

TYNE AND WEAR FIRE AND RESCUE AUTHORITY

Item No 4

MEETING: 16th NOVEMBER 2015

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SUBJECT: REVISED STANDING ORDERS

JOINT REPORT OF THE CHIEF FIRE OFFICER AND THE DEPUTY CLERK TO  
THE AUTHORITY

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1 PURPOSE OF THE REPORT

- 1.1 The purpose of this report is seek Authority approval of a revised and updated set of Standing Orders for the Authority.

2 BACKGROUND

- 2.1 Under Standing Orders (Terms of Reference section 2.3) it is the role of the Authority to make, alter and revoke Standing Orders and Financial Regulations. It is part of the duties of the Monitoring Officer (Terms of Reference section 11.1) to maintain an up-to-date version of Standing Orders and ensure that it is widely available for consultation by members, staff and the public.

- 2.2 The Standing Orders have been periodically updated based on legislative and policy changes and it is considered timely to bring a revised set to the Authority for approval. The proposed Standing Orders are set out in an Appendix which has been printed separately to the main agenda and reports, for ease of reference.

- 2.3 The Standing Orders comprise:

- **Part 1: Standing Orders** (covering the conduct of Authority meetings and other business, including the treatment of procurement and contracts)
- **Part 2: Financial Regulations** (setting out roles and responsibilities in terms of financial matters; and regulations covering financial planning and budgetary control, accounting, internal audit, purchasing, income, banking, orders for goods and services, payments, employee related expenses, imprest and petty cash, insurance and risk management, treasury management, reimbursement of expenses, security and control of assets, record of contracts for capital works, grants from external bodies, acquisition of land and buildings and partnerships).
- **Part 3: Delegation scheme** (setting out the duties of the Chief Fire Officer and other senior advisors to the Authority)

- **Part 4: Terms of Reference** (setting out the duties of the Authority, its sub committees and designated office holders, as well as the statutory functions of the Finance Officer and Monitoring Officer)
- **Part 5: Codes of Conduct** (setting out codes of conduct for members and employees, including the procedures for dealing with standards issues)
- **Part 6: Members' allowances scheme**

### 3 **PROPOSED CHANGES**

3.1 The proposed revisions to the Standing Orders take account of the following:

- The removal of the role of Chief Emergency Planning Officer (18 July 2011, minute 16 refers). References to this role have been removed throughout the Standing Orders.
- The introduction of a Local Pension Board in relation to the firefighters' pension scheme (23 March 2015, minute 80/15 refers). A section on this is added to the Terms of Reference (section 11).
- The introduction of the Surplus Asset Policy: Community Benefit (20 July 2015, minute 14 refers). The CFO's delegated powers have been updated to take account of this.
- The introduction of delegated powers for the CFO to deal with expressions of interest (EOI) submitted in relation to the community right to challenge under the Localism Act 2011. This is the process under which certain persons and organisations may trigger a procurement process in respect of any services that are currently provided by or on behalf of the authority in exercise of its functions. Members will be familiar with this community right as it affects their own authorities and may be aware that an authority is entitled to specify the periods of time during which EOI for the provision of relevant services may be submitted. It is suggested that this period should be 1 June to 31 July so that the determination of the EOI and any subsequent procurement process can begin prior to the budget setting process for the next financial year.
- Amendments to clerking arrangements as agreed with Sunderland Council as part of a joint review of our service level agreement. This transfers the role of Clerk to the Chief Fire Officer, with the statutory roles of Finance Officer and Monitoring Officer (also Deputy Clerk) unchanged, provided by Sunderland Council. This is reflected in amendments throughout the Standing Orders.

- The role of Chief Fire Officer is redesignated Chief Fire Officer and Chief Executive. This is in line with the findings of the 2014 Fire Peer Challenge (8 June 2015, minute 8ii refers).

3.2 The revised Standing Orders also propose changes to delegated spending limits. In respect of virement between budgets, the following is proposed (Financial Regulations 2.8.8):

<b>Delegation</b>	<b>Current delegated limit</b>	<b>Proposed delegated limit</b>
Approval of the CFO	Up to £22,000	Up to £50,000
Approval of CFO in consultation with Finance Officer	£22,000 to £55,000	£50,000 to £100,000
Approval of Finance Officer and Authority	Over £55,000	Over £100,000

3.3 For procurement, the following thresholds are proposed (Standing Orders sections E3.4 and 5.1):

<b>Delegation</b>	<b>Current delegated limit</b>	<b>Proposed delegated limit</b>
CFO may purchase with due regard to value for money, keeping a record	Below £20,000	£20,000
CFO shall seek a specified number of written quotations or document reasons why not	£20,000 to £50,000	£20,000 to the applicable EU threshold – procurement strategy to be agreed by CFO in discussion with Procurement Services (options are set out in Standing Orders)
A tendering process shall apply	Above £50,000	
The CFO may accept a tender if it is the Most Economically Advantageous Tender (MEAT) and the lowest	Below £250,000	Below £500,000
The CFO must obtain the approval of the Finance Officer if it is the MEAT but not the lowest	Below £250,000	Below £500,000
The Authority must approve acceptance of a tender	Above £250,000	Above £500,000
Spending on consultants- the CFO must clear spending with Finance Officer and Monitoring Officer	£10,000 to £100,000	£50,000 to £100,000
The Authority must approve a tender to use external consultants	Over £100,000	Over £100,000

#### **4 FINANCIAL IMPLICATIONS**

4.1 This report has no direct financial implications.

#### **5 HR IMPLICATIONS**

5.1 This report has no direct HR implications.

#### **6 LEGAL IMPLICATIONS**

6.1 The Standing Orders provide the operating framework for the Authority, ensuring compliance with legal requirements and good practice. The proposed changes are in line with this.

#### **7 RISK MANAGEMENT IMPLICATIONS**

7.1 This report has no direct risk management implications. The Standing Orders are in place to ensure the effective governance of the organisation and to mitigate against any risks associated with this.

#### **8 EQUALITY AND FAIRNESS IMPLICATIONS**

8.1 This report has no direct implications in terms of equality and fairness.

#### **9 HEALTH AND SAFETY IMPLICATIONS**

9.1 This report has no direct Health and Safety implications.

#### **10 RECOMMENDATIONS**

10.1 It is recommended that the Authority approves:

10.1.1 the revised set of Standing Orders, including the redesignation of the Chief Fire Officer, as set out in the report and

10.1.2 the period for submission of expressions of interest under the Community Right to Challenge as being 1 June to 31 July in any year.

**Tyne and Wear Fire  
and Rescue Authority**  
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