

## Committee Constitution

### Report of the Chief Fire Officer

For further information about this report please contact Rod Hammerton, Chief Fire Officer, on 01743 260204 or Germaine Worker, Head of Human Resources and Administration, on 01743 260210.

#### 1 Purpose of Report

This report asks Members to consider the Terms of Reference of the Standards and Human Resources Committee, following the annual review conducted by officers.

#### 2 Recommendations

The Standards and Human Resources Committee is asked to review its Terms of Reference, as set out at the Appendix to the report, and make recommendations for any necessary amendments, to the Fire Authority for agreement.

#### 3 Background

The Standards and Human Resources Committee reviews its Terms of Reference annually and this action is included in the Committee's Work Plan

The current Terms of Reference are attached as an appendix to this report.

#### 4 Proposed Amendments

Having carried out a review of the Committee's Terms of Reference, Officers do not propose any changes to them.

The Committee is however, able to review its Terms of Reference, which are attached at the Appendix to the report, and recommend any amendments that it considers necessary to the Fire Authority for agreement.

## **5 Financial Implications**

There are no direct financial implications resulting from this report.

## **6 Legal Comment**

The terms of reference contain provisions to ensure that the Fire Authority meets its obligations in respect of the ethical standards framework for Members, as required in Part 1, Chapter 7 of the Localism Act 2011.

Whilst not a legal requirement, it is good practice to undertake a regular review of the terms of reference. If any legislative changes arise, which require amendments to the terms of reference, officers will inform the Committee accordingly.

## **7 Initial Impact Assessment**

This report merely brings the existing terms of reference of the Committee to the notice of its Members. An Initial Impact Assessment has not, therefore, been completed.

## **8 Equality Impact Assessment**

There are no discriminatory practices or differential impacts upon specific groups arising from this report. An Initial Equality Impact Assessment has not, therefore, been completed.

## **9 Appendix**

Standards and Human Resources Committee Constitution

## **10 Background Papers**

There are no background papers associated with this report.

## **Constitution of the Standards and Human Resources Committee**

### **Quorum - 4**

### **Members - 7**

The Committee is politically balanced.

### **Independent Person**

C Humphries

The Independent Person, whom the Fire Authority shares with Telford & Wrekin Council, is not a member of the Standards and Human Resources Committee or the Fire Authority but can be approached to give an independent view about standards issues, either by the Monitoring Officer or the Member, about whom a complaint has been made.

### **Meeting Dates**

#### **2019**

26 March

22 October

All meetings take place at 2.00 pm at Service Headquarters, unless otherwise advised.

### **Terms of Reference**

To review at least annually, and more frequently, if changes are required sooner, its terms of reference to ensure that they are up-to-date, and make recommendations for change to the Fire Authority

To review and agree the role descriptions of the Committee's Chair and Vice-Chair

To ensure the provision of appropriate training and development to all Members of the Committee to enable them to discharge their responsibilities

To exercise such other functions as the Authority considers appropriate

### **Standards**

To promote and maintain a high standard of conduct by Members, to oversee the Register of Members' Interests and to oversee the effectiveness of the Authority's procedures for investigating and responding to complaints about Members

To advise the Authority on the adoption or revision of the Members' Code of Conduct

To assist Members to observe the Members' Code of Conduct

To advise, train, or arrange to train Fire Authority Members on matters relating to the Members' Code of Conduct

To develop, maintain and monitor the operation of such Code

To issue advice to Members on the treatment of disclosable pecuniary interests and on conduct matters generally

To oversee the process for the recruitment of an Independent Person and make recommendations to the Fire Authority for their appointment

To consider and grant, or otherwise, dispensations in respect of Members' interests where:

1. The dispensation is in the interests of persons living in the area of the Fire Authority; or
2. It is otherwise appropriate to grant a dispensation

To receive reports from the Monitoring Officer about:

- a) Complaints
- b) The progress and outcome of investigations
- c) The establishment and maintenance of the Register of Interests of Members of the Fire Authority
- d) Dispensations granted to Members of the Fire Authority

To consider any application received from any officer of the Authority for exemption from political restriction under Sections 1 and 2 of the Local Government and Housing Act 1989 in respect of the post held by that officer and may direct the Authority that the post shall not be considered to be a politically restricted post and that the post be removed from the list maintained by the Authority under Section 2(2) of that Act

To review at least annually the Role Description and Skills and Competencies for Independent Persons and make recommendations to the Fire Authority regarding any amendments required

To review the Protocols on Gifts and Hospitality and Member / Officer Relations and make recommendations to the Fire Authority regarding any amendments required

To review and amend, where required, the processes and procedures for dealing with complaints against Members

## Human Resources

To consider human resource strategies and make recommendations to the Authority

To consider reports on the progress of regional and national human resource activities and make recommendations to the Authority, where appropriate

To consider and monitor staffing requirements, the establishment scheme and human resource policies for the Authority and make recommendations to the Authority

To consider fundamental amendments to locally determined conditions of service and make recommendations to the Authority

To consider reports regarding the induction, training and development needs of Members and officers, regularly review those needs and make recommendations to the Authority

To ensure that equality of opportunity and diversity at work issues are promoted, implemented and monitored by the Authority and the Service

To review at least annually the Role Description of the Fire Authority's Equality and Diversity Champion and make recommendations to the Fire Authority regarding any amendments required

To consider reports on employee pension schemes and make recommendations to the Authority

To receive reports on Occupational Health provision and make recommendations to the Fire Authority, where appropriate

To review and amend, where required, the processes and procedures for dealing with:

- Appeals against grading and market factor supplement decisions (including rank to role)
- Grievances
- Appeals against the application or interpretation of conditions of service
- Appeals against dispute in accordance with the Collective Disputes Procedure
- Appeals Hearings cases

To receive Pension Board minutes.

To receive Annual Report from Chair of Pension Board providing assurance on effectiveness and efficient governance and administration of Firefighter Pension Schemes.

# Hearings Panel

## Quorum – 3

## Members – 7

Although all Members of the Standards and Human Resources Committee will be eligible to participate in appeals hearings, the number participating in any hearing will be limited to 3. Steps will be taken to ensure that, wherever practicable, political balance is achieved. The need to hold a hearing as quickly as possible will, however, take precedence over this.

## Terms of Reference

### Appeals Hearings relating to Employees

To undertake the following functions which apply to those employees who come within the jurisdiction of the Fire Authority:

- To consider and determine appeals against grading and market factor supplement decisions
- To consider and determine grievances in accordance with the Grievance Procedure
- To consider and determine appeals against the application or interpretation of conditions of service
- To consider and determine any appeal against a decision of a Brigade Manager / Brigade Managers relating to individual cases of long-term sickness and pay
- To consider and determine any appeal against a decision of a Brigade Manager / Brigade Managers relating to the ill-health retirement or dismissal for health-related reasons of any employee
- To consider and determine any appeal against a decision of a Brigade Manager / Brigade Managers relating to powers exercised under firemen's and firefighter pension scheme legislation and related legislation in respect of ill-health retirements, except where that appeal is against a medical decision
- To consider and determine appeals at Internal Dispute Resolution Procedures Stage 2 with regard to the firemen's and firefighter pension schemes and the Firefighters' Compensation Scheme
- To consider and determine appeals against dismissal under the disciplinary process
- To consider and determine appeals against dispute in accordance with the Collective Disputes Procedure

## **Complaints relating to Members**

To consider complaints referred to them by the Monitoring Officer and to decide if the complaint should be referred for investigation

To consider investigation reports in respect of Code of Conduct complaints referred to the Committee by the Monitoring Officer

To report its findings to the Fire Authority, as appropriate, for information

Where a breach is found, to make decisions about sanctions, including:

- 1) To make recommendations to the relevant Group Leader regarding future membership of committees and sub-committees
- 2) To make recommendations to the Fire Authority regarding the removal of a non-aligned Member from membership of committees and sub-committees
- 3) To instruct the Monitoring Officer to arrange training for a Fire Authority Member
- 4) To remove a Member from all outside appointments to which he / she has been appointed or nominated by the Fire Authority
- 5) To withdraw facilities provided to the Member or exclude the Member from defined premises (except as necessary for the Member to attend formally constituted Authority meetings)