



**Wednesday, 19 April 2023**  
**10.30 am**

(or at the rise of the Audit Committee, whichever is the latter)

**Meeting of**  
**Governance and**  
**Constitution Committee**  
**Sadler Road**  
**Winsford**  
**CW7 2FQ**

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 the Training Centre, Sadler Road, 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 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 Sadler Road Winsford Tel (01606) 868700.

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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, the Agenda and 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. Most business is dealt with in the first part which is open to the public. On some occasions some business may need to be considered in the second part of the agenda, in private session. There are limited reasons which allow this to take place, e.g. as confidential information is being considered about an individual, or commercial information is being discussed.

**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**

The Authority audio records its meetings. Please contact Democratic Services for a copy of the recording via [DemocraticServices@cheshirefire.gov.uk](mailto:DemocraticServices@cheshirefire.gov.uk). The recordings are not kept indefinitely.

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### **Fire Evacuation**

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## **MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE WEDNESDAY, 19 APRIL 2023**

**Time : 10.30 am (or on the rise of the Audit Committee, whichever is the latter)**

**Lecture Theatre - Training Centre, Sadler Road, Winsford, Cheshire CW7 2FQ**

### **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 Declarations of Members' Interests**

Members are reminded to disclose any interests that are relevant to any item on the Agenda.

###### **1D Minutes of the Governance and Constitution Committee (Pages 5 - 8)**

To confirm as a correct record the Minutes of the meeting of the Governance and Constitution Committee held on 16<sup>th</sup> November 2022.

#### **ITEMS REQUIRING DISCUSSION / DECISION**

- |          |  |                        |
|----------|--|------------------------|
| <b>2</b> | <b>Annual Governance Statement 2021-22 Action Plan Update</b>      | <b>(Pages 9 - 12)</b>  |
| <b>3</b> | <b>Draft Statement of Assurance 2022-23</b>                        | <b>(Pages 13 - 34)</b> |
| <b>4</b> | <b>Member Champions Arrangements</b>                               | <b>(Pages 35 - 40)</b> |
| <b>5</b> | <b>Review of Anti-Fraud and Anti-Bribery Policies</b>              | <b>(Pages 41 - 48)</b> |
| <b>6</b> | <b>Review of Members' Code of Conduct</b>                          | <b>(Pages 49 - 60)</b> |
| <b>7</b> | <b>Responsibilities of Audit Committee (and Ancillary Matters)</b> | <b>(Pages 61 - 74)</b> |
- The attached report is being considered by the Audit Committee prior to the meeting of this Committee. The decisions of the Audit Committee will be reported by Officers to enable this Committee to consider and make suitable recommendations to the Fire Authority.

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

**NONE**





**MINUTES OF THE MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on Wednesday, 16 November 2022 at Lecture Theatre - Training Centre, Sadler Road, Winsford, Cheshire CW7 2FQ at 10.00 am**

**PRESENT:** Councillors Rob Polhill (Chair), Rachel Bailey, David Brown, Brian Gallagher, Nick Mannion, Rob Moreton, Nathan Pardoe and independent (non-elected) member Derek Barnett

**1 PROCEDURAL MATTERS**

**A Recording of Meeting**

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

**B Apologies for Absence**

Apologies for absence were received from Councillor James Nicholas. Councillor Rob Moreton attended as his substitute.

**C Declarations of Members' Interests**

The Chair stated that all Members has a pecuniary interest in Item 6. However, a dispensation was in place to allow Members to take part in the debate and vote. No other interests were declared.

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

**RESOLVED:**

**That the minutes of the Governance and Constitution Committee held on Tuesday 12<sup>th</sup> July 2022 be confirmed as a correct record.**

**2 REVIEW INTO THE WAY THAT SEATS ON CHESHIRE FIRE AUTHORITY ARE ALLOCATED TO THE CONSTITUENT AUTHORITIES**

The Director of Governance introduced the report which allowed Members to determine whether any further work should be carried out in relation to the way that seats on the Fire Authority are allocated to the constituent authorities. He explained how the review was requested by Warrington Borough Council and was carried out by an external Monitoring Officer in order to provide a level of independence.

Members were reminded that the Fire Authority had decided that the existing arrangements should remain, with the review being given further consideration once the White Paper concerned with Fire Reform had been published. Members were also reminded that the White Paper consultation had closed in July 2022. At the

time of reporting it was not clear when the Government's position on Fire Reform would be confirmed.

Members believed that the existing seat allocation process was fit for purpose and did not require any further work to be carried out at this point. Therefore, the seat allocation for 2023-24 would be determined in the usual way.

**RESOLVED: That**

**[1] no further work in relation to the way that seats on the Fire Authority are allocated to the constituent authorities was necessary.**

### **3 REVIEW OF FINANCIAL REGULATIONS**

The Director of Governance introduced the report which presented an updated set of the Authority's Financial Regulations. He explained that the External Auditor's Annual Report 2020-21 recommended changes to the Financial Regulations to more closely align them with those of Cheshire Constabulary. The Fire Authority had given officers authority to make the changes. Some additional minor updates had also been made by officers. The changes were before the Committee for information; they would be reported to the upcoming Fire Authority meeting.

**RESOLVED: That**

**[1] the changes to the Authority's Financial Regulations be noted.**

### **4 APPOINTMENT OF INDEPENDENT AUDIT COMMITTEE MEMBER**

The Director of Governance introduced the report which enabled Members to decide upon the appointment of the Independent Audit Committee Member. He explained that two applicants were invited to interview and two members on the Audit Committee along with the Monitoring Officer and Treasurer, conducted the interviews.

Members noted that both candidates were high quality and supported the recommendations within the report. Members also thanked officers for their assistance during the recruitment process.

**RECOMMENDED: That**

**[1] Mrs Suzanne Horrill be appointed to the role of Independent Audit Committee Member for Cheshire Fire Authority for a period of three years (until November 2025); and**

**[2] Mr Mark Day be approved to become an Independent Audit Committee Member should the role become vacant, or an additional role be created.**

**5 FURTHER TERM FOR INDEPENDENT PERSON (HANDLING OF COMPLAINTS ABOUT MEMBER CONDUCT)**

The Director of Governance introduced the report which enabled Members to decide whether to recommend a further term for the existing Independent Person appointed to handle complaints about Member conduct. There had been no complaints against Members for Mr Donald Clark to investigate since his appointment. Members were content to recommend Mr Clark's appointment for a further term.

**RECOMMENDED: That**

**[1] Mr Donald Clark be appointed as Independent Person for a further three-year term (ending in February 2026).**

**6 MEMBERS' ALLOWANCES SCHEME UPLIFT 2022-23 AND MEMBERS' ALLOWANCES SCHEME 2023-24**

The Director of Governance introduced the report which enabled Members to make recommendations to the Fire Authority on: how the Members' Allowances Scheme for 2022-23 should be uplifted; an amendment to the Members' Allowances Scheme to add the allowances associated with the role of the Independent Audit Committee Member; and approval of the Members' Allowances Scheme for 2023-24.

He explained that the uplift agreed by the NJC for 2022-23 was unusual as a set figure was payable to all staff, rather than a percentage uplift. As the Members' Allowance Scheme only envisaged a percentage uplift it was necessary for the Fire authority to decide how to calculate/apply any uplift for 2022-23.

Members determined that a 5% uplift for 2022-23 should be recommended to the Fire Authority. Members confirmed that the allowance for the Independent Audit Committee Members should be added to the Scheme. Finally, Members agreed to recommend to the Fire Authority that the Members' Allowances Scheme for 2023-24 should be based on the scheme for 2022-23 once the uplift had been applied.

**RECOMMENDED: That**

**[1] an uplift of 5% be applied to the Members' Allowances Scheme for 2022-23;**

**[2] the allowance payable to the Independent Audit Committee Member be added to the Members' Allowances Scheme; and**

**[3] the Members' Allowances Scheme for 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024 be based on the 2022-23 Scheme once the uplift has been applied.**

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## CHESHIRE FIRE AUTHORITY

**MEETING OF:** GOVERNANCE AND CONSTITUTION COMMITTEE  
**DATE:** 19<sup>th</sup> APRIL 2023  
**REPORT OF:** HEAD OF FINANCE  
**AUTHOR:** WENDY BEBBINGTON

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**SUBJECT:** ANNUAL GOVERNANCE STATEMENT 2021-22  
ACTION PLAN UPDATE

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### Purpose of Report

1. To present a progress update on the Annual Governance Statement (AGS) 2021-22 Action Plan.

### Recommended: That

- [1] Members consider the attached progress update.

### Background

2. Production of an AGS is a requirement under the Accounts and Audit Regulations (England) 2015 and helps to demonstrate that a reliable system of internal controls exists.
3. Each year some areas for action are identified and subsequently contained in the AGS. These are then covered in an Action Plan. The AGS Action Plan for 2021-22, with commentary added to provide an update, is attached to this report as Appendix 1.

### Financial Implications

4. There are no financial implications arising from this report.

### Legal Implications

5. There are no legal implications arising from this report.

### Equality and Diversity Implications

6. There are no equality and diversity implications arising from this report.

## **Environmental Implications**

7. There are no environment implications arising from this report.

**CONTACT: DONNA LINTON, GOVERNANCE AND CORPORATE PLANNING  
MANAGER  
TEL [01606] 868804**

**BACKGROUND PAPERS: NONE**

**Annual Governance Statement – Action Plan 2021-22**

Areas for Action	Action	Action Owner	Action Progress Update – March 2023
The Authority does not have an asset management strategy in place	Develop an asset management strategy	Head of Service Improvement	A Fleet Management Strategy and a Capital Strategy for 2023-28 have now been agreed. The Ten-Year Equipment Strategy has also been further developed. These documents will be used as a base to create an overarching Asset Management Strategy.
The Authority's budget managers require development and support in managing their budgets.	Work with budget managers in formal and informal setting to improve budget management	Budget Management Board/SLT	The development of the budget for 2023-24 using the Budget Management Board ensured that Principal Officers and Heads of Department were fully involved in budget setting. The Medium Term Financial Plan (MTFP) is a standing item on Service Leadership Team (SLT) agendas and is used to cement understanding and generate debate. Finance Team members meet regularly with budget managers to review departmental budgetary positions. The Finance Team intends to work with budget managers to develop improved budget management and reporting and has held an initial meeting with Service Delivery managers to discuss potential improvements. The Team will also lead a review of the delivery of formal quarterly reports to Members.
The Authority should ensure that its MTFP has sufficient sensitivity analysis on future sustainability	Review the contents of the MTFP	Treasurer	The regular consideration of the MTFP at SLT meetings facilitates discussions on risks associated with and assumptions underpinning the Plan. The budget round for 2024-25 begins in July 2023 and initial work is being undertaking which will encompass more sensitivity analysis, especially in relation to the potential impact of different funding scenarios.

Areas for Action	Action	Action Owner	Action Progress Update – March 2023
The Authority has no formal Section 114 notice process in place	Create a Section 114 process	Treasurer	A procedure will be developed by June 2023.
The Authority's budget bid forms do not include sufficient information on options	Review option appraisal element of the budget bid form	Treasurer	Full business cases do include a section on options considered but the shorter budget bid forms used for initial consideration of growth items do not specifically include such a section. A section will be included in the 2024-25 budget bid forms.
The draft White Paper on Reforming Fire and Rescue Services has been released and the Authority will need to respond to it	The draft White Paper on Reforming Fire and Rescue Services has been released and the Authority will need to respond to it	Chief Executive and Chief Fire Officer.	The Authority responded to the White Paper in accordance with the timetable.

## CHESHIRE FIRE AUTHORITY

**MEETING OF:** GOVERNANCE AND CONSTITUTION COMMITTEE  
**DATE:** 19<sup>TH</sup> APRIL 2023  
**REPORT OF:** DIRECTOR OF GOVERNANCE  
**AUTHOR:** ANDREW LEADBETTER

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**SUBJECT:** DRAFT STATEMENT OF ASSURANCE 2022-23

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### Purpose of Report

1. To provide Members with an opportunity to review the draft Statement of Assurance for 2022-23.

### Recommended: That

- [1] The contents of the report be noted; and
- [2] Subject to Members' comments, the draft Statement of Assurance be recommended to the Fire Authority for approval.

### Background

2. Members will be aware that one of the requirements of the Fire and Rescue National Framework for England (the Framework) is the publication of Statement of Assurance (the Statement).
3. The Statement should:

*"...outline the way in which the authority and its fire and rescue service has had regard to this National Framework, the Integrated Risk Management Plan and to any strategic plan prepared by the authority for that period. The authority must also provide assurance to their community and to government on financial, governance and operational matters."*

### Information

4. The draft Statement for 2022-23 is attached to this report as Appendix 1.
5. The draft Statement has been prepared in accordance with national guidance. It includes sections on financial assurance, governance and operational assurance. It also outlines the way in which the Authority has had regard to the Framework. There is also a section on Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS).

6. The guidance suggests that where authorities have already set out relevant information that is clear, accessible, and user-friendly within existing documents they may wish to include extracts or links to these documents within their statement of assurance. The draft Statement includes extracts or links to many of the existing key documents and policies such as the Integrated Risk Management Plan, the Annual Statement of Accounts (with Annual Governance Statement) and the most recent HMICFRS report.
7. Members are asked to consider the contents of this draft Statement in its present form and if approved, a final version should be presented to the Fire Authority for approval at its meeting later this month, prior to publication.

### **Financial Implications**

8. There are no financial implications arising from this report.

### **Legal Implications**

9. Under section 21 of the Fire and Rescue Services Act 2004 the Secretary of State must prepare a Fire and Rescue National Framework. Paragraph 4.6 of the current Framework requires each fire and rescue authority to produce an annual Statement of Assurance.
10. The Statement of Assurance will be used as a source of information on which to base the Secretary of State's biennial report under section 25 of the Fire and Rescue Services Act 2004.
11. The Statement of Assurance should be signed by an elected member of the authority who is able to take responsibility for its contents. The Chair of the Authority will sign the Statement, together with the Chief Fire Officer and Chief Executive. They formally declare that they are satisfied that the arrangements are adequate and operating effectively and meet the requirements of the Framework.

### **Equality and Diversity Implications**

12. There are none.

### **Environmental Implications**

13. There are none.

**CONTACT: DONNA LINTON, CLEMONDS HEY, WINSFORD**  
**TEL [01606] 868804**  
**BACKGROUND PAPERS: NONE**





## Draft Statement of Assurance 2022-23

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## 1. Foreword

Cheshire Fire Authority recognises the importance of having good management, effective processes, and appropriate controls in place to deliver services to the communities of Cheshire East, Cheshire West and Chester, Halton and Warrington.

Fire authorities are accountable for their performance and should be open to evaluation by the communities they serve. By producing this Statement of Assurance, we aim to provide information to communities, government, local authorities and other partners which will allow them to make a valid assessment of our performance

Overall, we are satisfied that the Authority's financial, governance and operational assurance arrangements are adequate and operating effectively and meet the requirements detailed within the Fire and Rescue National Framework for England.

**Cllr Bob Rudd**  
**Chair**  
**Cheshire Fire Authority**



**Alex Waller**  
**Chief Fire Officer and Chief Executive**  
**Cheshire Fire and Rescue Service**



## 2. Introduction

The Statement of Assurance is published annually to provide an easy and accessible way for communities, government, local authorities and partners to make a valid assessment of the Authority's performance and governance arrangements.

The Authority is required to publish an annual Statement of Assurance as part of the Fire and Rescue National Framework for England.

Fire and Rescue authorities must provide annual assurance on financial, governance and operational matters and show how they have had due regard to the expectations set out in their Integrated Risk Management Plan (IRMP) and the requirements included in the Framework. To provide assurance, fire and rescue authorities must publish an annual Statement of Assurance.

The Statement of Assurance may include any potential improvements the Authority has identified across its accounting, governance or operational responsibilities and any plans to achieve the improvements.

National guidance on the content of Statements of Assurance suggests that where authorities have already set out relevant information that is clear, accessible and user friendly within existing documents, they may wish to include extracts or links to these documents within their Statement of Assurance. This Statement includes extracts or links to key documents, where relevant.

## 3. Financial Assurance

The Authority is responsible for ensuring public money is properly accounted for and used efficiently and effectively.

### **Annual Statement of Accounts**

Cheshire Fire Authority provides financial assurance through the publication of the Annual Statement of Accounts. This is a statutory requirement under the [Accounts and Audit \(England\) Regulations 2015](#) and the accounts are prepared following the *CIPFA Code of Practice on Local Authority Accounting*. The financial statements are subject to review by independent auditors as directed by the [Audit Commission Act 1998](#).

The Treasurer is responsible for ensuring the right controls are in place to ensure that financial assets are properly managed, financial reporting is accurate and that the Annual Statement of Accounts is prepared in accordance with statutory requirements.

### **Annual Governance Statement**

The [Annual Governance Statement](#), which is a requirement under the Accounts and Audit Regulations (England) 2015 and which is published as part of the Annual Statement of Accounts, sets out the systems and procedures that are in place to ensure that the Authority's resources are used in accordance with the law and provide best value for the taxpayer.

### Transparency

In addition to the statutory requirement to publish annual financial results, the Authority is committed to increasing transparency. The Authority has adopted the best practice guidance set out in the Local Government Transparency Code 2015 as far as is practical and publishes key documents and information on the Authority's website regarding how money is being spent. This includes details of payments for goods and services to external bodies and suppliers above £500, details of salaries and allowances paid to staff and Members and tender and procurement information.

[Transparency](#)

[Local Government Transparency Code 2015.](#)

### Auditors

Grant Thornton Limited Liability Partnership is the appointed external auditor for Cheshire Fire Authority and is responsible for completion of the following assurance activities:

- Audit of the 2022-23 financial statements
- Opinion on the Authority's accounts
- Value for Money conclusion

The Internal Audit function for 2022-23 was provided by Mersey Internal Audit Agency (MIAA). A number of audits were commissioned in line with the Authority's risk profile which provided an independent assurance level on the Authority's control frameworks.

#### Key evidence links

- [Accounts and Audit \(England\) Regulations 2015](#)
- [Local Audit and Accountability Act 2014](#)
- [Statement of Accounts](#)
- [Annual Governance Statement](#)
- [Medium Term Financial Plan](#)
- [Transparency](#)
- [Local Government Transparency Code 2015.](#)

## 4. Governance

The Authority’s governance arrangements and framework aim to ensure that in conducting its business it:

- Operates in a lawful, open, inclusive and honest manner.
- Makes sure public money is safeguarded, properly accounted for and spent wisely.
- Has effective arrangements in place to manage risk.
- Meets the needs of the communities of Cheshire East, Cheshire West and Chester, Halton and Warrington.
- Secures continuous improvements in the way it operates.

### Annual Governance Statement

The Authority is required to produce an “**Annual Governance Statement**” (AGS) which is published as part of the Annual Statement of Accounts. The AGS is an expression of the measures taken by the Authority to ensure appropriate business practice, high standards of conduct and sound governance. It explains how the organisation manages its governance and internal control arrangements and measures the effectiveness of those arrangements.

The [AGS](#) for the period 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023 is published on the Authority’s website within the Annual Statement of Accounts.

### Local Code of Corporate Governance

CIPFA published a new version of the framework ‘Delivering Good Governance in Local Government’ in 2016. This best practice guidance sets out seven principles of good governance A to G which are illustrated below, and each principle is considered in the AGS:



### How the Authority Works

#### Cheshire Fire Authority

The Authority has responsibility for ensuring that its business is conducted in accordance with the law and that proper standards are in place.

The Authority was created in 1997 by the Cheshire Fire Services (Combination Scheme) Order. It is made up of twenty-three elected Members appointed by the constituent authorities of Cheshire East, Cheshire West and Chester, Halton and Warrington Borough Councils. There are also two non-elected independent members who act in an advisory role.

In 2017 the Authority enabled the Police and Crime Commissioner for Cheshire (PCC) to attend and speak at its meetings. This was intended to help develop further integration of those services and assets that are the responsibility of the Authority and the Police and Crime Commissioner. In March 2020 the Combination Scheme was amended by the Government to allow the PCC to sit as a Member of the Authority with voting rights if he makes a formal request to do so and if the Authority agrees to the request.

In discharging the statutory responsibilities of the Authority, Members and senior officers are responsible for ensuring that proper governance arrangements are in place. These demonstrate good management of the Authority's key risks in accordance with legislation and appropriate standards.

The **Constitution** of the Authority covers:

- An explanation of key documents produced by the Fire Authority
- Members decision making bodies
- Procedural matters
- Outside bodies
- Members roles
- Protocols
- Members Code of Conduct
- Members allowances
- Financial regulations
- Scheme of Delegation

The Authority's committee structures allow Members to consider key policies and to monitor performance. The Authority has an effective strategic and financial planning process which includes rigorous review and challenge by Members.

The Authority operates with the following main Committee structure:

- Performance and Overview Committee
- Governance and Constitution Committee
- Brigade Managers Pay and Performance Committee
- Staffing Committee
- Estates and Property Committee

Terms of Reference for each Committee are subject to regular review.

Member Champions are assigned to a number of thematic areas to provide additional scrutiny and challenge; these include risk, equality, young people, older people, pensions, finance and the environment.

### The Service Leadership Team (SLT) Structure

The operations of the Authority are directed through a clear leadership and management structure with defined roles and responsibilities. The Service Leadership Team is comprised of:

- Chief Fire Officer and Chief Executive
- Deputy Chief Fire Officer
- Assistant Chief Fire Officer
- Director of Governance
- Treasurer
- Director of Transformation
- Heads of Department

### Monitoring Officer:

During the 2022-23 financial year the Director of Governance fulfilled the statutory role of Monitoring Officer for the Authority, ensuring all actions taken were lawful.

### Treasurer/Section 151 Officer:

The Joint Corporate Services Head of Finance has responsibility for day-to-day financial management in accordance with CIPFA guidance with the Treasurer/Section 151 Officer employed by the Fire Authority responsible for the matters set out in Section 151 of the Local Government Act 1972.

### Integrated Risk Management Plan (IRMP)

Cheshire Fire Authority has created a plan called the IRMP which assesses local fire and rescue related risks and details how these will be addressed. The IRMP is published on the Authority's website.

In 2020 the Authority decided to produce a four-year IRMP covering the period 2020-2024. It produces Annual Action Plans to support the delivery of the IRMP.

### Vision and Mission

The Authority's **vision** is defined as

*"A Cheshire where there are no deaths, injuries or damage from fires or other emergencies"*

and its **mission**

*"To help create safer communities, to rescue people and protect economic, environmental and community interests"*

### Core Values

The Authority also has a set of values and behaviours to define what is expected of everyone involved with Cheshire Fire and Rescue Service.

Following consultation and engagement with staff new Core Values were introduced in March 2020 and updated in 2022 to include the NFCC Core Code of Ethics.

These **Core Values and NFCC Core Code of Ethics** are:

**Being Inclusive:** By acting fairly, with integrity, respect and without prejudice

**Do the Right Thing:** By holding each other to account for ensuring high standards of professionalism in everything we do

**Act with Compassion:** By being understanding and offering help to each other and to our communities with warmth, patience and kindness

**Make a Difference:** By making an impact in our organisation and in our communities in whatever ways we can, for as many people as we can

### **NFCC Code of Ethics**

#### **Putting our communities first**

**Integrity**

**Dignity and respect**

**Leadership**

**Equality, diversity, and inclusion**

### **Performance Management: How we performed during 2022 – 2023**

As part of the corporate planning process the Authority measures and monitors performance using a range of Key Performance Indicators (KPIs) that are also used to compare performance against other fire and rescue authorities in England.

Achievements against these indicators are scrutinised quarterly by the Performance and Overview Committee and Performance and Programme Board and annually by the Fire Authority.

Performance relating to the handling of calls by North West Fire Control is also monitored quarterly, in line with agreed standards.

DATA TO BE INSERTED ONCE IT IS  
VALIDATED AND FINALISED.

An Annual Report is produced each year setting out how the Authority has performed over the last 12 months.

Performance information can be accessed in the Performance section of the Authority's website.

### Auditors

#### Internal Audit:

The Authority's Internal Audit function for 2022-23 was outsourced to Mersey Internal Audit Agency (MIAA). A risk-based internal audit plan has been delivered by MIAA. A number of audits were commissioned in line with our risk profile and appetite which provided an independent assurance level on the Authority's control frameworks.

The internal audit team completed a number of compliance and assurance audits during 2022-23 aligned to the approved internal audit plan, which have generally resulted in positive opinions with a small number of recommendations made as a result of their findings. Action plans have been put in place to deal with any issues found during the audits.

#### *Internal Audit Opinion 2022-23:*

TO BE INSERTED WHEN AVAILABLE

#### External Audit:

The Authority has appointed Grant Thornton as external auditors and established protocols are in place for working with External Audit.

#### *External Audit Opinion 2022-23:*

TO BE INSERTED WHEN AVAILABLE.

#### Key evidence links

[Delivering Good Governance 2016](#)  
[Local Code of Corporate Governance Principals A-G](#)  
[Annual Governance Statement](#)  
[Integrated Risk Management Plan](#)  
[CFRS Vision, Mission, Core values Constitution](#)  
[Annual Report for 2022](#)  
[Corporate Scorecard 2022-23](#)  
[Internal Audit Opinion](#)



## 5. Operational Assurance

The Fire and Rescue Services National Framework for England outlines the requirement placed upon fire and rescue authorities to provide assurance on operational matters which are determined locally by them.

### Statutory Responsibilities

Fire and Rescue Authorities function within a clearly defined statutory and policy framework. The Authority is required to comply with a range of laws, regulations and guidance. Links to some of the key legislation/guidance can be accessed below:

[Fire and Rescue Services Act 2004](#)

[Civil Contingencies Act 2004](#)

[Regulatory Reform \(Fire Safety\) Order 2005](#)

[Fire and Rescue Services \(Emergencies\) \(England\) Order 2007](#)

[Localism Act 2011](#)

[Fire and Rescue National Framework for England 2018](#)

[Local Government Act 1999](#)

[Health & Safety at Work Act 1974](#)

[Policing and Crime Act 2017](#)

To ensure that the Authority can demonstrate how it complies with this statutory and policy framework a number of detailed assessments are undertaken.

- Progress against the Authority's Health and Safety policy/framework is regularly presented to the Health, Safety and Wellbeing Committee.
- The Authority regularly assesses operational capability against risks in the area covered by the Authority to ensure that the right resources, procedures and skills are available to respond to incidents within target response times.
- The Authority undertakes an annual review of operational risk and performance, supplemented by scrutiny at quarterly Member and officer meetings.
- The Risk Management Board monitors and scrutinises strategic risks.

### Corporate Planning

There is a robust corporate planning process in place which facilitates the development of the Integrated Risk Management Plan (IRMP).

### Integrated Risk Management Plan (IRMP)

Fire authorities must produce an IRMP which assesses local fire and rescue related risks and details how these will be addressed. The IRMP takes account of the requirements of the Fire and Rescue National Framework and outlines the key risks and influences facing Cheshire and how the Authority is currently structured to address them.

The Authority has outlined its plans for 2020-24 in its Integrated Risk Management Plan "Saving Lives, Changing Lives, Protecting Lives". This was approved by the Authority in July 2020 following a period of public and staff consultation. Annual Action Plans are agreed by the Fire Authority during the lifetime of the Plan.

### **Community Risk Management**

Through its Community Risk Management (CRM) Model, the Service undertakes risk and performance analysis in order to ensure that strategic, tactical and operational activities are intelligence-led and evaluated. This is achieved by using specialist systems, software, data and skills delivered by the Joint Corporate Service Business Intelligence team located at Clemonds Hey.

### **Unitary Area Plans**

In addition to, and complementing the IRMP, each council area has a Unitary Performance Group (UPG) involving local Fire Authority members in performance management. The UPG meets quarterly to scrutinise data and performance. Unitary Area Plans are developed for each unitary area. Each plan is unique to that area and contains the actions the Unitary teams will take in order to mitigate risk and improve community safety. These plans are informed by the Community Risk Management Model which brings together historic incident data, demographic, commercial and external risk factors.

### **Stakeholder Engagement**

The Authority is committed to involving all of its stakeholders in the development of its strategies and plans. It encourages this by carrying out a consultation programmes in relation to the draft IRMP and emerging Annual Action Plans. Local communities, partners, staff, representative bodies and other stakeholders are invited to comment to ensure that before any decision is taken a broad range of views are taken into account. To enable active and informed participation, data and information relevant to the plan is made available to the public on the Service's website and via social media, in consultation packs, which are distributed at community roadshow events held across Cheshire, and also at key local stakeholder forums and meetings.

### **Fire Prevention (Community Safety)**

The Authority has a risk-based approach to prevention. This risk profile is developed through Community Risk Management Model using a range of tools including Exeter data from health partners. It's Safe and Well programme was developed in conjunction with NHS and local health partners. Safe and Well visits provide advice to householders on fire safety in the home but also address health priorities such as the prevention of slips, trips and falls, smoking cessation and alcohol reduction, bowel cancer screening and tests for atrial fibrillation.

The Service also works with partner agencies to deliver road safety initiatives targeted at vulnerable users such as young drivers and motorcyclists.

The Authority is commissioned to provide early intervention programmes such as RESPECT and is a delivery partner for the Prince's Trust programme.

It has also had a significant commitment to raising awareness and prevention through its safety and life skills centre, Safety Central.

### **Fire Protection**

The Authority operates a risk-based intelligence-led inspection programme of non-domestic premises. If a business is audited, the audit will be carried out by a qualified fire-safety officer who will follow a set procedure which is designed to establish compliance with the

requirements of the Regulatory Reform (Fire Safety) Order 2005. The Authority always aims to help businesses comply with fire safety legislation; however, at times it has to enforce the law by implementing a formal enforcement procedure and will on occasion prosecute. This is always a last resort and the Authority will endeavour to avoid this course of action by working with business owners/managers via a range of key interventions:

- A dedicated team of non-enforcing officers who proactively deliver interventions and offer advice tailored to the different sectors of the business community.
- Protection staff offer support to businesses to assist in complying with legislation.
- Information provided digitally to support businesses.
- Proactively working with partners and key stakeholders to raise awareness of the fire safety benefits of sprinkler systems.

The Government's Primary Authority Scheme is a means for a business to receive assured and tailored advice on meeting environmental health, trading standards or fire safety regulations through a single point of contact. This enables the business to invest with confidence in products, practices and procedures, knowing that the resources they devote to compliance are well spent. The Authority supports the Primary Authority Scheme and will consider entering into partnerships with a business or organisation to provide assured and tailored fire safety advice. The approach it adopts creates a more consistent and co-ordinated regulatory environment.

Fire investigation is an integral part of the Service's Prevention and Protection activities. The main purpose of fire investigation is to determine the origin, cause and development of a fire and to contribute to organisational learning.

All fires attended will be investigated to establish the cause of fire. Where a fire has occurred, investigators have the power of entry under Section 45 of the Fire and Rescue Services Act 2004 which allows an authorised employee to gain entry to premises in order to investigate the cause and progression of the fire that has occurred there.

Investigation outcomes will steer future prevention and protection activities and may assist in the prevention and detection of crime. They may also lead to inspections focused on certain risks or themes.

### **Emergency Response**

The Authority responds to a range of emergency incidents with 35 fire engines operating from 28 fire stations across Cheshire. Stations are crewed by operational staff who work different shift patterns depending upon local risk:

- Wholetime: firefighters operate on stations 24 hours per day, working 12 hour shifts.
- Day Crewing: during the daytime the station is crewed by wholetime firefighters who also live next to the station to provide emergency cover overnight
- Nucleus: stations are crewed by wholetime firefighters during day time hours and by on-call firefighters overnight
- On-Call: firefighters live or work in the local community near to the station and respond to emergency calls via an alerter

The Authority has in place a Cheshire Standard to respond to life-risk incidents (e.g. house fires and road traffic collisions) within ten minutes on 80% of occasions.

Pre-determined attendance requirements are developed through the analysis of risk information from sources such as incident data and site-specific risk information. Through the Authority's review of emergency response, specialist assets have been placed in

strategic locations to improve response to incidents across Cheshire and respond to local risks, such as road traffic collisions on motorways.

The Authority's debrief policy outlines processes for evaluating operational learning and improvement.

Incident command is embedded within the internal assessment procedures, with incident commanders assessed regularly through live and simulated exercises arranged locally and centrally.

Organisational performance, including the Service's emergency response and call handling performance of North West Fire Control (NWFC), is scrutinised through structures such as Performance and Programme Board, Unitary Performance Groups, the Fire Authority's Performance and Overview Committee and by Directors of the NWFC Board.

The Authority conducts Site Specific Risk Inspections (SSRIs) for high-risk premises in Cheshire. The procedure has recently been internally audited, receiving an outcome of 'significant assurance'. A dedicated SSRI training officer is in post alongside an SSRI portfolio holder for on-call stations.

Cheshire has 28 Control of Major Accident Hazard (COMAH) sites and employs a high-risk training officer. Both on-site and off-site incident plans are managed by the Cheshire Resilience Forum and tested through multi-agency exercises.

The Authority influences the development of operational response, training and occupational standards at a regional level through membership of a number of regional fire and rescue services and multi-agency groups and forums.

### **Business Continuity – Civil Contingencies Act 2004**

Business Continuity is an important part of the Authority's strategy and a robust programme is well established to ensure responsibilities align to best practice standards, e.g. BS25999-2. Departmental plans which support the Authority's Crisis Management Plan are maintained and tested regularly. The Crisis Management Plan is owned by the Risk Management Board and reviewed and approved annually.

### **Interoperability, Resilience and Safety**

A comprehensive range of risk intelligence data and information is taken into account as part of the risk identification and analysis process underpinning the IRMP. This includes Cheshire's Community Risk Register, with the Authority having a leading role in the Cheshire Resilience Forum (CRF) which focuses on interoperability and joint planning and training exercises with other emergency services using the Joint Emergency Services Interoperability Principles (JESIP). Additional joint training and planning has taken place following the Manchester Arena terrorist attack to ensure the effectiveness of the Authority's response to a similar event within Cheshire.

CRF structures, policies and practices are regularly reviewed to better reflect the changing make up of partner agencies. Governance is managed through a monthly meeting cycle of the Management Group which reports twice yearly to the CRF Executive Group.

The Authority is represented on the Cheshire CONTEST group, which has developed plans for notification of, and response to, a multi-agency marauding terrorist firearms attack (MTFA). Cheshire's National Inter-Agency Liaison Officers (NILOs) have received MTFA response training via regional NILO groups.

### Over the Border Mutual Aid Arrangements

Sections 13 and 16 of the Fire and Rescue Services Act 2004 allow mutual arrangements to be agreed with neighbouring fire and rescue services to improve resilience and capacity in border areas. Cheshire Fire Authority has in place contractual agreements with the following bordering Fire Authorities for response to life risk incidents:

- Merseyside
- Staffordshire
- Shropshire
- Derbyshire
- Greater Manchester
- North Wales

### Health and Safety

The Authority seeks to comply with the requirements of the Health and Safety at Work etc. Act 1974 and relevant legislation in managing its health and safety (H&S) duties.

The Authority has an H&S management system based on Health & Safety Executive (HSE) guidance. There are clearly defined management responsibilities; as far as reasonably practicable the Authority assesses and manages the risks arising from its activities, consults its employees on matters affecting H&S, and provides training and information to employees.

The Authority has an Occupational Health Unit to support the health and wellbeing of staff. The Authority has signed up to the MIND Blue Light campaign to support mental health and wellbeing in the workforce and provided training to mental health champions and is looking to introduce more widely a Trauma Risk Management (TRiM) process. The Authority has a Mental Health Advisor, Mental Health Strategy and Mental Health Steering Group. It intends to give mental health parity of esteem.

The Authority has introduced an electronic system to support the reporting and investigation of all accidents and near misses that occur and to track the investigations conducted with the intention of preventing a recurrence.

As part of the H&S Management System there is a programme of audits and inspections. The audits are based on the Royal Society for Prevention of Accidents Quality Safety Audit system and its performance indicators. These audits and inspections inform the annual review of H&S Policy and performance. They also contribute towards an Annual Health and Safety report submitted to the Authority's Performance and Overview Committee.

### Firefighter Fitness

The Authority has had a policy to ensure the fitness of its operational staff for some time. In December 2014 the Department for Communities and Local Government (DCLG) issued an addendum to the National Framework for England in relation to firefighter fitness. In 2015 the Authority proposed amendments to its then current fitness policy to align it to the National Framework requirements and the national fitness standards.

The Authority recruited a full-time Fitness Advisor to lead on supporting the firefighters to attain and maintain the fitness standards required, and to undertake fitness testing. Fitness testing for all operational staff takes place annually. Performance is monitored at the Service Health Safety and Wellbeing Committee.

### Operational Training

The Service has an Operational Training Strategy which outlines its approach to ensuring that its operational staff are trained and competent in order to fulfil the various operational demands placed upon them.

All new firefighters attend basic training which is broken down into modules and each module is assessed.

All front-line operational staff, inclusive of new starters, attend regular station planned training as detailed within their Station Training Forecast in order to maintain their operational abilities and competence. They also attend centrally planned refresher training in order to support this maintenance programme.

Breathing apparatus refresher training takes place in dedicated 'hot fire' conditions annually and the Authority aims to ensure that 100% of all eligible staff attend. An electronic course management system aids the monitoring of training.

Compartment fire behaviour training capability is refreshed every two years and the Authority aims to ensure 100% of all eligible staff attend.

Road traffic extrication techniques, trauma care, dealing with hazardous materials, and working safely at height skills are refreshed over a three-year period and each year the Service aims to refresh the skills, knowledge and understanding of one third of its operational workforce with the intention to achieve 100% of all eligible staff attendance after three years. The swift water rescue capability of the Service's key water incident fire stations is validated by the staff attending two days of assessment every year.

The Service delivers in-house Large Goods Vehicle training on a one to one basis for its front line firefighters. Once they are designated as an appliance emergency response driver they then go on to attend a one-day emergency response driving refresher within a five-year period.

The Operational Training Group (OTG) also manages the Authority's Accredited Centre; currently Edexcel and Skills for Justice are the awarding bodies. Visits by external standards verifiers annually assess and confirm that the Authority operates to and maintains the awarding standards and this assists OTG in quality assuring its planning, delivery and review of training and assessment.

Managers are all trained and assessed for their skills, knowledge and understanding in Incident Command. A dedicated Command Training Group (CTG) of vocationally qualified officers plan, deliver and assess these training programmes. The quality of the Incident Command Training within the Service has attracted business from several other fire and rescue services and other emergency services as well as private and public organisations including several high-risk industries.

The Authority has a modern operational training centre, based at its site in Sadler Road, Winsford. While the success of our prevention work has led to a long term reduction in fires, this does mean that firefighters are more reliant on training and simulation to develop their learning experience instead of gaining experience during operational firefighting. The training centre provides firefighters with realistic and immersive training to safely and effectively deal with a wide range of incidents that may occur across Cheshire.

Key evidence links

[Integrated Risk Management Plan](#)  
[CRM Model](#)  
[Unitary Performance Area Profiles](#)  
[Safe and Well](#)  
[Safety Central](#)  
[Fire Safety advice for Businesses](#)  
[JESIP](#)  
[Annual Health and Safety Report](#)  
[Firefighter Fitness Addendum](#)  
[Firefighter Fitness Policy](#)  
[Operational Training Strategy](#)



## 6. Fire and Rescue National Framework for England

Under the Fire and Rescue Services Act 2004 the Secretary of State must prepare a Fire and Rescue National Framework which sets out priorities and objectives for fire and rescue authorities and contains guidance in connection with the discharge of any of their functions.

Every fire and rescue authority **must** have regard to the Framework in carrying out their functions.

In May 2018 a new National Framework was published. There is an emphasis in this latest Framework upon the national programme of reform within the sector and a number of requirements which fire authorities **must** comply with in the areas of:

- **Delivery of functions:** a need to identify and assess risk, prevent fire and promote fire safety, respond effectively to incidents and a statutory duty to consider collaboration
- **National Resilience:** identify and address any gaps in capability and prepare to respond to terrorist attacks
- **Governance:** to produce an IRMP, Annual Statement of Assurance and financial plans
- **Achieving Value for money:** having a policy on reserves, commercial transformation and trading
- **Workforce:** the need for a People Strategy and implementation of the new Professional Standards when published.
- **Inspection, Intervention and Accountability:** co-operation with the new inspection regime and compliance with the Local Authority Transparency Code.

A review was undertaken of the mandatory requirements under the Framework and evidence gathered to demonstrate compliance.

### Key evidence links

[Fire and Rescue National Framework for England 2018](#)  
[Fire and Rescue National Framework for England 2018 - Compliance Report \(Performance and Overview Committee 04.09.2019\)](#)



## 7. His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS)

HMICFRS carried out its second-round inspection of Cheshire Fire and Rescue Service in early 2021.

The inspection process focused on three key themes:

- a. How effective is CFRS at keeping people safe and secure from fire and other risks?
- b. How efficient is CFRS at keeping people safe and secure from fire and other risks?
- c. How well does CFRS look after its people?

### The report summary said:

*Overall, the service is effective and efficient at keeping people safe and secure from fire. And, on balance, it looks after its people well. It has made an impressive investment to promote culture and values, and equality, inclusion and diversity throughout its organisation.*

*It goes on to say:*

*We are pleased to see the service working on the areas for improvement identified in our 2018 inspection. There has been good progress, for example, to increase protection resource and capability. We watch the restructure of its protection team with interest, as it is yet unfinished.*

*We know from the service's progress since our last inspection that it is capable of focused work to make improvements. We look forward to seeing it develop further, especially in relation to its people, who make the service what it is"*

The inspection report graded the Service as 'good' in all three of its inspection criteria. The findings represent an improvement on the last inspection in 2018, which suggested the Service needed to do more to promote a positive workplace culture and ensure the wellbeing of staff.

The report contained some Areas for Improvement. An action plan was prepared to help the Service to address each of these.

The third-round inspection was completed by HMICFRS towards the end of March 2023, but the report outcomes will not be known for some time. Information about this will be published on both the HMICFRS website and the Service's.

#### Key evidence links

- [HMICFRS Inspection Report 2021](#)
- [HMICFRS Inspection 2021 Action Plan](#)

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## CHESHIRE FIRE AUTHORITY

**MEETING OF:** GOVERNANCE AND CONSTITUTION COMMITTEE  
**DATE:** 19<sup>TH</sup> APRIL 2023  
**REPORT OF:** DIRECTOR OF GOVERNANCE  
**AUTHOR:** ANDREW LEADBETTER

---

**SUBJECT:** MEMBER CHAMPIONS ARRANGEMENTS

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### Purpose of Report

1. To allow Members to consider the Member Champions arrangements and make a recommendation to the Fire Authority.

### Recommended: That Members

- [1] consider the information in the report with a view to making a recommendation to the Fire Authority about the Member Champions arrangements for 2023-24.

### Background

2. The Fire Authority decided, at its meeting on 10th February 2021, that the Governance and Constitution Committee should complete a review of the Member Champion roles, following the observations of the Independent Reviewer made as a result of their review of the Members' Allowances Scheme.
3. Members of the committee had an informal discussion, prior to approving the process and indicative timeline of the Member Champion review on 10<sup>th</sup> November 2021. The following observations were noted:
  - Not clear why there are so many Member Champion roles
  - Need to clarify expectations
  - Must be quantifiable benefit or the roles can be removed
  - Requirement for some kind of annual report
  - Impact of Covid-19 should not be ignored.
4. All Members received an update on progress with the review at the Members' Planning Day on 14th January 2022.
5. The Committee decided at its meeting on 30<sup>th</sup> March 2022 to recommend to the Fire Authority that it continue with existing Member Champion

arrangements for 2022-23 with the introduction of the requirements outlined in the report (reproduced below);

*It is intended that in addition to the Member Champion role description which is set out in paragraphs 6.32 to 6.34 of the Constitution, a specific role profile will be created for each member champion role. The member champion role profiles will provide:*

- *An overview of each role;*
- *Lead officer contact details;*
- *Activities associated with the role such as meeting and event attendance;*
- *Training and development opportunities; and*
- *How the activities of the champion will be communicated.*

*Democratic Services will create a template role profile for lead officers and Member Champions to complete early in the municipal year 2022-23.*

*The intention would be to submit a report to the Governance and Constitution Committee in April 2023 to consider progress and determine whether any further improvements could be made to the Member Champion arrangements. At that point the Committee could make further recommendations to the Fire Authority in relation to Member Champions for 2023-24.*

## **Information**

6. When the Member Champions for 2022-23 were appointed the respective Lead Officers allocated to each Member Champion were asked to meet with the Member Champions with a view to completing a role profile. For the benefit of any Member that has not seen it previously the role profile format is attached to this report as Appendix 1.
7. The vast majority of role profiles were completed, providing a level of focus for the activities of the Members Champions and Lead Officers. However, as previously noted the level of engagement differs across the Member Champion roles.
8. Officers believe that the Member Champion arrangements have developed during this municipal year, but that there remains work to do to ensure that all Member Champion roles are effective and add value. For now, officers recommend that the current list of Member Champion roles is maintained. However, an in-year review of the role profiles should be undertaken by a small group of Members. Alternatively, the role profiles could be shared with Members at a Members' Planning Day.

## **Financial Implications**

9. There are currently 18 Members appointed to a Member Champion role. Member Champions receive a special responsibility allowance which currently stands at £577.94. The funding for Member Champion roles is met through existing budgets. It should be noted that many Member Champions do not receive this allowance, because they already receive another special responsibility allowance, which is higher than the Member Champion allowance and only the higher allowance is paid.

## **Legal Implications**

10. There is no legal requirement to appoint Member Champions.

## **Equality and Diversity Implications**

11. There are no equality and diversity implications associated with this report.

## **Environmental Implications**

12. There are no environmental implications associated with the=is report.

**CONTACT: DONNA LINTON, GOVERNANCE AND CORPORATE PLANNING  
MANAGER  
TEL [01606] 868804  
BACKGROUND PAPERS: NONE**

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## ROLE PROFILE

<b>Member Champion Role:</b>	
<b>Lead Officer/s:</b>	
<b>Contact details:</b>	<i>Please include email and phone number of all lead officers</i>
<b>Meeting</b>	<i>Please state how often you intend to meet with the lead officer e.g., every quarter, bi-monthly etc.</i>
<b>Summary of role</b>	<i>Please include a short summary stating the purpose of the Champion role</i>
<b>Activities associated with role</b>	<i>Please include activities you would be required to complete as part of your champion role and how often they occur. This could include meeting attendance, chairing responsibilities, attendance at events.</i>
<b>Training and Development</b>	<i>Please state the knowledge, skills and behaviours required as part of the Champion role.</i>  <i>Note – training and development activities can also be requested during the Members’ Personal Development Reviews</i>
<b>Communication of Champion work</b>	<i>How do you intend to communicate your work to the Fire Authority? This could include an electronic briefing sheet, a short presentation at a Member Planning Day meeting, a short statement contained in an annual report submitted to the Fire Authority etc.</i>

Please submitted your completed role profiles to [Emilie Salkeld](#)

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## CHESHIRE FIRE AUTHORITY

**MEETING OF:** GOVERNANCE AND CONSTITUTION COMMITTEE  
**DATE:** 19<sup>TH</sup> APRIL 2023  
**REPORT OF:** DIRECTOR OF GOVERNANCE  
**AUTHOR:** ANDREW LEADBETTER

---

**SUBJECT:** REVIEW OF ANTI-BRIBERY POLICY AND ANTI-FRAUD POLICY

---

### **Purpose of Report**

1. To enable Members to consider whether the Anti-Bribery Policy and the Anti-Fraud Policy remain fit for purpose.

**Recommended:** That Members

- [1] Determine whether the Anti-Bribery Policy and the Anti-Fraud Policy remain fit for purpose.

### **Background**

2. This committee last reviewed the Anti-Bribery Policy and Anti-Fraud Policy on 7<sup>th</sup> April 2021. It was agreed that the policies should be reviewed every 2 years.

### **Information**

3. Taken together, the Anti-Bribery and Anti-Fraud policies set out the main principles aimed at countering fraud and corruption. The Anti-Bribery Policy is attached to this report as Appendix 1 and the Anti-Fraud Policy is attached to this report as Appendix 2.

### **Financial Implications**

4. Bribery and fraud could lead to financial loss. It is important that the Authority has appropriate policies in place.

### **Legal Implications**

5. Without robust policies concerned with bribery and fraud there is a greater likelihood that breaches of the law could occur.

## **Equality & Diversity Implications**

6. There are no equality and diversity implications.

## **Environmental Implications**

7. There are no environmental implications.

**CONTACT: DONNA LINTON, CLEMONDS HEY, WINSFORD**

**TEL [01606] 868804**

**BACKGROUND PAPERS: NONE**

## **ANTI-BRIBERY POLICY**

### **Policy Statement**

Employees and agents of the Service must not engage in activities that amount to bribery. They must report bribery or attempted/suspected bribery.

### **What we mean by the term “Bribery”**

Whilst the Bribery Act 2010 (the Act) contains detailed information about the offences relating to bribery, in general terms it is:

“Giving someone a financial or other advantage to encourage that person to perform their functions and activities improperly or to reward that person for having already done so”.

### **What are the Offences?**

The Act includes offences concerned with bribing another person and with being bribed (in other words the giving of and acceptance of a bribe). These apply to individuals.

The Service can also be prosecuted for the offence of failing to prevent bribery (by its staff, or agents).

### **What we do to avoid Bribery**

The Service has a clear Anti-Bribery Policy (this document) which is brought to the attention of all employees and agents.

The Service’s Anti-Bribery Policy is reflected in corporate documents so that there is a consistent message about bribery.

There is commitment to avoid bribery from Members and officers (the Chief Fire Officer and Chief Executive is the senior officer with responsibility for this Policy).

### **What we expect of employees and agents**

If an employee, or agent of the Service becomes aware of circumstances which cause them concern, they should report the matter to:

- Alex Waller, Chief Fire Officer and Chief Executive  
Email: [Alex.Waller@cheshirefire.gov.uk](mailto:Alex.Waller@cheshirefire.gov.uk)  
Tel: 01606 868812
- Andrew Leadbetter, Director of Governance (Monitoring Officer)  
Email: [Andrew.leadbetter@cheshirefire.gov.uk](mailto:Andrew.leadbetter@cheshirefire.gov.uk)  
Tel: 01606 868456
- Paul Vaughan, Treasurer (Section 151 Officer)

Email: [Allan.rainford@cheshirefire.gov.uk](mailto:Allan.rainford@cheshirefire.gov.uk)

Tel: 01606 868845

Alternatively they should use the Whistleblowing Procedure.

### **What we will do about suspected Bribery**

The Service will ensure that any allegations of bribery are thoroughly investigated (involving the Police as appropriate).

Should there be weaknesses in any systems and/or processes which come to light as a result of a report of suspected bribery, or proven bribery, then changes will be made, as necessary, to avoid future problems. Employees and agents will be dealt with as appropriate in cases of proven bribery.

April 2023

## Cheshire Fire Authority

### Anti-Fraud Policy

#### 1. Introduction

Cheshire Fire Authority is committed to having sound governance arrangements. In managing its arrangements the Authority, as a public body accountable to the taxpayer, is determined to ensure proper accountability and probity in delivering its stated business aims and objectives.

This Anti-Fraud Policy is designed to:-

- help prevent fraud
- promote early detection of fraud and ensure its effective investigation
- where appropriate ensure the recovery of any financial loss caused by fraud.

**Fraud** encompasses a range of acts and can include:

- criminal deception
- forgery
- blackmail
- theft including the obtaining of a pecuniary advantage for a third party i.e. financial gain or a reduction in a debt or liability
- the intentional distortion of financial statements or other records by persons inside or outside the Authority which is carried out to conceal the theft of assets or otherwise for gain
- conspiracy and the concealment of material facts.

NB: Bribery is dealt with in a separate policy.

#### 2. Policy Statement

The Authority is committed to ensuring that all necessary steps are taken to avoid it being subjected to fraud.

The Authority will:

- promote a fair, equitable and honest approach to service delivery with those providing and receiving services
- actively seek out instances of fraudulent and corrupt practices and pursue the perpetrators to the full extent of the law
- encourage people with concerns about potential fraud to inform the Authority of their suspicions
- treat complaints of potential fraud positively, fairly and equitably

- regularly review its own procedures to ensure they offer effective protection of the Authority's interests and reputation.

To achieve this the Authority will establish, communicate and maintain:

- proper standards
- an anti-fraud culture
- supporting policies and procedures
- reporting and investigation arrangements
- access to information and publicity
- review mechanisms
- data sharing arrangements

### **3. Strategy Statement**

#### **Proper Standards**

The Authority's Constitution describes how it operates, how decisions are made and the procedures that are followed to ensure that these are efficient, transparent and accountable to local people. It is subject to regular review by the Authority's Monitoring Officer.

Fire Authority Members and employees have a duty to adhere to the Constitution and its provisions and comply with the respective Codes of Conduct that apply to them.

The Authority is committed to ensuring that Members and employees receive suitable training and continuing professional development in order to assist them in the delivery of their duties.

Senior Officers are responsible for the maintenance of sound internal control systems, procedures and records. They are required to formally review their control environment and document their findings in support of the Authority's published Annual Governance Statement.

#### **Culture**

The Authority supports and promotes zero tolerance to any form of fraud and will pursue perpetrators to the full extent of the law. It expects all Members of the Authority, employees, consultants, contractors, service users and any other external and partner organisations to uphold the highest standards of integrity in their dealings for, and on behalf of, the Authority.

#### **Policies and Procedures**

In order to promote a strong anti-fraud culture an infrastructure of preventative measures have been adopted in the form of policies and procedures that Members and employees are required to comply with.

Key policies and procedures include:

- Code of Conduct for employees (which includes the Whistleblowing Procedure)
- Code of Conduct for Members
- Financial Regulations
- Human Resources policies including recruitment and disciplinary procedures

NB: The Anti-Bribery Policy supplements this policy.

## **Reporting**

Members and employees must report any concerns they may have regarding potential fraud

They should report the matter to:

- Chief Fire Officer and Chief Executive
- Director of Governance and Commissioning (Monitoring Officer)
- Treasurer (Section 151 Officer)

The Authority's Confidential Reporting Policy (Whistleblowing) and Corporate Complaints Policy provide a route for raising concerns with the Authority and detail the safeguards and support available.

## **Investigation**

Investigation into fraud will normally be carried out by the Internal Audit Service who will liaise with the Chief Fire Officer and Chief Executive, Director of Governance and Commissioning and Treasurer.

Where there is evidence of suspected fraud the matter will be referred to the police to consider whether a criminal investigation should take place.

The Authority will seek to recover losses incurred as a result of any fraud.

## **Access to Information and Publicity**

The policies and procedures referred to in this document are available on the Authority's website and intranet. The Authority will seek to publicise proven cases of fraud or corruption through these mechanisms and via the local press.

## **4. Review**

The Authority will ensure that this Policy is reviewed every 2 years.

Authority policies and procedures outlined within this document are also subject to regular review.

## **5. Sharing Information**

The Authority is committed to working with other agencies in the detection and prevention of fraud.

Information will be shared internally and with government departments and other agencies for the purposes of the prevention and detection of fraud. This information will be shared in accordance with the principles of the Data Protection Act.

The Authority also participates in a national data sharing exercise, The National Fraud Initiative, to enable the proactive detection of fraud.

## **6. Contacts**

Further advice or assistance can be obtained from the following:-

Internal

Paul Vaughan – Treasurer

Email: [Paul.Vaughan@cheshirefire.gov.uk](mailto:Paul.Vaughan@cheshirefire.gov.uk)

Tel: 01606 868845

Andrew Leadbetter –Director of Governance

Email: [Andrew.leadbetter@cheshirefire.gov.uk](mailto:Andrew.leadbetter@cheshirefire.gov.uk)

Tel: 01606 868456

Internal Audit Services, provided by the Mersey Internal Audit Agency

Anne-Marie Harrop - Audit Manager

Email: [Anne-Marie.Harrop@miaa.nhs.uk](mailto:Anne-Marie.Harrop@miaa.nhs.uk)

Tel: 0161 743 2029

External Audit, provided by Grant Thornton UK LLP

Liz Luddington – Manager

Email: [Liz.A.Luddington@uk.gt.com](mailto:Liz.A.Luddington@uk.gt.com)

Tel: 0161 953 6900



## CHESHIRE FIRE AUTHORITY

**MEETING OF:** GOVERNANCE AND CONSTITUTION COMMITTEE  
**DATE:** 19<sup>TH</sup> APRIL 2023  
**REPORT OF:** DIRECTOR OF GOVERNANCE  
**AUTHOR:** ANDREW LEADBETTER

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**SUBJECT:** REVIEW OF MEMBERS' CODE OF CONDUCT

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### Purpose of Report

1. To allow Members to consider whether there should be any changes to the Members' Code of Conduct (the Code).

### Recommended: That Members

- [1] Consider the Members' Code of Conduct and determine whether any changes need to be recommended to the Fire Authority.

### Background

2. The Code was adopted by the Fire Authority in December 2021. It is almost entirely based on the Local Government Association's Model Councillor Code of Conduct 2020 (the Model Code).
3. The constituent authorities have all adopted Members' codes of conduct that are closely based on the Model Code. This provides a consistency of approach that was missing before the Model Code was created in 2020.

### Information

4. The Code is attached to this report as Appendix 1.
5. As it is now nearly 18 months since the Code was adopted it seems appropriate to consider whether it needs to be updated/changed.
6. The Model Code has not been updated since it was published. Nor has any further guidance been issued by the Local Government Association since the Code was adopted by the Fire Authority. In addition, it does not appear that the constituent authorities have made changes to their Members' codes since they were adopted.
7. There have been no complaints about Members since the Code was adopted.

8. In light of the above, officers believe that the Code is fit for purpose and does not require any substantive change at this point. However, if the Independent Audit Committee Member becomes a co-opted member of the Audit Committee, a minor change to the 'Definitions' section of the Code should be made.

9. Members can see the current wording in Appendix 1. It is suggested that the Note under paragraph 1) is altered so that it reads:

*The Fire Authority has a co-opted member (the Independent Audit Committee Member) and an independent non-elected member who has an advisory role and is not co-opted. The co-opted member is subject to this Code. The independent non-elected member is expected to act within the spirit of this Code.*

10. The legal definition of co-opted member appears in the Legal Implications section.

## **Financial Implications**

11. There are no financial implications arising from this report.

## **Legal Implications**

12. A co-opted member is defined in the Section 27(4) of the Localism Act as "a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

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

## **Equality and Diversity Implications**

13. There are none.

## **Environmental Implications**

14. There are none.

**CONTACT: DONNA LINTON, CLEMONDS HEY, WINSFORD**

**TEL [01606] 868804**

**BACKGROUND PAPERS: NONE**

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

### **1. INTRODUCTION**

This Code of Conduct is based on the Local Government Association's Model Councillor Code of Conduct 2020. It contains statements made by a Member of the Fire Authority that is subject to this Code of Conduct. It was adopted by Cheshire Fire Authority on 8<sup>th</sup> December 2021.

Guidance about Member conduct can be found in the LGA's Model Councillor Code of Conduct 2020 and in separate, more detailed, Guidance issued by the LGA. Amongst other things the guidance explains when the Code of Conduct applies.

### **2. DEFINITIONS**

For the purpose of this Code of Conduct:

- 1) References to "councillor" means a member or co-opted member of the Fire Authority.

Note: The Fire Authority does not have any co-opted members. However, it does have an independent non-elected member. That member has no right to vote, but is expected to act within the spirit of this Code of Conduct.

- 2) References to "local authority" or "council" means Cheshire Fire Authority and/or Cheshire Fire and Rescue Service.

### **3. STATEMENTS MADE BY FIRE AUTHORITY MEMBERS**

#### **General Principles of Conduct**

I am aware of the Seven Principles of Public Life (which can be found at Appendix A to this Code of Conduct) which I will uphold. I make the following statements concerned with General Principles of Conduct that are built upon the Seven Principles:

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

### **Standards of Conduct**

#### **1. *Respect***

As a councillor:

- 1.1 I treat other councillors and members of the public with respect.
- 1.2 I treat local authority employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

#### **2. *Bullying, harassment and discrimination***

As a councillor:

- 2.1 I do not bully any person.
- 2.2 I do not harass any person.
- 2.3 I promote equalities and do not discriminate unlawfully against any person.

#### **3. *Impartially of officers of the council***

As a councillor:

- 3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

#### **4. *Confidentiality and access to information***

As a councillor:

- 4.1 I do not disclose information:
  - a) given to me in confidence by anyone
  - b) acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
    - i. I have received the consent of a person authorised to give it;
    - ii. I am required by law to do so;
    - iii. The disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or

iv. the disclosure is:

1. reasonable and in the public interest; and
2. made in good faith and in compliance with the reasonable requirements of the local authority; and
3. I have consulted the Monitoring Officer prior to its release.

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

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

5. ***Disrepute***

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

6. ***Use of position***

As a councillor:

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

7. ***Use of local authority resources and facilities***

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- a) act in accordance with the local authority's requirements; and
- b) ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

8. ***Complying with the Code of Conduct***

As a councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

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

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

9. **Interests**

As a councillor:

9.1 I register and disclose my interests.

10. **Gifts and Hospitality**

As a councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

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

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

## **Appendix A – The Seven Principles of Public Life**

The Principles are:

### *Selflessness*

Holders of public office should act solely in terms of the public interest.

### *Integrity*

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

### *Objectivity*

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

### *Accountability*

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

### *Openness*

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

### *Honesty*

Holders of public office should be truthful.

### *Leadership*

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## **Appendix B – Registering and Declaration of Interests**

This Appendix tells me about my obligations in relation to the registering and declaration of interests.

I understand that a failure to register or disclose a Disclosable Pecuniary Interest is a criminal offence under the Localism Act 2011.

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

“Disclosable Pecuniary Interest” means an interest of yourself, or your partner if you are aware of your partner’s interest, within the descriptions set out in Table 1 below.

“Partner” means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept-up-to-date and within 28 days of becoming aware of any new interest, or any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

### **Non participation in case of Disclosable Pecuniary Interest**

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a Disclosable pecuniary interest.



## Disclosure of Other Registerable Interests

5. Where a matter arises at a meeting which ***directly relates*** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

## Disclosure of Non-Registerable Interests

6. Where a matter arises at a meeting which directly relates to your financial interest or wellbeing (and is not a Disclosable Pecuniary Interest set out in table 1) or a financial interest or wellbeing of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
7. Where a matter arises at a meeting which affects –
  - a. Your own financial interest or wellbeing;
  - b. A financial interest or wellbeing of a relative or close associate; or
  - c. A financial interest or wellbeing of a body included under Other Registerable Interests as set out in Table 2

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

8. Where a matter (referred to in paragraph 7 above) affects the financial interest or wellbeing:
  - a. To a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - b. A reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation

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

**Table 1 – Disclosable Pecuniary Interests**

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

<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.
SPONSORSHIP	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
CONTRACTS	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
LAND AND PROPERTY	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
LICENCES	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.
CORPORATE TENANCIES	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
SECURITIES	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either—

	(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were.
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\* 'director' includes a member of the committee of management or an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## Table 2 – Other Registerable Interests

You must register as an Other Registerable Interest:

- a) Any unpaid directorships
- b) Any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) Any body
  - i. Exercising functions of a public nature
  - ii. Directed to charitable purposes or
  - iii. One of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

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

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## CHESHIRE FIRE AUTHORITY

**MEETING OF:** AUDIT COMMITTEE  
**DATE:** 19<sup>TH</sup> APRIL 2023  
**REPORT OF:** DIRECTOR OF GOVERNANCE  
**AUTHOR:** ANDREW LEADBETTER

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**SUBJECT:** RESPONSIBILITIES OF AUDIT COMMITTEE (AND ANCILLARY MATTERS)

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### Purpose of Report

1. To allow Members to consider:

Proposed broader responsibilities of the Audit Committee and certain ancillary matters, e.g. training requirements; and

Associated changes to the wider arrangements of the Fire Authority, with a view to making recommendations to the Governance and Constitution Committee.

### Recommended: That Members

- [1] Confirm that they are satisfied with the description of the role of the Audit Committee and the approach to the handling of key documents/decisions; and
- [2] Make recommendations to Governance and Constitution Committee concerning the following matters: Purpose; Responsibilities; Membership (including status of Independent Audit Committee Member); Attendance; Training; and Meeting Frequency and Outputs (noting the changes to the wider arrangements of the Fire Authority, e.g. risk management).
- [3] Note the changes to the Constitution that would be required if the responsibilities of Audit Committee are adopted as set out in this report.

### Background

2. The Audit Committee first met in November 2022. It decided that officers should 'submit a report reviewing the responsibilities of existing committee arrangements and provide proposals/options to the Governance and Constitution Committee.' The current responsibilities of the Audit Committee are attached to this report as **Appendix 1**.

3. Since then an informal discussion has taken place involving officers and members of the Audit Committee. This was framed by reference to 'CIPFA's *Position Statement: Audit Committee in Local Authorities and Police 2022*' (the CIPFA Position Statement) which is attached to this report as **Appendix 2**. Members of this Committee indicated that they were amenable to an expansion of its responsibilities. Some other Members of the Fire Authority have also been informally canvassed for their views and did not express any concerns about the potential impact on other decision-making bodies if the Audit Committee's responsibilities were expanded.

## Information

### Role of Audit Committee

4. The CIPFA guidance 'Audit committees: practical guidance for local authorities and police – 2022 edition' (the Guidance) is a really useful document and will undoubtedly be referred to in future meetings of the Committee, e.g. to consider an evaluation methodology to determine its effectiveness. However, some of the advice in the Guidance does seem to conflict with what occurs in practice at a number of local authorities. It states:

*Currently, some authorities have delegated decisions such as the approval of the financial statements to the audit committee. This takes audit beyond its advisory role.*

5. The Guidance goes on to say, *CIPFA recommends that the audit committee remains an advisory committee and does not have delegated powers.*
6. Officers have met with External and Internal Audit colleagues and they have been very helpful in sharing their experience of how audit committees function in other local authority settings. With the benefit of this information officers believe that the Audit Committee should deal with a number of key documents/decisions that have typically been considered/taken by the Fire Authority.
7. In recent years the following items have been considered by the Fire Authority:
  - a. External Audit Plan
  - b. Internal Audit Plan
  - c. External Audit Findings Report
  - d. Final Accounts and Annual Governance Statement
  - e. External Auditor's Annual Report
8. The following paragraphs describe how officers envisage these key items would be dealt with if Audit Committee's responsibilities are broadened:

Items a. and b. (paragraph 7) will be considered by the Audit Committee and the Fire Authority this year (prior to the delegation being in place), but in future years they will only be considered by the Audit Committee.

Items c. and d. (paragraph 7) will no longer be considered by the Fire Authority

Item e. (paragraph 7) will be considered by the Audit Committee before the Fire Authority receives the report. This will be the only key item that will be dealt with by the Fire Authority.

9. As the Audit Committee is expected to have a strategic overview of risk the Risk Management Board will no longer take place in its current format. It will be removed from the list of Member bodies. However, officers will continue to meet formally to discuss risk, probably quarterly.
10. The Audit Committee is expected to fulfil the responsibilities that typically were the domain of the Closure of Accounts Committee (until now the Performance and Overview Committee).
11. It is understood that Performance and Overview Committee will continue to consider reports from His Majesty's Inspectorate of Constabulary and Fire & Rescue Services and monitor progress against any recommended actions. However, Audit Committee will consider any aspects of such reports that relate to the areas within its responsibility.

#### Responsibilities of Audit Committee and Ancillary Matters

12. Officers believe that it would be helpful to describe the Audit Committee arrangements in a similar way to those of the Pension Board, i.e. in addition to setting out the responsibilities, there should be additional sections covering: Purpose; Membership; Attendance; Training; and Meeting Frequency and Outputs.

#### Purpose

13. Page 2 of the CIPFA Position Statement includes a section which sets out the purpose of an audit committee. The purpose of the Audit Committee could be summarised as:

***To provide an independent high-level focus on the adequacy of governance, risk and control arrangements.***

#### Responsibilities

14. Taking into account the various discussions that have taken place involving Members, auditors and officers, rather than agonising over the drafting of the responsibilities of the Audit Committee, it is suggested that the language and descriptions contained in the CIPFA Position Statement are adopted. These are reproduced below:

## Core functions

The core functions of the audit committee are to provide oversight of a range of core governance and accountability arrangements, responses to the recommendations of assurance providers and helping to ensure robust arrangements are maintained.

The specific responsibilities include:

### Maintenance of governance, risk and control arrangements

- Support a comprehensive understanding of governance across the organisation and among all those charged with governance, fulfilling the principles of good governance.
- Consider the effectiveness of the authority's risk management arrangements. It should understand the risk profile of the organisation and seek assurances that active arrangements are in place on risk-related issues, for both the body and its collaborative arrangements.
- Monitor the effectiveness of the system of internal control, including arrangements for financial management, ensuring value for money, supporting standards and ethics and managing the authority's exposure to the risks of fraud and corruption.

### Financial and governance reporting

- Be satisfied that the authority's accountability statements, including the annual governance statement, properly reflect the risk environment, and any actions required to improve it, and demonstrate how governance supports the achievement of the authority's objectives.
- Support the maintenance of effective arrangements for financial reporting and review the statutory statements of account and any reports that accompany them.

### Establishing appropriate and effective arrangements for audit and assurance

- Consider the arrangements in place to secure adequate assurance across the body's full range of operations and collaborations with other entities.
- In relation to the authority's internal audit functions:
  - oversee its independence, objectivity, performance and conformance to professional standards
  - support effective arrangements for internal audit
  - promote the effective use of internal audit within the assurance framework.
- Consider the opinion, reports and recommendations of external audit and inspection agencies and their implications for governance, risk management or control, and monitor management action in response to the issues raised by external audit.
- Contribute to the operation of efficient and effective external audit arrangements, supporting the independence of auditors and promoting audit quality.
- Support effective relationships between all providers of assurance, audits and inspections, and the organisation, encouraging openness to challenge, review and accountability.



## Membership

15. Whilst this has previously been settled; the Audit Committee is comprised of four elected Members and one Independent Audit Committee Member, the CIPFA Position Statement does recommend that consideration should be given to the inclusion of two co-opted independent audit committee members. However, the CIPFA Position Statement indicates that the Audit Committee should not be large. Members indicated that they were comfortable with one independent audit committee member at this point.
16. Given the recommendation in the CIPFA Position Statement it would seem appropriate to make the independent audit committee member a co-opted member; to date the appointment has been expressed as being an advisory role. A co-opted independent audit committee member would have an enhanced status, e.g. a right to vote in the majority of instances where a vote was necessary. The following paragraphs summarises the membership situation, including co-option of the Independent Audit Committee Member.

### ***Membership***

***Four elected Members drawn from the membership of the Governance and Constitution Committee (appointed in political proportion). Plus one co-opted Independent Audit Committee Member.***

***The Chair of the Audit Committee will be one of the four elected Members.***

## Attendance

17. It is important that the Audit Committee has relevant officers and advisers in attendance. To emphasise this, the following list could be adopted.

### ***Attendees***

***In addition to the Audit Committee members, the individuals fulfilling the following roles will be expected to attend each meeting of the Audit Committee:***

- ***Chief Fire Officer and Chief Executive, or Deputy Chief Fire Officer, or Assistant Chief Fire Officer***
- ***Treasurer/Section 151 Officer and/or Head of Finance (or similar role(s))***
- ***Monitoring Officer***
- ***Internal Audit representative***
- ***External Audit representative***
- ***Officer responsible for risk management***

***Other officers can be required to attend upon request from the Committee.***

### Training

18. CIPFA Position Statement states, *While expertise in the area within the remit of the committee is very helpful, the attitude of committee members and willingness to have appropriate training are of equal importance.*
19. There are other references to training in the Guidance. In view of this the following requirement seems apt.

### ***Training***

***All members of the Audit Committee are expected to undertake training. The Treasurer/Section 151 Officer will, in consultation with the External Auditor and Internal Auditor, prepare a training plan which will be approved by the Audit Committee. The Treasurer/Section 151 Officer will secure delivery of the training plan.***

### Meeting Frequency and Outputs

20. The CIPFA Position Statement states that the Audit Committee: *should meet regularly, at least four times a year and report annually on how the committee has complied with this position statement, discharged its responsibilities, and include an assessment of performance.* It also states that the committee *should evaluate its impact and identify areas of improvement.* With these requirements in mind it is suggested that the following paragraph should be included in the description of the Committee:

### ***Meeting Frequency and Outputs***

***The Audit Committee must meet regularly and in any event no less than four times a year. The timing of meetings will be co-ordinated taking into account various reporting requirements.***

***The Audit Committee must prepare an annual report, which will include an evaluation of its impact.***

## Changes to the Constitution

21. The following changes have been prepared on the basis that Members approve the changes to the responsibilities of Audit Committee.

22. Responsibilities of the Fire Authority

3.20	Remove	Considers External Audit Findings and Value for Money Conclusion report (including approval of Audit Arrangements and Fees).
	Insert	Considers External Auditor's Annual Report.
3.23	Amend	Remove reference to Risk Management Board and insert Audit Committee.
List of Plans etc.	Remove	External Audit Plan and Internal Audit Strategy

23. Responsibilities of Performance and Overview Committee

3.30	Remove	Act as Closure of Accounts Committee.
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24. Responsibilities of Governance and Constitution Committee

3.45	Add Wording (in brackets)	Secures appropriate corporate governance arrangements (with the assistance of Audit Committee) and monitors them.
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25. Risk Management Board

3.87 to 3.91	Remove	All references to Risk Management Board
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## **Financial Implications**

26. There are likely to be some additional costs associated with compliance with the CIPFA Position Statement, e.g. the required training might need to be delivered by an external provider.

## **Legal Implications**

27. It is believed that the arrangements described in the report comply with the legal framework concerned with audit. However, the Audit Committee will consider and help refine the arrangements as its work develops.

## **Equality and Diversity Implications**

28. There are no equality and diversity implications arising from this report.

## **Environmental Implications**

29. There are no environmental implications arising from this report.

**CONTACT: DONNA LINTON, GOVERNANCE AND CORPORATE PLANNING  
MANAGER - TEL [01606] 868804**

## **APPENDIX 1**

### **Purpose of the Committee**

The responsibilities of the Committee are set out below:

To monitor the adequacy and effectiveness of the external audit of the Authority's services and functions and to:

- I. Approve the nature and scope of the external audit of the Authority's services and functions;
- II. Consider external audit reports;
- III. Monitor the Authority's response to the external auditor's findings and the implementation of external audit recommendations.

To monitor the adequacy and effectiveness of the internal audit arrangements and to:

- I. Approve the annual Internal Audit Plan;
- II. Monitor progress against the Plan through the receipt of periodic progress reports and an annual Internal Audit Report;
- III. Consider any internal audit that provides less than substantial assurance and/or includes any high or critical risk ratings;
- IV. Monitor the response to Internal Audit Reports and the implementation of recommendations.

## APPENDIX 2

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### CIPFA's Position Statement: Audit Committees in Local Authorities and Police 2022

#### Scope

This position statement includes all principal local authorities in the UK, corporate joint committees in Wales, the audit committees for PCCs and chief constables in England and Wales, PCCFRAs and the audit committees of fire and rescue authorities in England and Wales.

The statement sets out the purpose, model, core functions and membership of the audit committee. Where specific legislation exists (the Local Government & Elections (Wales) Act 2021 and the Cities and Local Government Devolution Act 2016), it should supplement the requirements of that legislation.

#### Status of the position statement

The statement represents CIPFA's view on the audit committee practice and principles that local government bodies in the UK should adopt. It has been prepared in consultation with sector representatives.

CIPFA expects that all local government bodies should make their best efforts to adopt the principles, aiming for effective audit committee arrangements. This will enable those bodies to meet their statutory responsibilities for governance and internal control arrangements, financial management, financial reporting and internal audit.

The 2022 edition of the position statement replaces the 2018 edition.

**The Department for Levelling Up, Housing and Communities and the Home Office support this guidance.**

## CIPFA's Position Statement 2022: Audit committees in local authorities and police

### Purpose of the audit committee

Audit committees are a key component of an authority's governance framework. Their purpose is to provide an independent and high-level focus on the adequacy of governance, risk and control arrangements. The committee's role in ensuring that there is sufficient assurance over governance risk and control gives greater confidence to all those charged with governance that those arrangements are effective.

In a local authority the full council is the body charged with governance. The audit committee may be delegated some governance responsibilities but will be accountable to full council. In policing, the police and crime commissioner (PCC) and chief constable are both corporations sole, and thus are the individuals charged with governance.

The committee has oversight of both internal and external audit together with the financial and governance reports, helping to ensure that there are adequate arrangements in place for both internal challenge and public accountability.

### Independent and effective model

The audit committee should be established so that it is independent of executive decision making and able to provide objective oversight. It is an advisory committee that has sufficient importance in the authority so that its recommendations and opinions carry weight and have influence with the leadership team and those charged with governance.

The committee should:

- be directly accountable to the authority's governing body or the PCC and chief constable
- in local authorities, be independent of both the executive and the scrutiny functions
- in police bodies, be independent of the executive or operational responsibilities of the PCC or chief constable
- have rights of access to and constructive engagement with other committees/functions, for example scrutiny and service committees, corporate risk management boards and other strategic groups
- have rights to request reports and seek assurances from relevant officers
- be of an appropriate size to operate as a cadre of experienced, trained committee members. Large committees should be avoided.

The audit committees of the PCC and chief constable should follow the requirements set out in the Home Office Financial Management Code of Practice and be made up of co-opted independent members.

The audit committees of local authorities should include co-opted independent members in accordance with the appropriate legislation.

Where there is no legislative direction to include co-opted independent members, CIPFA recommends that each authority audit committee should include at least two co-opted independent members to provide appropriate technical expertise.

### Core functions

The core functions of the audit committee are to provide oversight of a range of core governance and accountability arrangements, responses to the recommendations of assurance providers and helping to ensure robust arrangements are maintained.

The specific responsibilities include:

#### Maintenance of governance, risk and control arrangements

- Support a comprehensive understanding of governance across the organisation and among all those charged with governance, fulfilling the principles of good governance.
- Consider the effectiveness of the authority's risk management arrangements. It should understand the risk profile of the organisation and seek assurances that active arrangements are in place on risk-related issues, for both the body and its collaborative arrangements.
- Monitor the effectiveness of the system of internal control, including arrangements for financial management, ensuring value for money, supporting standards and ethics and managing the authority's exposure to the risks of fraud and corruption.

#### Financial and governance reporting

- Be satisfied that the authority's accountability statements, including the annual governance statement, properly reflect the risk environment, and any actions required to improve it, and demonstrate how governance supports the achievement of the authority's objectives.
- Support the maintenance of effective arrangements for financial reporting and review the statutory statements of account and any reports that accompany them.

#### Establishing appropriate and effective arrangements for audit and assurance

- Consider the arrangements in place to secure adequate assurance across the body's full range of operations and collaborations with other entities.
- In relation to the authority's internal audit functions:



- oversee its independence, objectivity, performance and conformance to professional standards
- support effective arrangements for internal audit
- promote the effective use of internal audit within the assurance framework.
- Consider the opinion, reports and recommendations of external audit and inspection agencies and their implications for governance, risk management or control, and monitor management action in response to the issues raised by external audit.
- Contribute to the operation of efficient and effective external audit arrangements, supporting the independence of auditors and promoting audit quality.
- Support effective relationships between all providers of assurance, audits and inspections, and the organisation, encouraging openness to challenge, review and accountability.

#### Audit committee membership

To provide the level of expertise and understanding required of the committee, and to have an appropriate level of influence within the authority, the members of the committee will need to be of high calibre. When selecting elected representatives to be on the committee or when co-opting independent members, aptitude should be considered alongside relevant knowledge, skills and experience.

Characteristics of audit committee membership:

- A membership that is trained to fulfil their role so that members are objective, have an inquiring and independent approach, and are knowledgeable.
- A membership that promotes good governance principles, identifying ways that better governance arrangement can help achieve the organisation's objectives.
- A strong, independently minded chair, displaying a depth of knowledge, skills, and interest. There are many personal skills needed to be an effective chair, but key to these are:
  - promoting apolitical open discussion
  - managing meetings to cover all business and encouraging a candid approach from all participants
  - maintaining the focus of the committee on matters of greatest priority.
- Willingness to operate in an apolitical manner.

- Unbiased attitudes – treating auditors, the executive and management fairly.
- The ability to challenge the executive and senior managers when required.
- Knowledge, expertise and interest in the work of the committee.

While expertise in the areas within the remit of the committee is very helpful, the attitude of committee members and willingness to have appropriate training are of equal importance.

The appointment of co-opted independent members on the committee should consider the overall knowledge and expertise of the existing members.

### Engagement and outputs

The audit committee should be established and supported to enable it to address the full range of responsibilities within its terms of reference and to generate planned outputs.

To discharge its responsibilities effectively, the committee should:

- meet regularly, at least four times a year, and have a clear policy on those items to be considered in private and those to be considered in public
- be able to meet privately and separately with the external auditor and with the head of internal audit
- include, as regular attendees, the chief finance officer(s), the chief executive, the head of internal audit and the appointed external auditor; other attendees may include the monitoring officer and the head of resources (where such a post exists). These officers should also be able to access the committee members, or the chair, as required
- have the right to call on any other officers or agencies of the authority as required; police audit committees should recognise the independence of the chief constable in relation to operational policing matters
- support transparency, reporting regularly on its work to those charged with governance
- report annually on how the committee has complied with the position statement, discharged its responsibilities, and include an assessment of its performance. The report should be available to the public.

### Impact

As a non-executive body, the influence of the audit committee depends not only on the effective performance of its role, but also on its engagement with the leadership team and those charged with governance.

The committee should evaluate its impact and identify areas for improvement.