

Minutes of the meeting of the  
GOVERNANCE COMMITTEE held in  
the Fire and Rescue Service  
Headquarters, Barmston Mere on  
MONDAY, 30<sup>TH</sup> MARCH, 2009 at  
10.30 a.m.

**Present:**

Mr. G.N. Cook in the Chair

Councillors Bell, Charlton, M. Forbes and Woodwark and Miss G. Goodwill and  
Mr. J. Paterson.

**In Attendance:**

Lynn Hunt - Audit Commission

**Apologies for Absence**

There were no apologies for absence.

**Declarations of Interest**

There were no declarations of interest.

**Minutes**

15. RESOLVED that the minutes of the last meeting held on 22<sup>nd</sup> September, 2008 (circulated) be confirmed and signed as a correct record.

## **Annual Audit and Inspection Letter – Audit 2007/2008**

The Chief Fire Officer, the Clerk to the Authority and the Finance Officer submitted a joint report (circulated) providing the Committee with an overview of the content of the Audit Commission's Annual Audit and Inspection Letter for 2007/2008 compiled from the findings arising from the various audits they had undertaken during 2007/2008.

(For copy report – see original minutes).

Lynn Hunt informed the Committee of the key messages contained in the Audit Letter. The Audit Letter noted that Tyne and Wear Fire and Rescue Authority was Improving Well and had made significant progress in most areas of performance. The Authority contributed to wider community outcomes via effective partnership working and used this involvement to identify communities who were at risk.

Members were pleased to note that the Authority was judged to be Performing Strongly with regard to the Use of its Resources Assessment. A particular achievement worth highlighting was the notable practice in relation to the quality of the financial planning and reporting processes and the arrangements for producing year end account that had been identified by the Auditors.

A discussion then ensued in relation to the areas of action needed by the Authority as detailed within the letter –

- The Authority should carry out Service reviews with a clearer focus on delivering financial savings, and update procurement strategies in line with best practice. The Audit Commission's report 'Rising to the Challenge' highlighted a number of potential areas where Fire and Rescue Services could improve efficiency and value for money.
- The regional control room was due to go operational in 2010 and managing the transition would be a key risk for the Authority. Members should ensure they receive timely information relating to the project, to confirm that risks relating to operational continuity, workforce planning and financial exposure were adequately managed.

In response to this specific issue Councillor M. Forbes commented that she felt that the information presented to Members by the Authority was both timely and thorough and that it was Government which had failed to provide regular updates.

- Strategies for improving equality and diversity should be more explicit about the benefits to Service delivery that this would achieve. Opportunities also existed to integrate specific initiatives and activities with regular duties of front line staff.

CFO I. Bathgate informed Members that the number of applications received from women and ethnics had increased significantly on previous years, however approximately 80% of these applicants had failed the one or more of the selection tests which included tests of strength. At the present time the Authority employed 44 female firefighters, however the number of ethnic staff was much lower.

In response to a question from Mr. Paterson on the benefits of having a workforce representative of the community, Mr. Bathgate advised the Committee that this helped inform the Service's understanding of cultural issues and as a consequence enabled the services provided by the Authority to be further developed.

At this juncture Councillor Woodwark reminded Members that during the last recruitment process, the number of successful ethnic applicants had met the new stretch target. The Chief Fire Officer agreed, and acknowledged that much work was still to be done in this area.

The Chief Fire Officer recorded his appreciation for the excellent work undertaken by the Finance Officers of the Authority which had resulted in a Level 4 score. In addition, he stated that the Authority would continue to look at the services they provided and ways in which they could be further improved.

16. RESOLVED that:-

- (i) the content of the Annual Audit and Inspection Letter for 2007/2008 with regard to the potential consequences for future service provision be noted; and
- (ii) further reports be received as appropriate.

### **Internal Audit Services – Internal Audit Operational Plan for 2009/2010**

The Finance Officer submitted a report (circulated) to consider and endorse the proposed Internal Audit Operational Plan for 2009/2010.

(For copy report – see original minutes).

Paul Davies, (representing the Finance Officer), outlined the report to Members. In doing so, he explained that the following audits were planned for 2009/2010:-

- Training and Development (12 days),
- Income (12 days),
- Performance and Financial Management (12 days)
- Risk Management Arrangements (10 days),
- Payroll (12 days),
- Creditors (12 days),
- Recruitment and Induction (10 days),
- ICT Sustainability – Green IT (18 days), and
- Emergency Planning Unit (EPU) – Management of IT Risks (15 days)

In addition, unforeseen work could arise due to new areas of service or increased risk which was appropriate to prompt an audit in the year. Therefore, in order to allow some flexibility, a contingency allowance was also made to enable such work to be undertaken without adversely affecting the delivery of the planned audit work.

Councillor Woodwork commented that he welcomed the 'Green IT' Audit which intended to review the arrangements in place in relation to asset lifecycles and recycling, deployment and use of printers and consumables and alternatives, and emissions management.

Referring Members to Annex 1, Mr. Davies pointed out that the average number of days between end of fieldwork to issue draft report had reduced from 15 to 10 days.

It was:-

17. RESOLVED that the proposed Internal Audit Operational Plan be approved.

### **Complaints Against Councillors**

The Deputy Clerk submitted a report (circulated) seeking the Committee's approval to the contents of the protocols dealing with Complaints against Councillors, which would then be included as part of the Authority's Constitution.

(For copy report – see original minutes).

The Deputy Clerk referred the Committee to the two documents appended to the report:- Dealing with Complaints against Councillors and Local Code of Conduct Complaint Process and highlighted the following areas:-

#### **Part 3 – Procedure for Local Investigation by the Monitoring Officer**

This Part had been amended to reflect that, generally, it was now the Governance Committee (rather than an ESO) who would refer a complaint to the Monitoring Officer for investigation.

#### **Part 4 – Procedure if the Standards Board refers an allegation to an Ethical Standards Officer for investigation**

This was a new section. It was based on information from the Standards Board website and gave information about an investigation by an Ethical Standards Officer.

#### **Part 5 – Procedure for Local Determination**

This had been amended to reflect the fact that local determinations would now follow either an investigation by the Monitoring Officer or, more rarely, an investigation by an ESO.

The penalties in Schedule 2 of Part 5 had also been updated.

## **Part 7 – Media Protocol**

This Part had been prepared to guide media activity following receipt of a complaint.

At this juncture, the Deputy Clerk advised the Members that he would produce a copy of the documents appended to the report in a format which could be inserted into a copy of the Constitution. Members agreed that this would be useful.

It was:-

18. RESOLVED that the Procedures for dealing with Complaints against Councillors be approved and included in the Authority's Constitution.

### **Annual Report on the Work of the Governance Committee**

The Deputy Clerk submitted a report (circulated) to annually report on the work of the Governance Committee.

(For copy report – see original minutes).

The Deputy Clerk advised that the Standards Board for England had required Monitoring Officers to complete quarterly returns on activity since the local assessment of complaints regime came into force on 8<sup>th</sup> May, 2008. Accordingly, it was considered appropriate to prepare an annual report summarising the work of the Committee in relation to Standards issues over the last Civic year.

In the interests of transparency it was proposed to put the register of Members' interests on the Authority's website. This accorded with the Audit Commission's views.

Councillor Woodwark welcomed the proposal however expressed his concern that signatures were enclosed on the interest forms and that this could result in fraud. As a result of this, Members were advised that signatures would be removed before being included on the website.

It was:-

19. RESOLVED that the contents of the report be noted.

### **Summary of the Case Tribunals (England) Regulations 2008**

The Deputy Clerk submitted a report (circulated) summarising the Case Tribunals (England) Regulations 2008.

(For copy report – see original minutes).

The Case Tribunals (England) Regulations 2008 came into effect on 12<sup>th</sup> December, 2008 and introduced provisions relating to matters which had been referred to a case tribunal of the Adjudication Panel to deal with. The sanctions available ranged from censuring a Member or requiring them to participate in a process of conciliation, to disqualifying a Member from office for 5 years.

Consideration having been given to the matter, it was:-

20. RESOLVED that the contents of the report be noted.

### **2009 Annual Assembly of Standards Committees – Bringing Standards into Focus**

The 2009 Annual Assembly of Standards Committees entitled “Bringing Standards into Focus” would be held on 12<sup>th</sup> and 13<sup>th</sup> October at the International Convention Centre, Birmingham.

In response to delegate feedback, this year’s Assembly programme was more practical. The Standards Board for England was working with a forum of Monitoring Officers, Independent Chairs and Standards Committee Members to develop a range of workshops, plenary sessions and advice clinics that gave delegates the opportunity to focus on how they were delivering local standards and to share good practice, ideas and innovations.

The Chairman advised the Committee that both himself and the Vice-Chair together with the Deputy Clerk would be attending and invited other Members of the Committee to attend if they wished to do so.

21. RESOLVED that the Chair, Vice-Chair and Miss Goodwill (Independent Member) attend the Conference.

(Signed) G.N. COOK,  
Chairman.