the Code and whether there has been a breach.
  - **MSOC's official details** – A brief outline of when the MSOC was elected, term of office, details of committees served on and any relevant training.
  - **Summary of facts and evidence gathered** – A summary of the facts and evidence gathered, highlighting facts which are in dispute and setting out the external investigator's conclusions based on the balance of probabilities
  - **Reasoning as to whether there has been a failure to comply with the Code and investigator's findings** – Dealing with each allegation in turn and outline of whether the external investigator considers whether there has been a breach and any aggravating or mitigating facts.
  - **Schedule** – a list of witnesses interviewed and copies of relevant documents
10. A copy of the report will be circulated to the MSOC and Complainant to check for factual accuracy.
11. Both the Complainant and the MSOC will have the opportunity to make written submissions/representations.

## Consideration of the Investigator's Report: no evidence of failure

12. Where the investigator concludes that there is no evidence of a failure to comply with the Code, the Monitoring Officer will review the report in consultation with the Independent Person. If the Monitoring Officer is satisfied with the investigator's report, he/she will write to the Complainant

and to the MSOC telling them that no further action will be taken. He/she will give them a copy of the investigator's report.

13. The Monitoring Officer will make his/her decision within 21 working days of receipt of the investigator's report.
14. If the Monitoring Officer is not satisfied that the investigation has been conducted properly, he/she may ask the investigator to reconsider his/her report.

### **Consideration of the Investigator's Report: evidence of failure**

15. Where the investigator concludes that there is evidence of a failure to comply with the Code, the Monitoring Officer will review the report and will either send the matter for hearing before the Members' Code of Conduct Sub-Committee or, after consulting the Independent Person, seek local resolution.

#### **A. Local Resolution**

16. If the Monitoring Officer believes that the matter can be reasonably resolved without the need for a hearing, he/she will consult the Independent Person and the Complainant and seek to agree what the Complainant considers to be a fair resolution e.g. the MSOC accepting that his/her conduct was unacceptable and offering an apology and/or the Authority taking remedial action. This should also seek to ensure higher standards of conduct in the future. The Monitoring Officer will then consult the MSOC.
17. If the Complainant tells the Monitoring Officer that he/she believes that the suggested resolution would not be adequate the Monitoring Officer will further consult with the Independent Person and determine whether the matter should be referred for a hearing.
18. If the MSOC will not accept local resolution of the matter the Monitoring Officer will refer the matter for a hearing.
19. If the MSOC complies with the suggested resolution, the Monitoring Officer will report the matter for information to Governance and Constitution Committee but will take no further action. If the Complainant tells the Monitoring Officer that any suggested resolution would not be adequate or if local resolution cannot be achieved, the Monitoring Officer will refer the matter for hearing.

#### **B. Hearing**

20. If the Monitoring Officer considers local resolution is not appropriate or this is not agreed by the parties, he/she will refer the matter to the Members' Code of Conduct Sub-Committee which will conduct a hearing before deciding whether the MSOC has failed to comply with the Code and, if so, what action if any to take.

21. The Members' Code of Conduct Sub-Committee will consider the complaint made about the MSOC afresh, having regard to the investigator's findings and all relevant information presented to the hearing by the Complainant and the MSOC.
22. The Independent Person must be consulted and his/her views taken into account before any decision is made on an allegation which has been investigated. The Independent Person should be present at the hearing to present his/her views in person.
23. Meetings of the Members' Code of Conduct Sub-Committee when conducting hearings will normally be subject to the normal rules for publication of agendas and access to information.
24. The Members' Code of Conduct Sub-Committee will announce its decision at the end of the hearing. Within five working days, the Monitoring Officer will prepare a formal Decision Notice in consultation with the Chair of the Sub-Committee and send a copy to the Complainant and the MSOC.
25. The Decision Notice will be available for public inspection and posted on the Authority's website. It will be reported to the next meeting of Governance and Constitution Committee.
26. There is no right of appeal from the decision of the Members' Code of Conduct Sub-Committee.
27. The Members' Code of Conduct Sub-Committee is not bound by any earlier decision.
28. The Members' Code of Conduct Sub-Committee will normally:
  - (a) Allow the Investigator to present his/her report and call witnesses, including the complainant.
  - (b) Allow the subject member to make representations and call witnesses, including the complainant.
  - (c) Decide if the subject member has or has not breached the Code.
  - (d) Decide what sanction should be imposed if it decides the Code has been breached.

The sanctions the Members' Code of Conduct Sub-Committee can impose, if it finds a breach of the Code are:

- (a) Censure or reprimand the MSOC.
- (b) Publish the findings in respect of the MSOC's conduct.
- (c) Report its findings to the Authority for information and make any recommendations.

- (d) Recommending to the MSOC's Group Leader (or in the case of ungrouped member, recommending to the Authority) that the MSOC be removed from any or all committees or sub-committees of the Authority.
- (e) Instruct the Monitoring Officer to arrange training for the MSOC.
- (f) Recommend to the Authority that the MSOC be removed from all outside appointments to which he/she has been appointed or nominated by the Authority.
- (g) Withdraw facilities provided to the MSOC by the Authority, such as computer, website and/or email and internet access.
- (h) Exclude the MSOC from the Authority's offices or other premises, with the exception of meeting rooms as necessary for attending formal meetings.

The Sub-Committee has no power to suspend or disqualify the MSOC or to withdraw the MSOC's allowances.

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## **Brigade Managers' Pay and Performance Committee**

### Responsibilities

- To determine and undertake the appointment process for the posts of Chief Fire Officer and Chief Executive and Deputy Chief Fire Officer.
- To appraise the Chief Fire Officer and Chief Executive.
- To determine the remuneration of the Chief Fire Officer and Chief Executive.
- To review the appraisal of the Deputy Chief Fire Officer.
- To determine the remuneration of the Deputy Chief Fire Officer.
- To determine (in accordance with the relevant policies and procedures) HR/IR matters concerning/affecting the Chief Fire Officer and Chief Executive and Deputy Chief Fire Officer.

## **Staffing Committee**

### Responsibilities

- To appoint Area Managers and roles of equivalent standing.
- To determine HR/IR matters (not delegated to officers or handled by JCC).
- To determine pension matters.
- To oversee key staff engagement and staff-related transformation activities.
- To oversee discipline, grievance, employment claims etc.
- To oversee relationships with representative bodies.
- To approve the re-engagement of staff who have been retired or made redundant (excluding on call).

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## INCLUDED AS BACKGROUND INFORMATION

### CHESHIRE FIRE AUTHORITY

**MEETING OF:** GOVERNANCE AND CONSITUTION COMMITTEE  
**DATE:** 11<sup>TH</sup> APRIL 2018  
**REPORT OF:** DIRECTOR OF GOVERNANCE AND COMMISSIONING  
**AUTHOR:** ANDREW LEADBETTER

---

**SUBJECT:** REVIEW OF ARRANGEMENTS FOR BRIGADE MANAGERS' PAY AND PERFORMANCE COMMITTEE AND STAFFING COMMITTEE

---

#### Purpose of Report

1. To allow Members to consider and agree the responsibilities of Brigade Managers' Pay and Performance Committee (BMPPC) and Staffing Committee.

#### Recommended: That Members

- [1] agree updated responsibilities for Brigade Mangers' Pay and Performance Committee and Staffing Committee and recommend them to the Fire Authority; and
- [2] authorise the Director of Governance and Commissioning to make the amendments to the Constitution as are necessary to bring any changes into effect if/when agreed by the Fire Authority.

#### Background

2. Members may recall that the Authority has only had a Staffing Committee for the last four years. This was created originally as a sub-committee of the BMPPC but more recently became a committee in its own right.
3. With the increased complexity of and greater focus on staffing matters it seemed sensible to carry out a review of the arrangements for the BMPPC and Staffing Committee to ensure that they were adequate and appropriate.

#### Information

##### BMPPC

4. The proposed responsibilities of the BMPPC are attached to the report as Appendix 1. The existing responsibilities are also included for comparison.
5. The existing responsibilities have only required minor updating. However, the language has been updated and simplified considerably. The BMPPC is clearly focused on matters concerned with the Brigade Managers (Chief Fire Officer and Chief Executive and Deputy Chief Fire Officer).

6. The Committee will continue to be seven Members with a quorum of three.

### **Staffing Committee**

7. The proposed responsibilities of Staffing Committee are attached to this report as Appendix 2. The existing responsibilities are also attached for comparison.
8. The responsibilities have been expanded, updated and simplified.
9. The Committee would be the same seven members of BMPPC again with a quorum of three (currently it is four members from BMPPC).

### **Financial Implications**

10. There are no financial implications.

### **Legal Implications**

11. It is important that the responsibilities of decision-making bodies are clear. They should be regularly reviewed in light of experience.

### **Equality and Diversity Implications**

12. There are no equality and diversity implications.

### **Environmental Implications**

13. There are no environmental implications.

**CONTACT: JOANNE SMITH, FIRE SERVICE HQ, WINSFORD**

**TEL [01606] 868804**

**BACKGROUND PAPERS: NONE**

## **Brigade Managers' Pay and Performance Committee**

### **Proposed:**

#### Responsibilities

- To appoint the Chief Fire Officer and Chief Executive and Deputy Chief Fire Officer.
- To appraise the Chief Fire Officer and Chief Executive.
- To determine the remuneration of the Chief Fire Officer and Chief Executive.
- To review the appraisal of the Deputy Chief Fire Officer.
- To determine the remuneration of the Deputy Chief Fire Officer.
- To determine HR/IR matters concerning/affecting the Chief Fire Officer and Chief Executive and Deputy Chief Fire Officer.

### **Current:**

#### Responsibilities

- To appraise the Brigade Manager, Chief Fire Officer and Chief Executive.
- To review the pay of the Brigade Manager, Chief Fire Officer and Chief Executive (including any performance payment).
- To review the appraisal of the Deputy Chief Fire Officer as "grandparent manager" and review their pay (including any performance payment).
- To act as the employer for the local determination of any matters within the purview of the NJC for Brigade Managers of the Fire and Rescue Services Scheme of Conditions of Service ("the Gold Book") and any local variations to those conditions.
- To act as the employer within the appointment process for any posts at Brigade Manager level within the Service.
- In matters of discipline, capability, or grievance in relation to the Brigade Managers, to act as the hearing committee within the relevant procedure and as the appeal committee in relation to Area Managers (all conditions of service).

## **Staffing Committee**

### **Proposed:**

#### Responsibilities

- To appoint Area Managers and roles of equivalent standing.
- To determine HR/IR matters (not delegated to officers or handled by JCC).
- To determine pension matters.
- To oversee key staff engagement and staff-related transformation activities.
- To oversee discipline, grievance, employment claims etc.
- To oversee relationships with representative bodies.
- To approve the re-engagement of staff who have been retired or made redundant (excluding on call).

### **Current:**

#### Responsibilities

- To act as the employer within the appointments process for any posts at Area Manager level within the service (all conditions of service).
- To determine matters related to pensions where Members are required to make a decision.
- To determine matters referred to the Committee involving human resourcing (outside the remit of JCC).

## CHESHIRE FIRE AUTHORITY

**MEETING OF:** CHESHIRE FIRE AUTHORITY  
**DATE:** 25<sup>TH</sup> APRIL 2018  
**REPORT OF:** DIRECTOR OF GOVERNANCE AND COMMISSIONING  
**AUTHOR:** ANDREW LEADBETTER

---

**SUBJECT:** RECRUITMENT OF CHIEF FIRE OFFICER AND  
CHIEF EXECUTIVE

---

### Purpose of Report

1. To confirm the arrangements for the recruitment process for the role of Chief Fire Officer and Chief Executive (CFOCE).

### Recommended: That Members

- [1] consider and note the arrangements for the recruitment of a Chief Fire Officer and Chief Executive.

### Background

2. Paul Hancock has given notice of his intention to retire from the Service. This was discussed at the Brigade Managers' Pay and Performance Committee (BMPPC) on 25<sup>th</sup> March 2018. BMPPC considered the arrangements to secure a new CFOCE.

### Information

3. BMPPC decided that the recruitment process for the new CFOCE should take the form of a two day assessment process comprising of the following:
  - Technical interview with an independent Chief Fire Officer and HR Consultant
  - Media Assessments
  - Presentation to Members of the BMPPC on a topic given prior to the interview
  - Formal interview with Members of the BMPPC
4. The independent Chief Fire Officer will be Alasdair Hay, the Chief Fire Officer of the Scottish Fire and Rescue Service. Steve Mason will act as the HR Consultant.

5. An advert was published on the National Fire Chiefs Council and Service websites on 8<sup>th</sup> April 2018 and is attached as Appendix 1 to this report.

### **Financial Implications**

6. The cost of the recruitment and salary of the replacement CFOCE are adequately covered by existing budgets.

### **Legal Implications**

7. Whilst the BMPPC is responsible for the recruitment of the CFOCE the decision is reserved to the Fire Authority. Given the period between the conclusion of the two day assessment process and the next Fire Authority meeting it is anticipated that the appointment will be dealt with as an urgent item. However, before the decision is made officers intend to circulate information to all Members.

### **Equality and Diversity Implications**

8. None.

### **Environmental Implications**

9. None.

**CONTACT: JOANNE SMITH, FIRE SERVICE HQ, WINSFORD**

**TEL [01606] 868804**

**BACKGROUND PAPERS: NONE**

## Chief Fire Officer and Chief Executive

**Scale:** £145,000 per annum + up to £10,000 relocation package + car

**Hours:**

**Address:** Based at the joint Police and Fire Headquarters, Winsford, Cheshire.

**Closing Date:** Monday, April 30, 5:00 PM

[View other jobs in My Area](#)

Cheshire Fire and Rescue Service is a high performing, innovative and progressive organisation that has high ambitions for the service that it provides to the communities and people of Cheshire.

Due to the recent announcement of the retirement of the current post holder, the Fire Authority are now seeking to appoint a new Chief Fire Officer and Chief Executive to lead the organisation and to build upon the significant progress that has been achieved in recent years.

The successful candidate will possess a detailed understanding of the issues relating to the fire and rescue service at national and local levels, have excellent political awareness and be an inspiring and outstanding leader. The Fire Authority will also be looking for an individual who is genuinely committed to diversity and inclusion and who will be able to influence others whilst ensuring the Service has strong leadership to shape and direct service provision and uphold the existing high standards of performance currently in place. Candidates will also need to demonstrate resilience and excellent interpersonal skills and the ability to execute ambitious programmes of change.

Applications are invited from existing Brigade Managers and the selection process will comprise of a 2-day assessment centre to be held on Wednesday 16th and Thursday 17th May 2018. Applicants will also be required to undertake an on line psychometric assessment. Initial application will be via the submission of a CV accompanied by a supporting statement outlining suitability for the role against the job description and person specification.

Application packs can be obtained below or by calling 01606 366717 and quoting job reference number 01/18/CFO.

[Pack Contents Final \(new window, PDF 76KB\)](#)

[CFO Selection Process Overview \(new window, PDF 119KB\)](#)

[Job Description and Person Specification \(new window, PDF 161KB\)](#)

[CFO Terms and Conditions \(new window, PDF 120KB\)](#)

[5 Year Strategy Landscape \(new window, PDF 4265KB\)](#)

[IRMP 15 \(new window, PDF 2615KB\)](#)

[Draft Budget Council Tax Precept and Medium Term Financial Plan 2018-2019 \(new window, PDF 136KB\)](#)

[Item 4 Appendix 1 - Medium Term Financial Plan 2018-2021 \(new window, PDF 113KB\)](#)

[Item 4 Appendix 2a - c - Growth Items, One Off Items and Proposed Savings \(new window, PDF 99KB\)](#)

[Item 4 Appendix 3 - Robustness of Estimates \(new window, PDF 86KB\)](#)

[Item 4 Appendix 4 - Reserves Strategy \(new window, PDF 97KB\)](#)

[Item 4 Appendix 5 - Forecast Capital Programme 2018-2019 to 2021-2022 \(new window, PDF 102KB\)](#)

Applicants are invited to contact Tracy Radcliffe on 01606 868810 to request an appointment for an informal discussion about the post with Paul Hancock, the current Chief Fire Officer and Chief Executive.

Closing date: Monday 30th April 2018 at 5.00pm.

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## CHESHIRE FIRE AUTHORITY

**MEETING OF:** CHESHIRE FIRE AUTHORITY  
**DATE:** 25<sup>TH</sup> APRIL 2018  
**REPORT OF:** DIRECTOR OF GOVERNANCE AND COMMISSIONING  
**AUTHOR:** ANDREW LEADBETTER

---

**SUBJECT:** APPOINTMENT OF INDEPENDENT (NON-ELECTED) MEMBER

---

### Purpose of Report

1. To allow Members to consider the appointment of an Independent (non-elected) Member (IM).

### Recommended: That Members

- [1] appoint Derek Alan Barnett as an Independent (non-elected) member for a term of office of four years.

### Background

2. Members will recall that Aimee Ruddy stepped down from her role as IM.
3. The Governance and Constitution Committee has arranged the recruitment of a replacement IM and three members of the Committee held interviews on 11<sup>th</sup> April 2018.

### Information

4. The Member interview panel agreed that it wished to recommend the appointment of Derek Alan Barnett as an IM to the Fire Authority.

### Information

5. Derek Alan Barnett has previously worked as a police officer for Cheshire Constabulary, rising to the rank of Chief Superintendent. He spent a period in a national role as President of the Police Superintendents' Association of England and Wales seconded to the Home Office developing policy and being involved in reform. The majority of his working life has involved Derek serving the public. He was awarded an OBE in 2013.
6. Derek is also an Independent Person for Cheshire West and Chester Council providing oversight of the management and resolution of complaints about elected members of parish and borough councils.

## **Financial Implications**

7. There is a small cost of having IMs. This is adequately covered in the budget.

## **Legal Implications**

8. The involvement of IMs is not a legal requirement. The Fire Authority is required to uphold high standards and the role of IMs is associated with this and may provide members of the public with greater confidence about standards and decision making generally.

## **Equality and Diversity and Environmental Implications**

9. There are no equality and diversity or environmental implications associated with this report.

**CONTACT: JOANNE SMITH, FIRE SERVICE HQ, WINSFORD  
TEL [01606] 868804**

## CHESHIRE FIRE AUTHORITY

**MEETING OF:** CHESHIRE FIRE AUTHORITY  
**DATE:** 25<sup>TH</sup> APRIL 2018  
**REPORT OF:** TREASURER  
**AUTHOR:** ALLAN RAINFORD

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**SUBJECT:** EXTERNAL AUDIT PLAN FOR 2017-18

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### Purpose of Report

1. To present the External Audit Plan for 2017-18, which includes the audit fee. A representative from Grant Thornton will attend the meeting to present the report.

### Recommended: That

- [1] The External Audit Plan for 2017-18 be noted; and
- [2] The external audit fee for 2017-18 be approved.

### Background

2. The National Audit Office's Code of Audit Practice ("the Code") sets out the external auditor's statutory responsibilities in relation to local public bodies. These are to:
  - a. Give an opinion on whether the Statement of Accounts give a true and fair view of the Fire Authority's financial position and financial performance for the year being reported on and whether the accounts have been prepared in accordance with proper practices; and
  - b. Conclude on whether the Fire Authority has made proper arrangements to secure economy, efficiency and effectiveness in its use of resources: the Value for Money conclusion.
3. The Code requires that the approach of the external auditors' reflects their understanding of the issues facing Cheshire Fire Authority and of the relevant risks that the Authority faces. These are set out in the External Audit Plan which is attached to this report as Appendix 1.

### Information

4. Grant Thornton have been the external auditors to Cheshire Fire Authority since 2012. As a result of a process managed by Public Sector Audit Appointments Limited – the successor to the Audit Commission - it was confirmed in December 2017 that Grant Thornton would continue as external auditors' to

Cheshire Fire Authority for a further five years, covering the audits of the accounts for 2018-19 to 2022-23.

5. One of the changes identified in the External Audit Plan relates to the requirement to publish the statement of accounts for 2017-18 by 31 July 2018: a month earlier than has been the case previously. The External Audit Plan sets out the approach of the external auditors to ensure that their work is completed by this earlier deadline.
6. The External Audit Plan fee for 2017-18 will be £29,860. This is unchanged from the previous year.

### **Financial Implications**

7. There are no direct financial implications as a result of this report.

### **Legal Implications**

8. There are no legal implications as a result of this report. The External Audit Plan has been prepared to meet the external auditors' statutory responsibilities under the Local Audit and Accountability Act 2014 and the Code of Practice 2015.

### **Equality and Diversity Implications**

9. There are no equality and diversity implications as a result of this report.

### **Environmental Implications**

10. There are no environmental implications as a result of this report.

**CONTACT: JOANNE SMITH, FIRE SERVICE HQ, WINSFORD**

**TEL [01606] 868804**

**BACKGROUND PAPERS: NONE**

# External Audit Plan

*Year ending 31 March 2018*

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Cheshire Fire & Rescue Authority

14 March 2018

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Your key Grant Thornton  
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The contents of this report relate only to the matters which have come to our attention, which we believe need to be reported to you as part of our audit planning process. It is not a comprehensive record of all the relevant matters, which may be subject to change, and in particular we cannot be held responsible to you for reporting all of the risks which may affect the Authority or any weaknesses in your internal controls. This report has been prepared solely for your benefit and should not be quoted in whole or in part without our prior written consent. We do not accept any responsibility for any loss occasioned to any third party acting, or refraining from acting on the basis of the content of this report, as this report was not prepared for, nor intended for, any other purpose.

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# Introduction & headlines

## Purpose

This document provides an overview of the planned scope and timing of the statutory audit of Cheshire Fire & Rescue Authority ('the Authority') for those charged with governance.

## Respective responsibilities

The National Audit Office ('the NAO') has issued a document entitled Code of Audit Practice ('the Code'). This summarises where the responsibilities of auditors begin and end and what is expected from the audited body. Our respective responsibilities are also set in the Terms of Appointment and Statement of Responsibilities issued by Public Sector Audit Appointments (PSAA), the body responsible for appointing us as auditor of Cheshire Fire and Rescue Authority. We draw your attention to both of these documents on the [PSAA website](#).

## Scope of our audit

The scope of our audit is set in accordance with the Code and International Standards on Auditing (ISAs) (UK). We are responsible for forming and expressing an opinion on the:

- financial statements (including the Annual Governance Statement) that have been prepared by management with the oversight of those charged with governance (the Authority); and
- Value for Money arrangements in place at the Authority for securing economy, efficiency and effectiveness in your use of resources.

The audit of the financial statements does not relieve management or the Authority of your responsibilities. It is the responsibility of the Authority to ensure that proper arrangements are in place for the conduct of its business, and that public money is safeguarded and properly accounted for. We have considered how the Authority is fulfilling these responsibilities.

Our audit approach is based on a thorough understanding of the Authority's business and is risk based.

## Significant risks

Those risks requiring specific audit consideration and procedures to address the likelihood of a material financial statement error have been identified as:

- The revenue cycle includes fraudulent transactions (rebuttable)
- Management over-ride of controls
- Valuation of property, plant and equipment
- Valuation of pension fund net liability

We will communicate significant findings on these areas as well as any other significant matters arising from the audit to you in our Audit Findings (ISA 260) Report.

## Materiality

We have determined planning materiality to be £847k (PY £847k), which equates to 2% of your forecast gross expenditure for the year. We are obliged to report uncorrected omissions or misstatements other than those which are 'clearly trivial' to those charged with governance. Clearly trivial has been set at £42k (PY £42k). Officers remuneration and related party transactions are sensitive to public scrutiny, we will therefore apply a lower level materiality when auditing these aspects and report further in our Audit finding Report.

## Value for Money arrangements

We will complete our risk assessment of your arrangements to secure value for money in March 2018. Our initial planning has identified financial sustainability as a potential significant risk.

## Audit logistics

Our interim visit will take place in January and February and our final visit will take place in June. Our key deliverables are this Audit Plan and our Audit Findings Report.

Our fee for the Authority audit will be £29,860 (PY: £29,860).

## Independence

We have complied with the Financial Reporting Council's Ethical Standard and we as a firm, and each covered person, confirm that we are independent and are able to express an objective opinion on the financial statements

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# Deep business understanding

## Changes to service delivery

### Blue-light collaboration

The provisions of the Policing and Crime Act 2017 came into effect on 3 April 2017. These provisions included:

- introducing the duty to collaborate on all three emergency services;
  - enabling PCCs to take on FRA functions where a local case is made; and
  - enabling PCC representation on a Fire Authority with voting rights where the Fire Authority agrees
- The provisions are expected to change the structure and legal status of many police bodies and fire and rescue authorities.

### IRMP and Service transformation plans

The Government is continuing to push forward with its Fire reform agenda. A number of Fire & Rescue Authorities across the country are undergoing service transformations of varying degrees. In addition there are a number of inquiries ongoing into the Grenfell Tower fire that could lead to changes in practices and working arrangements. Cheshire Fire Authority has been proactive in developing new ways of working and continues to find new areas to work with local authorities. Safety Central is an example of the Authority's innovative prevention work and its reach to schools and community groups.

## Changes to financial reporting requirements

### Accounts and Audit Regulations 2015 (the Regulations)

The Department of Communities and Local Government (DCLG) is currently undertaking a review of the Regulations, which may be subject to change. The date for any proposed changes has yet to be confirmed, so it is not yet clear or whether they will apply to the 2017/18 financial statements. Under the 2015 Regulations local authorities are required to publish their accounts along with the auditors opinion by 31 July 2018.

### Changes to the CIPFA 2017/18 Accounting Code

CIPFA have introduced minor changes to the 2017/18 Code which:

- introduce key reporting principles for the Narrative Report;
- clarify the reporting requirements for accounting policies and going concern reporting; and
- update the relevant sections regarding reporting requirements for Leases, Service Concession arrangements and Financial Instruments.

## Key challenges

### Financial pressures

The Authority has always had clear links between its Integrated Risk Management Plan and its Medium Term Financial Strategy. The Authority has recognised a funding gap of £3.9m in the period up to 2012/21 and has built this into its savings and efficiencies plan. At the same time the Authority is keeping Council Tax raises below 2% during the life of the Medium Term Financial Strategy. The Authority is utilising its reserves to fund the its general capital programme which at £8m to 2019/20., and has recognised the need and planned for PWLB borrowing.

### New Fire Service Inspectorate

As part of its Fire Reform agenda the Government has expanded the remit of the existing Police inspectorate to cover the role of Fire services. The newly established HMICFRS will undertake inspections of Fire services going forward and has recently announced its first three pilot sites. The Authority has identified procurement as an area of interest for the new Inspectorate. The Authority has begun planning for the replacement of its emergency communications systems through a joint exercise with Cumbria, greater Manchester, Merseyside and Lancashire. or Inspectorate. The Member Development programme has been updated to include the new inspection regime.

## Our response

- We will consider your arrangements for managing and reporting your financial resources including your progress on Blue-light collaboration as part of our work in reaching our Value for Money conclusion.
- We will consider whether your financial position leads to uncertainty about the going concern assumption and will review any related disclosures in the financial statements.
- We will keep you informed of changes to the Regulations and any associated changes to financial reporting or public inspection requirements for 2017/18 through on-going discussions and invitations to our technical update workshops.
- As part of our opinion on your financial statements, we will consider whether your financial statements reflect the financial reporting changes in the 2017/18 CIPFA Code.



# Significant risks identified

Significant risks are defined by professional standards as risks that, in the judgement of the auditor, require special audit consideration because they have a higher risk of material misstatement. Such risks often relate to significant non-routine transactions and judgmental matters. In identifying risks, audit teams consider the nature of the risk, the potential magnitude of misstatement, and its likelihood.

Risk	Reason for risk identification	Key aspects of our proposed response to the risk
<b>The revenue cycle includes fraudulent transactions</b>	Under ISA (UK) 240 there is a rebuttable presumed risk that revenue may be misstated due to the improper recognition of revenue. This presumption can be rebutted if the auditor concludes that there is no risk of material misstatement due to fraud relating to revenue recognition.	<p>Having considered the risk factors set out in ISA240 and the nature of the revenue streams at the Authority, we have determined that the risk of fraud arising from revenue recognition can be rebutted, because:</p> <ul style="list-style-type: none"> <li>• there is little incentive to manipulate revenue recognition</li> <li>• opportunities to manipulate revenue recognition are very limited</li> <li>• The culture and ethical frameworks of local authorities, including Cheshire Fire and Rescue Authority, mean that all forms of fraud are seen as unacceptable</li> </ul> <p>Therefore we do not consider this to be a significant risk for Cheshire Fire and Rescue Authority.</p>
<b>Management over-ride of controls</b>	Under ISA (UK) 240 there is a non-rebuttable presumed risk that the risk of management over-ride of controls is present in all entities. Management over-ride of controls is a risk requiring special audit consideration.	<p>We will:</p> <ul style="list-style-type: none"> <li>• gain an understanding of the accounting estimates, judgements applied and decisions made by management and consider their reasonableness</li> <li>• obtain a full listing of journal entries, identify and test unusual journal entries for appropriateness</li> <li>• evaluate the rationale for any changes in accounting policies or significant unusual transactions.</li> </ul>

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# Significant risks identified

Risk	Reason for risk identification	Key aspects of our proposed response to the risk
<p><b>Valuation of property, plant and equipment</b></p>	<p>The Authority revalues its land and buildings on an quinquennial basis with an annual review to ensure that carrying value is not materially different from fair value. This represents a significant estimate by management in the financial statements.</p> <p>We identified the valuation of land and buildings revaluations and impairments as a risk requiring special audit consideration.</p>	<p>We will,</p> <ul style="list-style-type: none"> <li>• Review of management's processes and assumptions for the calculation of the estimate, the instructions issued to valuation experts and the scope of their work</li> <li>• Consideration of the competence, expertise and objectivity of any management experts used.</li> <li>• Discussions with the valuer about the basis on which the valuation is carried out and challenge of the key assumptions.</li> <li>• Review and challenge of the information used by the valuer to ensure it is robust and consistent with our understanding.</li> <li>• Testing of revaluations made during the year to ensure they are input correctly into the Authority's asset register</li> <li>• Evaluation of the assumptions made by management for those assets not revalued during the year and how management has satisfied themselves that these are not materially different to current value.</li> </ul>
<p><b>Valuation of pension fund net liability</b></p>	<p>The Local Government Pension Scheme (LGPS) pension net liability as reflected in the balance sheet, and asset and liability information disclosed in the notes to the accounts, represent significant estimates in the financial statements.</p> <p>The Firefighters Pension schemes pension fund liability as reflected in the balance sheet and notes to the accounts represent significant estimates in the financial statements.</p> <p>These estimates by their nature are subject to significant estimation uncertainty, being sensitive to small adjustments in the assumptions used.</p> <p>We identified the valuation of the pension fund net liability as a risk requiring special audit consideration.</p>	<p>We will:</p> <ul style="list-style-type: none"> <li>• Identify the controls put in place by management to ensure that the pension fund liability is not materially misstated. We will also assess whether these controls were implemented as expected and whether they are sufficient to mitigate the risk of material misstatement</li> <li>• Evaluate the competence, expertise and objectivity of the actuaries who carried out your pension fund valuation. We will gain an understanding of the basis on which the valuations is carried out.</li> <li>• Undertake procedures to confirm the reasonableness of the actuarial assumptions made.</li> <li>• Check the consistency of the pension fund asset and liability and disclosures in notes to the financial statements with the actuarial report from your actuaries.</li> </ul>

# Reasonably possible risks identified

Reasonably possible risks (RPRs) are, in the auditor's judgment, other risk areas which the auditor has identified as an area where the likelihood of material misstatement cannot be reduced to remote, without the need for gaining an understanding of the associated control environment, along with the performance of an appropriate level of substantive work. The risk of misstatement for an RPR is lower than that for a significant risk, and they are not considered to be areas that are highly judgmental, or unusual in relation to the day to day activities of the business.

Risk	Reason for risk identification	Key aspects of our proposed response to the risk
<b>Employee remuneration</b>	<p>Payroll expenditure represents a significant percentage 73% of the Authority's operating expenses.</p> <p>As the payroll expenditure comes from a number of individual transactions there is a risk that payroll expenditure in the accounts could be understated. We therefore identified completeness of payroll expenses as a risk requiring particular audit attention</p>	<p>We will</p> <ul style="list-style-type: none"> <li>• evaluate the Authority's accounting policy for recognition of payroll expenditure for appropriateness;</li> <li>• gain an understanding of the Authority's system for accounting for payroll expenditure and evaluate the design of the associated controls;</li> <li>• Obtain payroll reconciliations and agree to the ledger and payroll reports, and investigate any significant adjustments;</li> <li>• Agree year-end payroll accruals to supporting documentation.</li> <li>• Perform substantive analytical review disaggregated by month.</li> </ul>
<b>Operating expenses</b>	<p>Non-pay expenses on other goods and services also represents a significant percentage 27% of the Authority's operating expenses. Management uses judgement to estimate accruals of un-invoiced costs.</p> <p>We identified completeness of non- pay expenses as a risk requiring particular audit attention:</p>	<p>We will</p> <ul style="list-style-type: none"> <li>• evaluate the Authority's accounting policy for recognition of non-pay expenditure for appropriateness;</li> <li>• gain an understanding of the Authority's system for accounting for non-pay expenditure and evaluate the design of the associated controls;</li> <li>• Obtain listing of non-pay expenditure and remove costs relating to depreciation, impairments and audit fees and agree large and unusual items to supporting documentation</li> <li>• Take a non-statistical sample of the remaining transactions and agree to supporting documentation.</li> <li>• Obtain a listing from the cash book of non-pay payments made in April, take non-statistical sample and ensure that they have been charged to the appropriate year.</li> </ul>

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# Reasonably possible risks identified

Reasonably possible risks (RPRs) are, in the auditor's judgment, other risk areas which the auditor has identified as an area where the likelihood of material misstatement cannot be reduced to remote, without the need for gaining an understanding of the associated control environment, along with the performance of an appropriate level of substantive work. The risk of misstatement for an RPR is lower than that for a significant risk, and they are not considered to be areas that are highly judgmental, or unusual in relation to the day to day activities of the business.

Risk	Reason for risk identification	Key aspects of our proposed response to the risk
Firefighters pension scheme	<p>The Authority administers the firefighters pension schemes, with the Firefighters Pension Fund Account being included in the financial statements.</p> <p>We identified completeness and accuracy of pension benefits payable as a risk requiring particular audit attention.</p>	<p>We will</p> <ul style="list-style-type: none"> <li>• gain an understanding of the Authority's systems for calculating, accounting for and monitoring pension benefit payments and evaluate the design of the associated controls;</li> <li>• obtain a schedule of benefit payments by type for the period, prove the mathematical accuracy and agree totals to scheme accounting records.</li> <li>• perform substantive analytical review the benefits paid.</li> <li>• test a sample of new pension benefits coming into payment, agreeing the calculations to supporting information.</li> <li>• test a sample of pensioners transferring from active to deferred status and agree to supporting information.</li> <li>• and subject to the value of outturn figures test a sample of deaths in service or deferment, deaths in retirement or refunds to supporting documentation.</li> <li>• obtain a schedule of employer contributions (received and receivable) by source, prove the mathematical accuracy and agree to supporting evidence.</li> <li>• perform substantive review contributions made across the year.</li> <li>• confirm the value of the top-up grant, including the associated debtor/creditor &amp; ensure the calculation and disclosure is appropriate.</li> </ul>

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# Other matters

## Other work

In addition to our responsibilities under the Code of Practice, we have a number of other audit responsibilities, as follows:

- We carry out work to satisfy ourselves that disclosures made in your Annual Governance Statement are in line with the guidance issued and consistent with our knowledge of the Authority.
- We will read your Narrative Statement and check that it is consistent with the financial statements on which we give an opinion and that the disclosures included in it are in line with the requirements of the CIPFA Code of Practice.
- We carry out work on your consolidation schedules for the Whole of Government Accounts process in accordance with NAO group audit instructions.
- We consider our other duties under the Act and the Code, as and when required, including:
  - giving electors the opportunity to raise questions about your 2017/18 financial statements, consider and decide upon any objections received in relation to the 2017/18 financial statements;
  - issue of a report in the public interest; and
  - making a written recommendation to the Authority, copied to the Secretary of State.
- We certify completion of our audit.

## Other material balances and transactions

Under International Standards on Auditing, "irrespective of the assessed risks of material misstatement, the auditor shall design and perform substantive procedures for each material class of transactions, account balance and disclosure". All other material balances and transaction streams will therefore be audited. However, the procedures will not be as extensive as the procedures adopted for the risks identified in this report.

## Going concern

As auditors, we are required to "obtain sufficient appropriate audit evidence about the appropriateness of management's use of the going concern assumption in the preparation and presentation of the financial statements and to conclude whether there is a material uncertainty about the entity's ability to continue as a going concern" (ISA (UK) 570). We will review management's assessment of the going concern assumption and evaluate the disclosures in the financial statements.

# Materiality

## The concept of materiality

The concept of materiality is fundamental to the preparation of the financial statements and the audit process and applies not only to the monetary misstatements but also to disclosure requirements and adherence to acceptable accounting practice and applicable law. Misstatements, including omissions, are considered to be material if they, individually or in the aggregate, could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

## Materiality for planning purposes

We propose to calculate financial statement materiality based on a proportion of the gross expenditure of the Authority for the financial year. In the prior year we used the same benchmark. We have determined planning materiality (the financial statements materiality determined at the planning stage of the audit) to be £847k, which equates to 2% of your prior year gross expenditure on services. We design our procedures to detect errors in specific accounts at a lower level of precision.

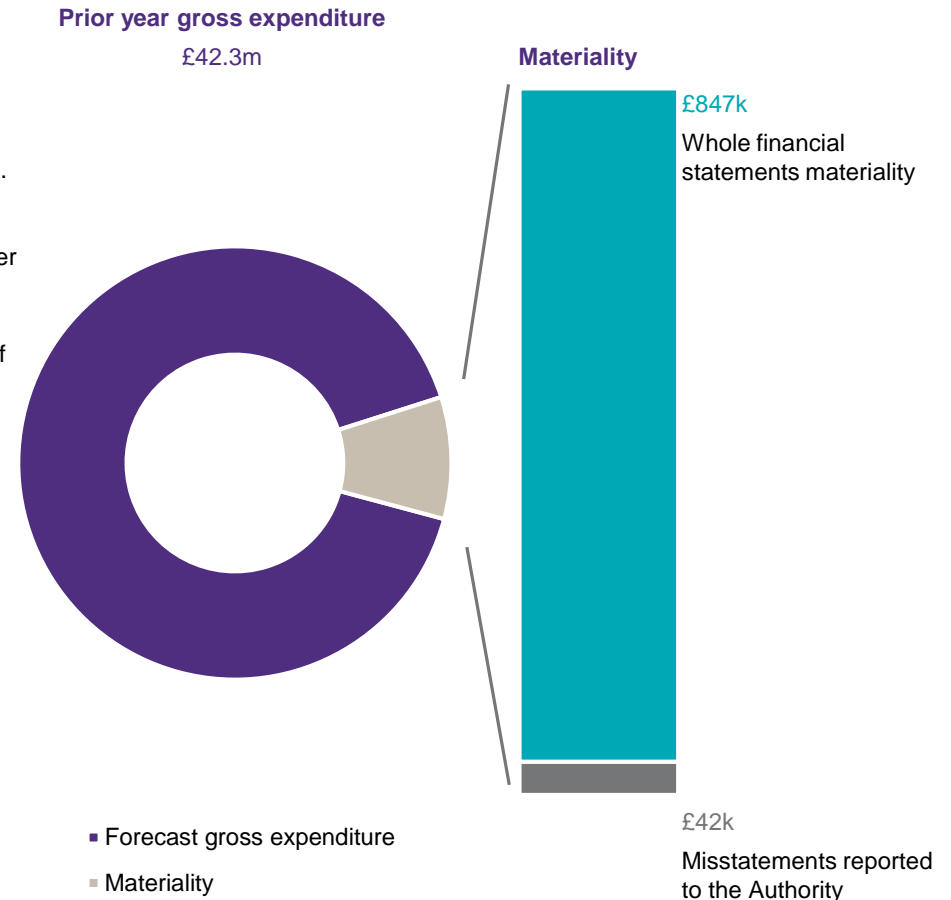
We consider planning materiality if, during the course of our audit engagement, we become aware of facts and circumstances that would have caused us to make a different determination of planning materiality.

Office remuneration and related party transactions are often areas that are subject to particular scrutiny by the general public. The inherent risks associated with these are no different to other disclosures in the accounts but to anticipate the needs of readers of the financial statements, we audit these to a lower level of materiality derived from the outturn figures. We will report this in our Audit Findings Report.

## Matters we will report to the Audit Committee

Whilst our audit procedures are designed to identify misstatements which are material to our opinion on the financial statements as a whole, we nevertheless report to the Authority any unadjusted misstatements of lesser amounts to the extent that these are identified by our audit work. Under ISA 260 (UK) 'Communication with those charged with governance', we are obliged to report uncorrected omissions or misstatements other than those which are 'clearly trivial' to those charged with governance. ISA 260 (UK) defines 'clearly trivial' as matters that are clearly inconsequential, whether taken individually or in aggregate and whether judged by any quantitative or qualitative criteria. In the context of the Authority, we propose that an individual difference could normally be considered to be clearly trivial if it is less than £42k.

If management have corrected material misstatements identified during the course of the audit, we will consider whether those corrections should be communicated to the Authority to assist it in fulfilling its governance responsibilities.



# Value for Money arrangements

## Background to our VFM approach

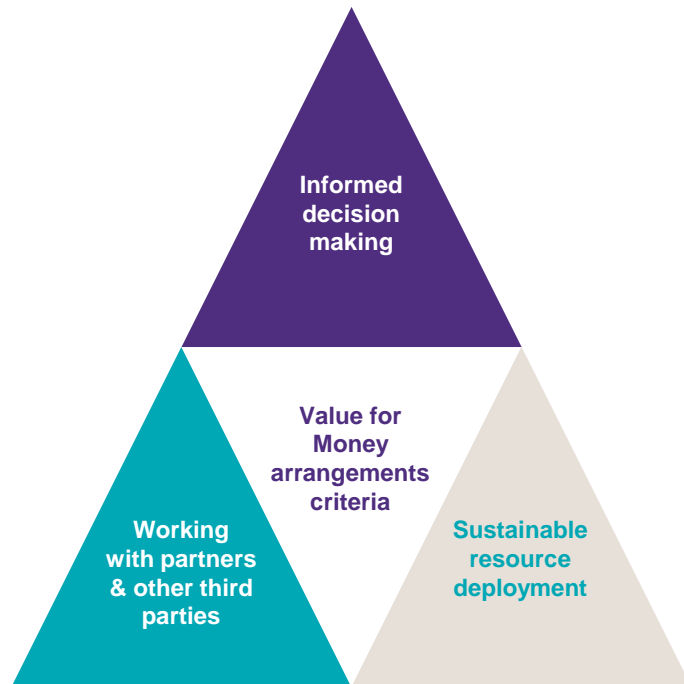
The NAO issued its guidance for auditors on Value for Money work for 2017/18 in November 2017. The guidance states that for local government bodies, auditors are required to give a conclusion on whether the Authority has proper arrangements in place.

The guidance identifies one single criterion for auditors to evaluate:

*“In all significant respects, the audited body takes properly informed decisions and deploys resources to achieve planned and sustainable outcomes for taxpayers and local people.”*

This is supported by three sub-criteria, as set out below:

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## Significant VFM risks

Those risks requiring specific audit consideration and procedures to address the likelihood that proper arrangements are not in place at the Authority to deliver value for money.



### Financial Sustainability

The Authority is operating against a background of

- Funding reductions
- Changes in the legislative and policy requirements
- Changes to the regulatory bodies and frameworks

At the same time it is planning to maintain Council Tax rises at less than 2% and fund its capital programme from reserves. To achieve this the Authority will need to exercise financial discipline

We will review the Authority's arrangements for budgeting and for monitoring and reporting financial performance.

# Audit logistics, team & audit fees



## Andy Smith, Engagement Lead

Andy has overall responsibility for the audit and the opinions, for ensuring the quality of our audit work and for ensuring we provide you with the best service possible.



## Gerard Small, Audit Manager

Gerard is responsible for the technical and logistical aspects of the audit. He will be the first point of contact for your Treasurer and the finance team.



## Siobhan Barnard, Audit In-charge

Siobhan will lead all the on-site work and manage day to day aspects of the engagement

## Audit fees

The planned audit fees are no less than £29,860 (PY: £29,860) for the financial statements. In setting your fee, we have assumed that the scope of the audit, and the Authority and its activities, do not significantly change.

## Our requirements

To ensure the audit is delivered on time and to avoid any additional fees, we have detailed our expectations and requirements in the following section 'Early Close'. If the requirements detailed overleaf are not met, we reserve the right to postpone our audit visit and charge fees to reimburse us for any additional costs incurred.



# Early close

## Meeting the early close timeframe

Bringing forward the statutory date for publication of audited local government accounts to 31 July this year, across the whole sector, is a significant challenge for local authorities and auditors alike. For authorities, the time available to prepare the accounts is curtailed, while, as auditors we have a shorter period to complete our work and face an even more significant peak in our workload than previously.

We have carefully planned how we can make the best use of the resources available to us during the final accounts period. As well as increasing the overall level of resources available to deliver audits, we have focused on:

- bringing forward as much work as possible to interim audits
- starting work on final accounts audits as early as possible, by agreeing which authorities will have accounts prepared significantly before the end of May
- seeking further efficiencies in the way we carry out our audits
- working with you to agree detailed plans to make the audits run smoothly, including early agreement of audit dates, working paper and data requirements and early discussions on potentially contentious items.

We are satisfied that, if all these plans are implemented, we will be able to complete your audit and those of our other local government clients in sufficient time to meet the earlier deadline.

## Client responsibilities

Where individual clients do not deliver to the timetable agreed, we need to ensure that this does not impact on audit quality or absorb a disproportionate amount of time, thereby disadvantaging other clients. We will therefore conduct audits in line with the timetable set out in audit plans (as detailed on page 12). Where the elapsed time to complete an audit exceeds that agreed due to a client not meeting its obligations we will not be able to maintain a team on site. Similarly, where additional resources are needed to complete the audit due to a client not meeting their obligations we are not able to guarantee the delivery of the audit by the statutory deadline. Such audits are unlikely to be re-started until very close to, or after the statutory deadline. In addition, it is highly likely that these audits will incur additional audit fees.

## Our requirements

To minimise the risk of a delayed audit or additional audit fees being incurred, you need to ensure that you:

- produce draft financial statements of good quality by the deadline you have agreed with us, including all notes, the narrative report and the Annual Governance Statement
- ensure that good quality working papers are available at the start of the audit, in accordance with the working paper requirements schedule that we have shared with you
- ensure that the agreed data reports are available to us at the start of the audit and are reconciled to the values in the accounts, in order to facilitate our selection of samples
- ensure that all appropriate staff are available on site throughout (or as otherwise agreed) the planned period of the audit
- respond promptly and adequately to audit queries.

In return, we will ensure that:

- the audit runs smoothly with the minimum disruption to your staff
- you are kept informed of progress through the use of an issues tracker and weekly meetings during the audit
- we are available to discuss issues with you prior to and during your preparation of the financial statements.

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# Independence & non-audit services

## Auditor independence

Ethical Standards and ISA (UK) 260 require us to give you timely disclosure of all significant facts and matters that may bear upon the integrity, objectivity and independence of the firm or covered persons, relating to our independence. We encourage you to contact us to discuss these or any other independence issues with us. We will also discuss with you if we make additional significant judgements surrounding independence matters.

We confirm that there are no significant facts or matters that impact on our independence as auditors that we are required or wish to draw to your attention. We have complied with the Financial Reporting Council's Ethical Standard and we as a firm, and each covered person, confirm that we are independent and are able to express an objective opinion on the financial statements. Further, we have complied with the requirements of the National Audit Office's Auditor Guidance Note 01 issued in December 2016 which sets out supplementary guidance on ethical requirements for auditors of local public bodies.

We confirm that we have implemented policies and procedures to meet the requirements of the Ethical Standard. For the purposes of our audit we have made enquiries of all Grant Thornton UK LLP teams providing services to the Authority.

## Non-audit services

No non-audit services were identified

Any charges and full details of all fees charged for audit related and non-audit related services by Grant Thornton UK LLP and by Grant Thornton International Limited network member Firms will be included in our Audit Findings report at the conclusion of the audit.

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# Appendices

A. Revised ISAs

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# Appendix A: Revised ISAs

Detailed below is a summary of the key changes impacting the auditor's report for audits of financial statement for periods commencing on or after 17 June 2016.

<b>Section of the auditor's report</b>	<b>Description of the requirements</b>
<b>Conclusions relating to going concern</b>	We will be required to conclude and report whether: <ul style="list-style-type: none"><li>• The directors use of the going concern basis of accounting is appropriate</li><li>• The directors have disclosed identified material uncertainties that may cast significant doubt about the Authority's ability to continue as a going concern.</li></ul>
<b>Conclusions relating to going concern when a material uncertainty is identified and disclosed</b>	We will need to include a brief description of the events or conditions identified that may cast significant doubt on the Authority's ability to continue as a going concern when a material uncertainty has been identified and adequately disclosed in the financial statements. Going concern material uncertainties are no longer reported in an Emphasis of Matter section in our audit report.
<b>Other information</b>	We will be required to include a section on other information which includes: <ul style="list-style-type: none"><li>• Responsibilities of management and auditors regarding other information</li><li>• A statement that the opinion on the financial statements does not cover the other information unless required by law or regulation</li><li>• Reporting inconsistencies or misstatements where identified</li></ul>
<b>Additional responsibilities for directors and the auditor</b>	We will be required to include the respective responsibilities for directors and us, as auditors, regarding going concern.
<b>Format of the report</b>	The opinion section appears first followed by the basis of opinion section.



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## CHESHIRE FIRE AUTHORITY

**MEETING OF:** CHESHIRE FIRE AUTHORITY  
**DATE:** 25<sup>TH</sup> APRIL 2018  
**REPORT OF:** DIRECTOR OF GOVERNANCE AND COMMISSIONING  
**AUTHOR:** CHRIS ASTALL

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**SUBJECT:** INTERNAL AUDIT PLAN 2018-19

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### **Purpose of Report**

1. To seek approval for the Authority's 2018-19 Internal Audit Plan (the Plan).
2. The Plan (attached to the report as Appendix 1) has been prepared by Mersey Internal Audit Agency (MIAA), the supplier of internal audit services to the Authority. A representative of MIAA will attend the meeting to present the plan to Members.

### **Recommended: That**

[1] Members approve the Internal Audit Plan for 2018-19.

### **Background**

3. Under the United Kingdom Public Sector Internal Audit Standards (PSIAS), the Authority is required to implement an annual risk-based internal audit plan from which an annual assurance opinion can be derived. The internal audit activity must evaluate and contribute to the improvement of governance, risk management and control processes using a systematic and disciplined approach, focusing on the following key aspects:
  - Achievement of the organisation's strategic objectives;
  - Reliability and integrity of financial and operational information;
  - Effectiveness and efficiency of operations and programmes;
  - Safeguarding of assets; and
  - Compliance with laws, regulations, policies, procedures and contracts.
4. The Authority's internal audit function is outsourced and the provider is MIAA. MIAA has developed the Plan after considering the Authority's plans, risk profiles and engagement with the relevant senior officers.

### **Information**

5. Findings from internal audits are used by management to take action where control weaknesses are identified and also to provide the evidence upon which

MIAA base a professional opinion about the adequacy and effectiveness of the Authority's governance, risk management and control arrangements.

6. Progress against the Plan will be monitored by the Performance & Overview Committee (P&O) as part of the Service's quarterly performance reporting cycle and any specific issues identified during the year may be escalated by P&O to the Fire Authority. Implementation of recommendations is also monitored and tracked by senior officers on the Cheshire Planning System, and any critical weaknesses identified are escalated to the Risk Management Board.

### **Financial Implications**

7. Internal audit is an outsourced service which is funded from existing budgets.

### **Legal Implications**

8. The delivery of the Internal Audit Plan helps to ensure that the Authority is able to produce an Annual Governance Statement.

### **Equality & Diversity Implications**

9. There are no equality and diversity impacts arising from this report.

### **Environmental Implications**

10. There are no specific impacts on the environment arising from this report.

**CONTACT: JOANNE SMITH, FIRE SERVICE HQ, WINSFORD  
TEL [01606] 868804**

**BACKGROUND PAPERS:** None

**Appendix 1:** Internal Audit Plan 2018-19



# Internal Audit Plan: (Draft) 2018/19

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Cheshire Fire Authority / Fire & Rescue Service

# Executive Summary

## **Your Risk Assessment**

A strong risk assessment underpins the Internal Audit Plan. We have clearly set out the risks which have been prioritised within the audit plan and those which are not.

## **Your Internal Audit Plan**

Your internal audit plan includes core assurances, national and local risk areas, strategic risks from your Integrated Risk Management Plan and management requests. Your fees for 2018/19 are £27,900.

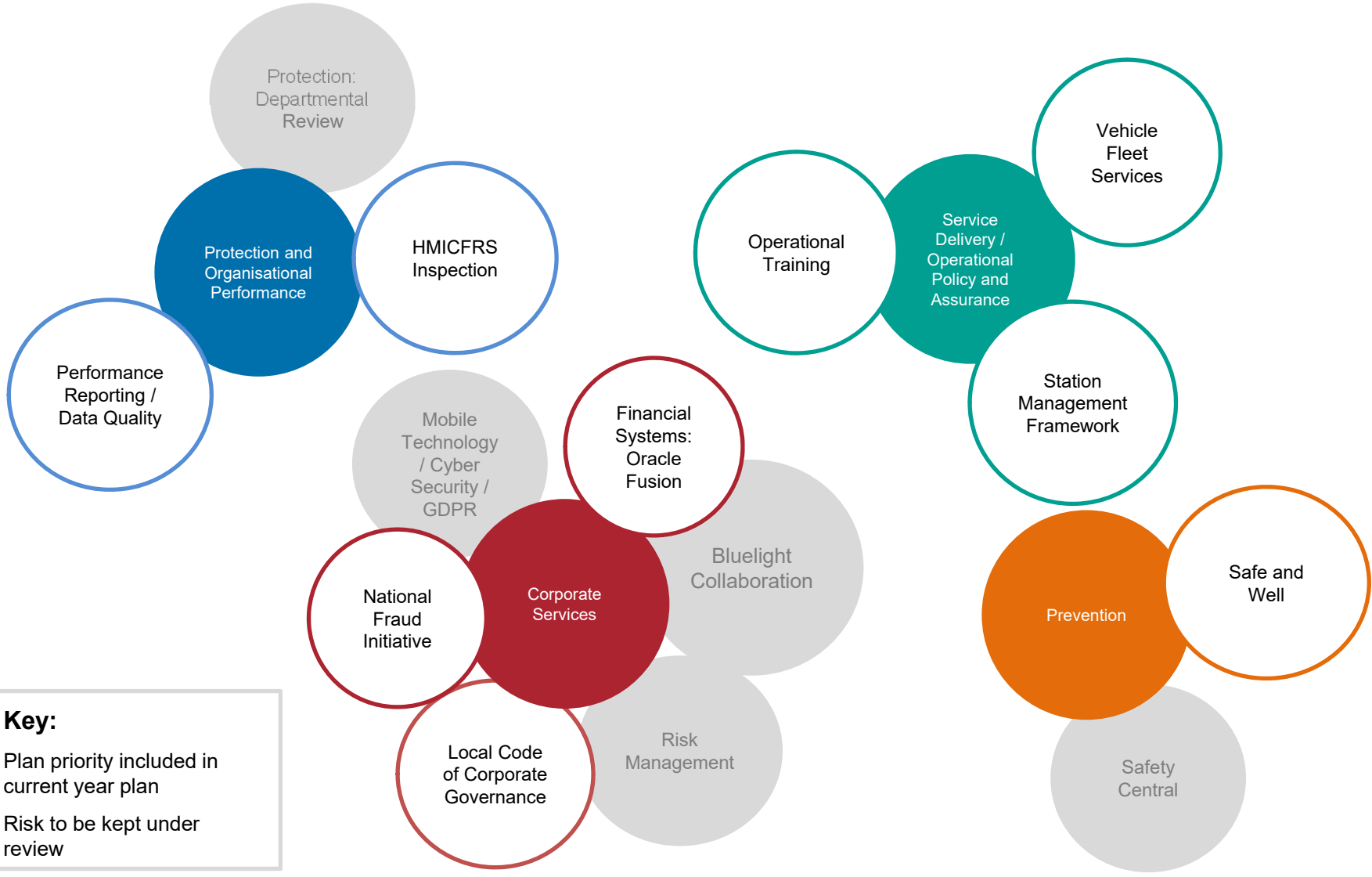
## **Your Team**

Your team will be led by Steve Connor, Engagement Lead and Kevin Lloyd, Engagement Manager. We can confirm sufficient resources, including specialist expertise have been established to delivery your plan.

# 2. Your risk assessment

Your Proposed Internal Audit Plan is built from your strategic risk assessment. We have highlighted below the reviews prioritised within your internal audit plan for 2018/19 following our risk assessment; the remaining areas will be kept under review.

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# 3. Your internal audit plan

## Planning Approach

- Risk Assessment of the external environment, system and organisation (including the Integrated Risk Management Plan).
- Engagement of Service Management Team to influence the plan.
- Use of MIAA's client risk database to inform planning.
- Coverage of Critical Business Systems to support organisation's objectives through the strategic internal audit plan.
- Provision of sufficient resources and expertise.
- Compliance with Public Sector Internal Audit Standards.

## Your Plan

### Protection and Organisational Performance

Assurance on the processes and data quality which supports organisational performance reporting. Advisory/Call off time to support on preparation for the HMICFRS inspection

### Corporate Services

To provide assurance on the procedures and controls relating to Oracle Fusion. Data analytics will underpin your financial systems assurance providing whole population coverage. we will also provide support on the completion of your Local Code of Corporate Governance and in your involvement in the National Fraud Initiative.

### Service Delivery / Operational Policy and Assurance

Assurance on key activities of the Service through delivery of Operational Training and the Station Management Framework. We will also provide assurance on Vehicle Fleet Services.

### Prevention

Assurance on the the identification, management and delivery of Safe and Well Visits including the sharing and management of data held.

### Follow up and Contingency

Follow Up, Contingency

## Outcomes

Head of Internal Audit Opinion to inform the AGS

Assignment assurance levels

The use of data analytics in a range of ways in how we gather, analyse and present data.

Insight driven dynamic reporting through tools such as heat maps and infographics.

Recommendations, advice, and guidance to enhance the control environment

Insights through briefings.

### 3. Your internal audit plan

Review	Frequency	Rationale	Planned Delivery	Service Management Lead
Combined Financial Systems: Oracle Fusion	Annual	Mandated Review	Q3-4	Head of Finance
National Fraud Initiative	Biannual	Management Request	Q3	Head of Finance
Vehicle Fleet Services	Ad Hoc	Cyclical Assurance	Q2	Deputy Chief Fire Officer / Head of Operational Policy & Assurance
HMICFRS	Ad Hoc	IRMP / Risk Assessment	Call Off Time	Deputy Chief Fire Officer / Head of Protection & Organisational Performance
Operational Training	Ad Hoc	IRMP / Risk Assessment	Q1	Deputy Chief Fire Officer / Head of Operational Policy & Assurance
Station Management Framework	Ad Hoc	IRMP	Q3	Deputy Chief Fire Officer / Head of Service Delivery
Safe and Well	Ad Hoc	IRMP / Risk Assessment	Q1	Deputy Chief Fire Officer / Head of Prevention
Performance Reporting / Data Quality	Ad Hoc	IRMP / Cyclical Assurance	Q2	Deputy Chief Fire Officer / Head of Protection & Organisational Performance
Local Code of Corporate Governance	Annual	Management Request	Q4	Director of Governance & Commissioning
Follow Up	Annual	PSIAS requirement	Q4	Director of Governance & Commissioning

*The Internal Audit Risk assessment and plan will be reviewed on an ongoing basis throughout the year and any requests for change discussed and approved via the Audit Committee. A formal 6 month review of the plan will also take place.*


## 4. Your team


Your team is led by a designated engagement lead and engagement manager, who will bring together a highly qualified team and range of specialists to deliver your internal audit plan.



**Steve Connor**  
*Engagement Lead*

Bringing strategic oversight and insights to you


 07768 131 785

 [steve.connor@miaa.nhs.uk](mailto:steve.connor@miaa.nhs.uk)



**Kevin Lloyd**  
*Engagement Manager*

Providing operational management and delivery of your service

 07585 401 639

 [kevin.lloyd@miaa.nhs.uk](mailto:kevin.lloyd@miaa.nhs.uk)

# Appendix A 3 Year Strategic Audit Plan

Your 3 year strategic audit plan is set out below.

2016/17

- Combined Financial Systems
- National Fraud Initiative
- Insurance Arrangements
- Station Management Framework
- On Call Availability
- Partnership Arrangements
- Site Specific Risk Information
- Local Code of Corporate Governance

2017/18

- Combined Financial Systems
- Station Management Framework
- GDPR: Preparedness
- Cyber Security
- Fire Safety Audits
- Business Continuity
- Equality and Diversity: Recruitment
- Local Code of Corporate Governance

2018/19

- **Combined Financial Systems: Oracle Fusion**
- **National Fraud Initiative**
- **Operational Training**
- **Vehicle Fleet Services**
- **Station Management Framework**
- **Safe and Well Visits**
- **HMICFRS Inspection**
- **Performance Reporting / Data Quality**
- **Local Code of Corporate Governance**

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