

Fire & Rescue Service Headquarters Summergroves Way Kingston upon Hull HU4 7BB
 Telephone 01482 565333

To: Members of the Fire Authority	Enquiries to: Samm Campbell Email: committeemanager@humbersidefire.gov.uk Tel. Direct: (01482) 393205 Date: 21 April 2022
--	--

Dear Member

I hereby give you notice that a meeting of **HUMBERSIDE FIRE AUTHORITY** will be held on **FRIDAY, 29 APRIL 2022 at 10.30AM** at **THE COUNTRY PARK, CLIFF ROAD, HESSLE, HU13 0HB.**

Public and press attendance at meetings

Seating in the public gallery is limited, therefore **places must be booked in advance** by contacting the Committee Manager on the contact details above.

The business to be transacted is set out below.

Yours sincerely



Mathew Buckley
Monitoring Officer & Secretary to Fire Authority

Enc.

A G E N D A

Business	Page Number	Lead	Primary Action Requested
1. Apologies for absence	-	Monitoring Officer/ Secretary	To record
2. Declarations of Interest	-	Monitoring Officer/ Secretary	To declare
3. Minutes of meeting of the Authority held on 11 March 2022	(pages 1 - 6)	Chairperson	To approve
4. Questions by Members	-	Monitoring Officer/ Secretary	To receive
5. Petitions and Deputations	-	Monitoring Officer/ Secretary	To receive
6. Communications	-	Monitoring Officer/ Secretary & Deputy Chief Fire Officer/Executive	To receive

Business	Page Number	Lead	Primary Action Requested
		Director of Corporate Services	
7. Draft Minutes of Governance, Audit and Scrutiny Committee - 7 March & 11 April 2022	(pages 7 - 10)	Chairperson of Committee	To receive
8. Internal Audit Annual Report - Director of Audit Opinion and Annual Report (2021/22)	(pages 11 - 15)	TIAA	To receive
9. Management Accounts 2021/22 - period ending 28 February 2022	(pages 16 - 17)	Executive Director of Finance/ S151 Officer	To receive
10. Annual Governance Statement 2021/22	(pages 18 - 29)	Deputy Chief Fire Officer/Executive Director of Corporate Services	To approve
11. Performance Reporting & Service Performance Indicators 2022/23	(pages 30 - 32)	Director of Service Improvement	To approve
12. Use of Delegated Powers by Chief Fire Officer/Chief Executive 2021/22	(pages 33 - 34)	Deputy Chief Fire Officer/Executive Director of Corporate Services	To receive
13. Revised Fire Authority Member Code of Conduct	(pages 35 - 68)	Monitoring Officer/ Secretary	To approve
14. Amendments to the Constitution	(pages 69 - 76)	Monitoring Officer/ Secretary	To approve
15. COVID-19 Update	Verbal	Deputy Chief Fire Officer/Executive Director of Corporate Services	To receive
16. Next Meeting Venue	Verbal	Chairperson	To approve

HUMBERSIDE FIRE AUTHORITY

11 MARCH 2022

PRESENT:

Members

Representing East Riding of Yorkshire Council:

Councillors Davison, Dennis, Fox, Green, Jefferson and Smith

Representing Hull City Council:

Councillors Belcher, Chambers, Dad, North, Randall and Singh

Representing North East Lincolnshire Council:

Councillors Lindley, Patrick, Shepherd and Swinburn

Representing North Lincolnshire Council:

Councillors Briggs (*Chairperson*) and Grant

Office of the Police and Crime Commissioner for Humberside

Jonathan Evison - Police and Crime Commissioner for Humberside Police

Officers of Humberside Fire & Rescue Service

Chris Blacksell - Chief Fire Officer/Chief Executive, Phil Shillito - Deputy Chief Fire Officer/Executive Director of Corporate Services, Niall McKiniry - Assistant Chief Fire Officer/Executive Director of Service Delivery, Christine Cooper - Executive Director of People and Development, Kevin Wilson - Executive Director of Finance/Section 151 Officer, Steve Topham - Director of Emergency Response, Matthew Sutcliffe - Temporary Director of Service Improvement, Lisa Nicholson - Deputy Monitoring Officer/Secretary and Gareth Naidoo - Committee Manager

Internal Auditor

Andrew McCulloch - Director of Audit (TIAA) (presented Minute 27/22)

The meeting was held at The Village Hotel, Hessle.

20/22 APOLOGIES FOR ABSENCE - Apologies for absence were submitted from Councillors Chadwick, Healing, Sherwood and Waltham.

21/22 DECLARATIONS OF INTEREST - Councillor Patrick declared a non-pecuniary interest in Minute 29/22 insofar as he is a Member of Unite the Union.

22/22 MINUTES - Resolved - That the minutes of the meeting of the Authority held on 11 February 2022 be received as a correct record and signed by the Chairperson.

23/22 QUESTIONS BY MEMBERS - None

24/22 PETITIONS AND DEPUTATIONS - No petitions or requests for a deputation had been received under Rule 13, Part 4 of the Constitution.

25/22 COMMUNICATIONS - The following communications were reported:

- (i) Pay Award for staff on Green Book - The Service was keeping a watching brief on any further development. Further information would be provided at a future Member Day.
- (ii) High Sheriff's Award - Three members of staff from the Stores team and two from the Falls team staff had received an award from the High Sheriff of East Riding of Yorkshire.
- (iii) Offer of Support to Ukraine - the Service had issued a communications message in support of the Ukraine. The Service had donated thousands of pieces of fire kit (tunics and trousers) and a fire engine to colleagues in the Ukraine Fire Service. Members welcomed the Service's commitment to helping the people of Ukraine.

26/22 GOVERNANCE, AUDIT AND SCRUTINY (GAS) COMMITTEE MINUTES - 7 FEBRUARY 2022 - Resolved - That the minutes of the Governance, Audit and Scrutiny (GAS) Committee held on 7 February 2022 be received.

27/22 INTERNAL AUDIT ANNUAL PLAN 2022/23 - Andrew McCulloch from TIAA presented the Internal Audit Plan 2022/23 which had been informed by a risk assessment carried out across fire service clients and by an updated audit risk assessment to ensure that planned coverage for the year was focussed on the key audit risks, and that the coverage would enable a robust annual Head of Internal Audit Opinion to be provided.

This year would continue to be another challenging year for the fire service in terms of funding, managing additional recruitment and technological advancement. There were a number of operational issues that had also come to prominence; a number of key areas had been identified which required consideration when planning internal audit coverage:

- Equality, Diversity and Inclusion
- Health and Well-being
- Fire Safety Act 2021
- Cyber-crime

Resolved - That the Internal Audit Plan 2022/23 be received.

28/22 TREASURY MANAGEMENT AND CAPITAL EXPENDITURE PRUDENTIAL INDICATORS, TREASURY MANAGEMENT POLICY STATEMENT 2022/23 AND MINIMUM REVENUE PROVISION (MRP) FOR 2022/23 - The Executive Director of Finance/S.151 Officer submitted a report that sets out the Prudential Indicators for Treasury Management and Capital and the Treasury Management Policy Statement proposed for adoption for the financial year 2022/23.

The Authority's Constitution required that the Policy Statement be approved by the Fire Authority, a responsibility that could not be delegated.

The report also outlined the recommended policy to be adopted in respect of creating the Minimum Revenue Provision (MRP) for 2022/23, in line with the statutory requirements set out in The Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2008 and 2017.

It was requested that Members be kept regularly briefed on Treasury Management developments.

Resolved -

- (a) That Treasury Management Strategy Statement for 2022/23 onwards, as set out in Appendix 1 of the report, be approved, and

- (b) that the Authority receives regular briefings on Treasury Management at Member Days.

29/22 PAY POLICY STATEMENT 2022/23 - The Executive Director of People and Development submitted a report that provided a proposed Pay Policy Statement for Humberside Fire Authority for 2022/23, as required by the Localism Act 2011.

The Act introduced senior staff pay transparency into local authorities with a requirement that authorities prepared a Pay Policy Statement for each financial year. A statement for Humberside Fire Authority was first produced for 2012/13 and approved by the Fire Authority at its meeting on 17 April 2012 (Minute 3839 refers).

The Authority agreed at that time that the Pay Policy Statement should be reviewed annually by officers and that any proposed amendments be brought before the Authority for consideration.

The proposed statement for 2022/23 reflected the pay details for the current Strategic Leadership Team (SLT) posts.

Members queried how the Authority's remuneration of officers compared with other Fire & Rescue Services. This was published on all Fire & Rescue Services' websites and it was agreed that the Executive Director of People and Development would provide Members with comparative data in due course.

Resolved -

- (a) the draft Pay Policy Statement for 2022/23, as set out at Appendix 1 of the report, be approved;
- (b) that the Chief Fire Officer & Chief Executive be authorised, in consultation with the Chair, to make factual adjustments to the Policy during the course of 2022/23, for example, in reflection of the impact of any pay awards arising for different employment groups during the year;
- (c) that any other proposed amendments to the Policy during 2022/23 be brought before the full Authority for consideration, and
- (d) that Members receive comparative data against other Fire & Rescue Services on the remuneration of officers.

30/22 ENVIRONMENTAL SUSTAINABILITY PLAN 2021-24 CONSULTATION OUTCOMES - The Temporary Director of Service Improvement submitted a report that set out the outcomes for the four-week consultation on the Environmental Sustainability Plan (ESP).

The Authority received a report on 3 December 2021 providing assurance that the Strategic Plan and Integrated Risk Management Plan (IRMP) had undergone an annual review and that elements of the IRMP had been refreshed, none being of such significance to require public consultation.

The annual process of reporting relevant changes provided an assurance to Members that compliance with the National Framework is regularly reviewed. Details regarding an IRMP aligned Environmental Sustainability Plan (ESP) were also presented to the Authority at its December meeting whereby a four-week consultation period for the ESP was endorsed.

The report informs Members of the outcome of the consultation process. Members were also reminded that, in line with national developments, the IRMP would be re-named Community Risk Plan 2021-24 from 1 April 2022.

Members took assurance from the consultation process and positive support for the Environmental Sustainability Plan 2021-24 and approve the Strategic Plan and IRMP 2021-24 Year One refresh

Resolved - That the Strategic Plan and Integrated Risk Management Plan (IRMP) 2021-24 Year One refresh be approved.

31/22 CHARTER FOR FAMILIES BEREAVED THROUGH PUBLIC TRAGEDY- The Assistant Chief Fire Officer/Executive Director of Service Delivery submitted a report that proposed the Fire Authority become a signatory of the Charter for Families Bereaved through Public Tragedy.

The Charter for Families Bereaved through Public Tragedy was proposed by Bishop James Jones in his Report, 'The patronising disposition of unaccountable power', on the experiences of families affected by the Hillsborough disaster and was published in November 2017. It formalised a commitment to transparency and acting in the public interest.

A recommendation that all public bodies commit to sign up to the charter was made in 2018, within a progress report of the Kerslake Manchester Arena Review. Families directly affected by bereavement in the Grenfell incident had also called for public and private bodies to adopt a duty of candour and sign up to the charter.

The National Fire Chiefs Council signed up to the charter in May 2018, joining many other organisations, such as the Crown Prosecution Service, National Police Chiefs Council and College of Policing. A number of Fire Authorities had by now also adopted the Charter.

The Charter acted to formalise a commitment to openness on public scrutiny, making full disclosure of relevant documents, materials and facts. Becoming a signatory would provide additional assurance to communities that the Authority was committed to candour, openness and transparency.

Resolved -That the Authority become a signatory of the Charter for Families Bereaved through Public Tragedy, as set out at Appendix A of the report.

The resolution was unanimous.

32/22 GAS COMMITTEE SCRUTINY PROGRAMME 2022/23 - The Temporary Director of Service Improvement submitted a report that summarised the potential scrutiny topics, proposed by the Strategic Leadership Team, for the Governance, Audit and Scrutiny Committee's (GAS) Scrutiny Programme 2022/23. The GAS Committee would programme six scrutiny items for completion during 2022/23.

A list of ten proposed topics were included in the report for the Authority to consider shortlisting and recommending to the GAS Committee for its 2022/23 programme.

Resolved - That the following topics be shortlisted and recommended to the GAS Committee for inclusion on its Scrutiny Programme 2022/23:

- Procurement processes
- EDI Equality Impact Analysis
- Fire Standards
- Business Continuity
- GDPR

33/22 HMICFRS UPDATE - The Deputy Chief Fire Officer/Executive Director of Corporate Services provided the Authority with a verbal update in relation to Her Majesty's Inspectorate of Constabulary and Fire and Rescue Service's (HMICFRS).

HMICFRS had now concluded its six-week inspection of the Service. This had involved a significant number of staff across the Service and its partners in supporting the inspection regime.

A hot debrief took place on 23 February 2022 with members of the Strategic Leadership Team and the Chair and Vice Chair of the Authority, highlights of which included:

- That the Service engages well with community on risk
- That the Service had clear data sources to analyse risk and effective risk modelling
- That information was clear and available to the public
- That the Service understood well the process for identifying vulnerable people
- That the Service was achieving its response standards as set out in its IRMP
- That the Service had good flexibility in its duty systems
- That the Service had good governance and scrutiny arrangements in place
- That the Service was founded on sound financial management
- That staff had a good understanding of the Service's key values and behaviours
- That equality impact assessments were in place

It was recognised that there would also be some areas for improvement.

It would take a further two to three months for a draft report to be prepared, with the final report being published alongside all other Tranche 2 inspection reports around May 2022.

Resolved - That the update be received.

34/22 COVID-19 UPDATE - The Chief Fire Officer/Chief Executive submitted a verbal report that updated Members on the Service's response to the Pandemic.

Whilst legally individuals no longer were required to self-isolate if testing positive for Covid-19, the guidance remained that people should continue to isolate if testing positive. As such, the Service's arrangements remained the same. From 1 April free testing would be withdrawn and the Service would be considering whether to procure test kits for its staff.

Levels of Covid-19 were increasing across all four local authority areas compared with previous weeks' figures. 24 staff were currently absent from work due to contracting Covid-19 (17 operational and 7 support). The Service would continue to manage and monitor arrangements.

Resolved - That the update be received.

35/22 FUTURE VENUE FOR AUTHORITY MEETINGS - the Authority considered whether it was the right time to return to Service Headquarters for future meetings. Given the rise in Covid-19 cases across the four local authority areas, Members felt it prudent to continue to tread with caution and not put officers at unnecessary risk.

Resolved - That the Authority meets at an external venue for its next meeting, with a decision on future meeting venues taken on a meeting by meeting basis.

36/22 EXCLUSION OF THE PRESS/PUBLIC - Resolved - That the press and public be excluded from the meeting for consideration of the following item on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

In making its decision the Authority confirmed that having regard to all the circumstances it was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

37/22 EMERGENCY SERVICES HUB - SCUNTHORPE - The Director of Emergency Response submitted a report updating Members on the current position on the proposal from North Lincolnshire Council (NLC) to establish an Emergency Services Hub.

Resolved - That the update be received and further detail be provided to the Authority in due course.

HUMBERSIDE FIRE AUTHORITY
GOVERNANCE, AUDIT AND SCRUTINY COMMITTEE

11 APRIL 2022

PRESENT: Independent Co-opted Members Chris Brown, Jim Doyle, Pam Jackson, Kathryn Lavery and Gerry Wareham.

Councillor Briggs and Councillor Green attended as observers.

Phil Shillito - Deputy Chief Fire Officer/Executive Director of Corporate Services, Christine Cooper - Executive Director of People and Development, Matthew Sutcliffe - Temporary Director of Service Improvement, Ruth Gilmour - Head of Human Resources, Sam O'Connor - Head of Organisational Development, Martyn Ransom - Head of Finance, Simon Rhodes - Head of Corporate Assurance, Lisa Nicholson - Monitoring Officer/Secretary, and Sam Campbell - Committee Manager were also present. Andy McCulloch - Internal Audit (TIAA) attended remotely.

The meeting was held at the Humberside Fire and Rescue Service Headquarters, Kingston upon Hull. Meeting commenced at 10.00 a.m.

PROCEDURAL

In the absence of a chairperson, the Monitoring Officer/Secretary assumed the chair and asked Members for nominations for a chairperson for the current meeting. Jim Doyle was elected as chairperson for the meeting.

(Jim Doyle in the chair)

28/22 APOLOGIES FOR ABSENCE - There were no apologies for absence.

29/22 DECLARATIONS OF INTEREST - Kathryn Lavery declared a non-pecuniary interest insofar as she is the Chair of Yorkshire Ambulance Service's Board.

30/22 MINUTES - *Resolved* - That the minutes of the meeting of the Committee held on 7 March 2022 be confirmed as a correct record.

31/22 MATTERS ARISING FROM THE MINUTES, OTHER THAN ON THE AGENDA - There were no matters arising from the minutes.

GOVERNANCE

32/22 UPDATE: MATTERS ARISING/FEEDBACK FROM FIRE AUTHORITY - The Monitoring Officer/Secretary provided feedback on items considered by the Fire Authority at its meeting of 11 March 2022.

Resolved - That the update be received.

33/22 DRAFT ANNUAL GOVERNANCE STATEMENT 2021/22 - The Temporary Director of Service Improvement submitted a report summarising the draft Annual Governance Statement for 2021/22.

The Annual Governance Statement 2021/22 would accompany the Authority's audited accounts and had been submitted to the Committee for consideration. The Statement covered three key functions of the Service: economy, efficiency and

effectiveness. The Committee made a series of recommendations for changes to the Statement.

Resolved - (a) That all of the documents cited within the Statement be hyperlinked within it for ease of reference;

(b) that reference be made within the Statement to gender pay gap and the associated governance processes;

(c) that the reference within the Statement to the Service's whistle-blowing procedures be strengthened;

(d) that the Statement include references to the Service's General Data Protection Regulation duties, and

(e) that the Statement include references to the Service's assurance processes concerning emergency preparedness.

34/22 FIRE AUTHORITY MEMBER CODE OF CONDUCT - The Monitoring Officer/Secretary submitted a report summarising the revised Fire Authority Member Code of Conduct.

The Fire Authority was required to adopt a Code of Conduct in order to set expectations for the conduct of Members of the Fire Authority and its committees (including co-opted Members). The content of the Code needed to be consistent with the seven principles of public life (the Nolan Principles). Following a series of workshops and consultation processes in recent months, the Local Government Association had produced a revised model code of conduct and the Fire Authority was due to consider amending its Code of Conduct accordingly at its meeting due to be held on Friday 29 April 2022.

Resolved - (a) That the role of chairpersons be defined within the Code, particularly with regard to declarations of interest;

(b) that the Code be revised to clarify the consequences of a breach of the Code of Conduct;

(c) that the term 'councillors' be replaced within the code to reflect the fact that it applies to Members of the Fire Authority and its committees (including co-opted Members), and

(d) that reference be made to the Nolan Principles within the Code but that they not be included in full.

Audit

35/22 DRAFT INTERNAL AUDIT REPORT 2021/22 - Andy McCulloch (TIAA) presented the draft Internal Audit Report 2021/22.

One of the individual audit reports remained in draft form awaiting management comments, but no substantial changes to the draft Internal Audit Report 2021/22 were expected prior to its receipt by the Fire Authority at its meeting due to be held on 29 April 2022. During the audit period, TIAA had issued the following assurances: two substantial, six reasonable and one limited. TIAA had issued the following recommendation: one urgent, 14 important and eight routine. The Head of Internal Audit's annual opinion was as follows:

TIAA is satisfied that, for the areas reviewed during the year, Humberside Fire & Rescue has reasonable and effective risk management, control and governance processes in place.

This opinion is based solely on the matters that came to the attention of TIAA during the course of the internal audit reviews carried out during the year and is not an opinion on all elements of the risk management, control and governance processes or the ongoing financial viability or your ability to meet financial obligations which must be obtained by the Service from its various sources of assurance.

Resolved - That the draft Internal Audit Report 2021/22 be received.

FINANCE AND PERFORMANCE

36/22 MANAGEMENT ACCOUNTS FOR THE PERIOD ENDING 28 FEBRUARY 2022 - The Head of Finance submitted the Management Accounts for the period ending 28 February 2022.

The Service was forecasting an underspend of £1m in its revenue budget. The capital account was also underspent as a result of the fact that many of the Service's capital schemes had been hindered by difficulties in the procurement of materials. The deficit in the pension account would, as usual, be reimbursed by the Home Office.

Resolved - That the Management Accounts for the period ending 28 February 2022 be received.

SCRUTINY PROGRAMME

37/22 ANTI-BULLYING CAMPAIGN (PROGRESS UPDATE) - The Executive Director of People and Development submitted a report in response to the scope within the Committee's Scrutiny Programme for 2021/22.

The Service was inspected by HMICFRS in 2018 and subsequently developed its Service Improvement Plan, incorporating areas for improvement identified both by the Strategic Leadership Team and HMICFRS. The Service had revised its policies and begun an anti-bullying campaign. The Dignity at Work Policy had been subject to consultation, agreed with the Fire Brigades Union, and implemented in October 2019. The Dignity at Work Policy defined bullying:

"Bullying is characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient."

This definition had been directly informed by that of the Advisory, Conciliation and Arbitration Service (ACAS), which was used in Employment Tribunal cases. The Dignity at Work Policy had also been subject to consultation, agreed with the Fire Brigades Union, and implemented in October 2019. The Service had also procured and implemented the Employee Assistance Programme (Minute 94/20 refers), which included 24/7 support for staff members, and mandatory training to improve awareness with regard to bullying. Staff were also regularly reminded of the ways in which they could report bullying.

Formally reported incidents of bullying within the Service, while infrequent, were always treated seriously and investigated thoroughly. Mediation was usually offered by trained members of staff from the Service's Human Resources (HR) department in order to prevent the escalation of any problematic behaviours. Data relating to grievances and disciplinary matters were routinely uploaded to the Firewatch system, which also fed into the

Service's bespoke tracking software and monitored by HR. The data did not, at the time of the meeting, reveal any concerning patterns.

During its inspection of the Service in 2018, HMICFRS had conducted an open staff survey, which had been followed by another in August 2020, the summarised results of which had been appended to the report submitted to the Committee at its meeting on 5 July 2021. Since then, the Service had conducted a survey which indicated that the percentage of respondents who reported having felt bullied or harassed had reduced from 26 percent (of 246 respondents) in 2018/19 to 5.5 percent (of 54 respondents) in 2021. Allegations of bullying in the organisation were infrequent but had continued to be treated and investigated thoroughly. The Service sought to address most issues through mediation in order to intervene early and repair relationships before employees felt the need to pursue a formal grievance. The Committee asked how many trained mediators the Service had and heard that six had been trained in 2021, bringing the total number of operational mediators to 10.

The Committee asked why comments from relevant employee unions had not been included in the report. No comments had been received from the unions despite their having been given more than three weeks to respond. However, the Joint Consultative Committee had not expressed any concerns.

The Committee cited organisational culture issues in other emergency service organisations and asked how it could be assured that the Service's reported progress in relation to bullying and harassment were representative of the whole organisation and that employees felt able to report issues. The Deputy Chief Fire Officer explained that he felt that the report accurately reflected the progress made by the Service as a result of significant changes to its management approach in the previous five years, using extensive training programmes to introduce supportive leadership and corporate decision-making. The Service had hosted leadership forums to focus on issues such as those faced by the London Metropolitan Police. The formation of Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) to introduce a formal process of accountability had also driven improvements locally and nationally.

Resolved - (a) That Committee take assurance from the progress made by the Service in relation to bullying and harassment, and

(b) that, due to the steady decline of staff reporting feeling bullied or harassed and with the organisational support in place, Human Resources and Occupational Health to continue to monitor and report alongside other normal employee relations performance reports.

38/22 GAS COMMITTEE SCRUTINY PROGRAMME 2022/23 - The Committee Manager submitted a report summarising the longlist of topics for the Committee's consideration as part of its Scrutiny Programme 2022/23.

Resolved - That a scrutiny programming workshop be held in May 2022 and the Committee's draft Scrutiny Programme be submitted to the meeting due to be held on 15 June 2022.

39/22 ANY OTHER BUSINESS - There was no other business.

Humberside Fire & Rescue Service

Internal Audit Annual Report

2021/22

April 2022



Internal Audit Annual Report

Introduction

This is the 2021/22 Annual Report by TIAA on the internal control environment at Humberside Fire & Rescue Service. The annual internal audit report summarises the outcomes of the reviews we have carried out on the organisation's framework of governance, risk management and control. This report, which incorporates CIPFA guidance on the potential limitation of scope brought about by the impact of COVID-19, is designed to assist Humberside Fire Authority in making its annual governance statement.

Limitations on our opinion arising from Covid-19

The impact of COVID-19 on many organisations has continued to be felt throughout 2021/22 with restrictions continuing to be applied. This has been compounded by the emergence of new variants which has required the vaccination and booster programme to be accelerated. These have impacted staff availability and organisational capacity. It is acknowledged that this has affected some sectors more than others.

For internal audit the question remains as to whether sufficient internal audit work has been undertaken to gain assurance during 2021/22. This is a key consideration to fulfil the requirement of the Public Sector Internal Audit Standards (PSIAS) for the Head of Internal Audit (HIA) when issuing their annual opinion on the overall adequacy and effectiveness of the organisation's framework of governance, risk management and control. This opinion is in turn one of the sources of assurance that the organisation relies on for its Annual Governance Statement. Factors that need to be taken in to account in reaching a conclusion include:

- Has any reduction in coverage compared to what was planned resulted in insufficient assurance work?
- Have any limitations in the scope of individual assignments resulted in it only being possible to place partial assurance on the outcome?
- Have changes in ways of working led to gaps in the governance, risk management and control arrangements?

TIAA understands the considerable challenges and the difficult decisions that organisations are having to deal with, however, the professional and regulatory expectations on public bodies to ensure that their internal audit arrangements conform with PSIAS have not changed. In this difficult situation, heads of internal audit will need

to consider whether they can still issue the annual opinion or whether there will need to be a limitation of scope.

A limitation of scope arises where the HIA is unable to draw on sufficient assurance to issue a complete annual opinion in accordance with the professional standards. This is an issue not only for the HIA but also for the leadership team and the audit committee who normally rely on that opinion. It may also have wider consequences for stakeholder assessments of the organisation.

What this means for Humberside Fire & Rescue Service

There has been minimal or no impact on the delivery of the internal audit work for 2021/22 as a result of the COVID-19 pandemic. Whilst there was an impact on delivery of the work in the early part of the year during the initial lockdown, we are able to deliver the planned work by year-end. There have been no changes to the planned work as a result of COVID-19; any changes to the plan were based on purely on business/operational need.

HEAD OF INTERNAL AUDIT'S ANNUAL OPINION

TIAA is satisfied that, for the areas reviewed during the year, Humberside Fire & Rescue has reasonable and effective risk management, control and governance processes in place.

This opinion is based solely on the matters that came to the attention of TIAA during the course of the internal audit reviews carried out during the year and is not an opinion on all elements of the risk management, control and governance processes or the ongoing financial viability or your ability to meet financial obligations which must be obtained by the Service from its various sources of assurance.

Internal Audit Planned Coverage and Output

The 2021/22 Annual Audit Plan approved by the Governance, Audit and Scrutiny Committee was for 65 days of internal audit coverage in the year.

During the year there was one change to the Audit Plan and this change was approved by the Governance, Audit and Scrutiny Committee. This involved utilising three days of the contingency for a follow up to the Productivity Shift System review.

The planned work that has been carried out against the plan is set out at Annex A.

Assurance

TIAA carried out nine reviews, which were designed to ascertain the extent to which the internal controls in the system are adequate to ensure that activities and procedures are operating to achieve the Service's objectives. For each assurance review an assessment of the combined effectiveness of the controls in mitigating the key control risks was provided. Details of these are provided in Annex A and a summary is set out below.

Assurance Assessments	Number of Reviews	Previous Year
Substantial Assurance	2	3
Reasonable Assurance	6	7
Limited Assurance	1	0
No Assurance	0	0

The areas on which the assurance assessments have been provided can only provide reasonable and not absolute assurance against misstatement or loss and their effectiveness is reduced if the internal audit recommendations made during the year have not been fully implemented.

We made the following total number of recommendations on our audit work carried out in 2021/22. The numbers in brackets relate to 2020/21 recommendations

Urgent	Important	Routine
1 (0)	14 (14)	15 (16)

Audit Summary

Control weaknesses: There was one area reviewed by internal audit where it was assessed that the effectiveness of some of the internal control arrangements provided 'limited assurance'. Recommendations were made to further strengthen the control environment in this area and a subsequent follow up review confirmed that the recommendations had been implemented or were in the process of being implemented.

Recommendations Made: We have analysed our findings/recommendations by risk area and these are summarised below.

Risk Area	Urgent	Important	Routine
Directed			
Governance Framework	1	3	8
Risk Mitigation	0	0	0
Compliance	0	8	6
Delivery			
Performance Monitoring	0	2	0
Financial Constraint	0	0	0
Resilience	0	1	1

Independence and Objectivity of Internal Audit

There were no limitations or restrictions placed on the internal audit service which impaired either the independence or objectivity of the service provided.

Performance and Quality Assurance

The following Performance Targets were used to measure the performance of internal audit in delivering the Annual Plan.

Performance Measure	Target	Attained
Completion of Planned Audits	100%	100%
Audits Completed in Time Allocation	100%	100%
Final report issued within 10 working days of receipt of responses	95%	100%
Compliance with Public Sector Internal Audit Standards	100%	100%

Ongoing quality assurance work was carried out throughout the year and we continue to comply with ISO 9001:2015 standards. An independent external review was carried out of our compliance of the Public Sector Internal Audit Standards (PSIAS) in 2017 and in particular to meet the requirement of an independent 5 year review, the outcome confirmed full compliance with all the standards. Our work also complies with the IIA-UK Professional Standards and relevant guidance issued by the Accounts & Audit Regulations 2015.

Release of Report

The table below sets out the history of this Annual Report.

Date Report issued:	21 st April 2022
---------------------	-----------------------------

Annexes

Annex A

Actual against planned Internal Audit Work 2021/22

System	Type	Planned Days	Actual Days	Assurance Assessment	Comments
National Operational Guidance Phase 3 and 4	Assurance	6	6	Reasonable	Final report issued
Productivity – Shift System	Assurance	6	6	Limited	Final report issued
Equality, Diversity and Inclusion	Assurance	4	4	Reasonable	Final report issued
Enforcement	Assurance	4	4	Reasonable	Final report issued
Out of Hours Arrangements	Assurance	6	6	Substantial	Final report issued
Data Quality – Risk Information	Assurance	6	6	Reasonable	Final report issued
Grievance Arrangements	Assurance	4	4	Reasonable	Final report issued
Key Financial Controls	Assurance	8	8	Reasonable	Final report issued
Contingency	Assurance	10	0	-	-
Shift Productivity Follow Up	Assurance	0	3	Reasonable	Final report issued
Follow-up		3	3	N/A	Final report issued
Annual Planning		2	2	N/A	Annual Plan issued
Annual Report		1	1	N/A	Annual Report issued
Audit Management		5	5	N/A	N/A
Total Days		65	58		

Humberside Fire Authority
29 April 2022

Report by the
Executive Director of Finance/S.151
Officer

MANAGEMENT ACCOUNTS 2021/22 – BASED ON PERIOD ENDING 28 FEBRUARY 2022

SUMMARY

1. This report highlights the current financial position based on information to 28 February 2022.
2. The end of year projections are set out below for the revenue budget, the capital programme and the pensions account.

RECOMMENDATIONS

3. That Members take assurance from this report and the Authority's financial position for the period ending 28 February 2022.

PERIOD ENDING 28 FEBRUARY 2022

4. The summary estimated outturn position for the current financial year based on information to 28 February 2022 is as follows:-

CATEGORY	2021/22 OUTTURN PROJECTION
HFA	
Revenue Budget	£0.988m underspend
Capital Programme	£2.198m expenditure against £7.129m allocation
Pensions Account	£12.954m deficit

5. This is the final set of Management Accounts for the financial year and work is now well underway to compile the published Annual Accounts for 2021/22.
6. Further details on all of these areas are available electronically alongside the agenda papers on the Fire Authority's website at www.humbersidefire.gov.uk/fire-authority.

STRATEGIC PLAN COMPATIBILITY

7. The production of robust, timely and detailed information in relation to the Authority's financial position contributes to the Strategic Plan. The information specifically underpins good governance and good financial management.

FINANCIAL/RESOURCES/VALUE FOR MONEY IMPLICATIONS

8. Sound financial management contributes to the achievement of the Authority's objectives.

LEGAL IMPLICATIONS

9. No direct issues arising.

EQUALITY IMPACT ASSESSMENT/HR IMPLICATIONS

10. No direct issues arising.

CORPORATE RISK MANAGEMENT IMPLICATIONS

11. The monthly Management Accounts help to ensure that the Authority meets its legal and regulatory requirements.

HEALTH AND SAFETY IMPLICATIONS

12. No direct issues arising.

COMMUNICATION ACTIONS ARISING

13. No direct issues arising.

DETAILS OF CONSULTATION AND/OR COLLABORATION

14. No direct issues arising.

BACKGROUND PAPERS AVAILABLE FOR ACCESS

15. Working papers for 2021/22 Budget Monitoring.

RECOMMENDATIONS RESTATED

16. That Members take assurance from this report and the Authority's financial position for the period ending 28 February 2022.

K WILSON

Officer Contact: Kevin Wilson ☎ 01482 567183
Executive Director of Finance/S.151 Officer

Humberside Fire & Rescue Service
Summergroves Way
Kingston upon Hull

KW
28 March 2022

Humberside Fire Authority
29 April 2022

**Report by the Deputy Chief Fire
 Officer/Executive Director of
 Corporate Services and
 Monitoring Officer/Secretary**

DRAFT ANNUAL GOVERNANCE STATEMENT 2021/22

SUMMARY

1. The CIPFA/SOLACE good governance framework brought together a number of governance principles and requirements, including replacing the previous Statement of Internal Control with a new Annual Governance Statement (AGS) from 2007/08.
2. The AGS takes account of CIPFA Bulletin 06 issued 11 February 2021 providing guidance relevant for the annual review of the system of internal control and publication of the Annual Governance Statement (AGS). This guidance concerns the impact of the continuing Covid-19 pandemic on governance in local government bodies and the requirements of the Delivering Good Governance in Local Government Framework 2016 CIPFA and Solace (the Framework). It also takes into account the introduction of the CIPFA Financial Management Code 2019 (FM Code) during 2020/21.
3. This paper sets out a draft AGS in respect to 2021/22 (Appendix 1). Given the content of the Statement, it is felt desirable that the Authority should specifically review the AGS separate from the Annual Accounts, although the AGS will form part of the Annual Accounts once approved in June 2022.
4. It is also desirable that the Authority receive this report in advance of the draft Annual Accounts at the June 2021 meeting.
5. This report was considered by the Governance, Audit and Scrutiny Committee at the meeting held 11 April 2022, the following suggested changes to the AGS were brought forward for consideration by Members:
 - a) A statement of support from HFA for the Whistleblowing Policy/Process. *Extract from the Whistleblowing Policy has been appended at Paragraph O).*
 - b) Reference to the provision of Emergency Preparedness functions. *Summary added at Paragraph dd).*
 - c) Reference to arrangements under the General Data Protection Regulations (GDPR). *Summary added at Paragraph ee).*

- d) Reference to the actions arising from the Gender Pay Gap Report to HFA.
Confirmation that any arising actions are included within the HFA Report.
- e) Increase hyperlinks to the documents referenced within the AGS.
Relevant hyperlinks have been added.

RECOMMENDATIONS

- 6. The Authority is asked to approve the Annual Governance Statement for 2021/22, as set out at Appendix A.

THE ANNUAL GOVERNANCE STATEMENT – A REFRESHER

- 7. Regulation 4 of the Accounts and Audit Regulations 2003 required the Humberside Fire Authority to conduct an annual review of the effectiveness of its system of internal control and publish a Statement of Internal Control (SIC) up until 2006/07.
- 8. From 1 April 2007 the SIC was replaced by the AGS. Guidance was issued by the CIPFA Finance Advisory Network in respect to the production of the AGS. In addition, guidance has also been set out in the CIPFA/SOLACE good governance framework.
- 9. The six key principles of good governance as laid down in the 2007 framework have been reviewed within the 2016 framework and re-issued as seven key principles:
 - (i) Behaving with integrity, demonstrating strong commitment to ethical values. And respecting the rule of law.
 - (ii) Ensuring openness and comprehensive stakeholder engagement.
 - (iii) Defining outcomes in terms of sustainable economic, social, and environmental benefits.
 - (iv) Determining the interventions necessary to optimise the achievement of the intended outcomes.
 - (v) Developing the entity's capacity, including the capability of its leadership and the individuals within it.
 - (vi) Managing risks and performance through robust internal control and strong public financial management.
 - (vii) Implementing good practices in transparency, reporting, and audit to deliver effective accountability.
- 10. The Authority's governance framework comprises the systems and processes, culture and values, by which the HFA is directed and controlled. The framework demonstrates how the HFA accounts to, engages with and leads within the community. It enables the HFA

to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost effective services.

11. The Constitution of the Authority, published on the Humberside Fire and Rescue Service Website, includes:
 - Committee Membership and Terms of Reference
 - Scheme of Delegation to Officers
 - Financial Procedure Rules
 - Contract Procedure Rules
 - Members' Code of Conduct
 - Officer/Employees' Code of Conduct
 - Protocol for Member and Officer Relationships
 - Code of Corporate Governance.
12. In essence the AGS is the formal Statement (signed by the Chairperson of the Humberside Fire Authority, the Chief Fire Officer and Chief Executive and the Statutory Officers) that recognises, records and publishes the governance arrangements of the Humberside Fire Authority. The AGS is much broader than the SIC, although the overall assurance process remains. The AGS must reflect the governance framework.
13. The assurances in respect to the AGS derive from the following:
 - Internal Audit
 - S.151 Officer
 - Secretary/Monitoring Officer
 - Strategic Leadership
 - Members
 - External Audit – through assessment
 - Third parties, including partnership arrangements.
14. There is no model AGS, but rather the Guidance sets out best practice in developing an AGS.
15. The production of the AGS dovetails strongly with corporate risk management and the Annual Audit Report from Internal Audit.
16. Attached at Appendix 1 is the draft AGS. This is in draft form at present and will be concluded in readiness for the approval of the Annual Accounts (Audited) in July 2022.

STRATEGIC PLAN COMPATIBILITY

17. This report underpins good governance arrangements, which is an enabler of the current Strategic Plan.

FINANCIAL/RESOURCES/VALUE FOR MONEY IMPLICATIONS

18. None arising directly.

LEGAL IMPLICATIONS

19. This report and attachments ensures that the Fire Authority complies with regulation 4(2) of the Accounts and Audit Regulations 2003 as amended 2006 and 2011.

EQUALITY IMPACT ASSESSMENT/HR IMPLICATIONS

20. Assurances are provided regarding adoption and maintenance of Public Sector Equality Duty (PSED) requirements.

CORPORATE RISK MANAGEMENT IMPLICATIONS

21. Corporate Risk and Opportunity Management is a key element of good governance action planning.

HEALTH AND SAFETY IMPLICATIONS

22. None arising directly.

COMMUNICATION ACTIONS ARISING

23. The approved Annual Governance Statement will be published on the Humberside Fire and Rescue Service Website.

DETAILS OF CONSULTATION AND/OR COLLABORATION

24. Consultation in producing the AGS has taken place with the Strategic Leadership Team and GAS.

BACKGROUND PAPERS AVAILABLE FOR ACCESS

25. CIPFA/SOLACE – Delivering Good Governance in Local Government – Framework and Guidance Note for English Authorities.

RECOMMENDATIONS RESTATED

26. The Authority is asked to approve the Annual Governance Statement for 2021/22, as set out at Appendix A.

**P SHILLITO
M BUCKLEY**

Officer Contact: Simon Rhodes srhodes@humbersidefire.gov.uk
Head of Corporate Assurance

Mathew Buckley ☎ 01482 567174

Monitoring Officer/Secretary

Humberside Fire & Rescue Service
Summergroves Way
Kingston upon Hull

SR
29 April 2022

Humberside Fire Authority

DRAFT ANNUAL GOVERNANCE STATEMENT 2021/22

Scope of Responsibility

1. The Humberside Fire Authority (HFA) is responsible for ensuring that its business is conducted in accordance with the law and proper standards and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The HFA also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
2. In discharging this overall responsibility, the HFA is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, which includes arrangements for the management of risk.
3. The HFA has approved and adopted a code of corporate governance applicable to Members, which is consistent with the principles of the Chartered Institute of Public Finance and Accountancy/Society of Local Authority Chief Executives (CIPFA/SOLACE) Delivering Good Governance in Local Government Framework 2016 Edition. A copy of the code can be obtained from the Secretary to the Fire Authority.
4. The HFA has approved and adopted a set of Principles of Good Conduct for employees.
5. This statement explains how the HFA has complied with the code and also meets the requirements of regulation 4(3) of the Accounts and Audit (England) Regulations 2011 in relation to the publication of an Annual Governance Statement.

The purpose of the governance framework

6. The governance framework comprises the systems and processes, culture and values, by which the HFA is directed and controlled. The framework demonstrates how the HFA accounts to, engages with and leads within the community. It enables the HFA to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate, cost effective services.
7. The system of internal control is a significant part of the governance framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness.
8. The system of internal control is based on an on-going process designed to identify and prioritise the risks to the achievement of the HFA's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.
9. The governance framework has been in place at the HFA for the year ended 31 March 2022 and up to the date of approval of the Statement of Accounts.

The Governance Framework 2021/22

10. The key elements of the HFA's governance framework included:

a) The Constitution of the Authority [LINK](#) which includes:

- Committee Membership and Terms of Reference;
- Scheme of Delegation to Officers;
- Financial Procedure Rules;
- Contract Procedure Rules;
- Members' Code of Conduct;
- Employees' Code of Conduct;
- Protocol for Member and Officer relationships;
- Code of Corporate Governance.

b) The Governance, Audit and Scrutiny (GAS) Committee, as well as the HFA itself, received regular reports on the Service's performance arrangements.

c) An approved Corporate Risk/Opportunity Management Policy [LINK](#)

d) An approved 'Local Code of Corporate Governance' in accordance with the CIPFA/SOLACE Framework for Corporate Governance.

e) The designation of the Chief Fire Officer as Chief Executive responsible to the HFA for all aspects of operational management.

f) The designation of the Executive Director of Finance and S.151 Officer (Local Government Act 1972) in accordance with Section 112 of the Local Government Finance Act 1988 and conforming with the governance requirements of the CIPFA Statement on the role of the Chief Financial Officer in Local Government (2010).

g) The designation of the Secretary as Monitoring Officer with the requirement to report to the full HFA if it is considered that any proposal, decision or omission would give rise to unlawfulness or maladministration.

h) The Strategic Leadership Team (SLT) have considered a strategic overview of the HFA control environment including the response to external audit, performance management, strategic planning and scrutiny of Risk and Opportunity Management.

i) The production of quarterly Management Accounts which are distributed to all Members of SLT and are considered at the GAS Committee meetings and the HFA [LINK](#).

j) The Service and Finance Planning process.

k) In accordance with the Service Business Planning Framework the Strategic Plan and Integrated Risk Management Plan (IRMP) for 2021/24 ensure a three-year plan, linked to financial planning [LINK](#).

l) The Strategic Plan 2021/24 includes strategic objectives and Directorate responsibilities. Strategic Plan 2021/24 was approved by HFA in December 2020 following consultation [LINK](#).

- m) The Integrated Risk Management Plan (IRMP) 2021/24 takes account of the requirements of the 2018 Fire and Rescue National Framework for England, providing a detailed assessment of the risks facing our communities and personnel and the measures taken to mitigate those risks. The IRMP will transition into a Community Risk Management Plan during 2022/23, in line with the introduction of a National Standard [LINK](#).
- n) Current Anti-Fraud and Corruption, Anti-Bribery and Anti-Money Laundering Policies. We publish these and other such Policies, associated data and information on the HFRS Website under Data Transparency [LINK](#).
- o) *HFA (including Humberside Fire and Rescue Service) is committed to the highest possible standards of integrity, openness, fairness, inclusivity, probity and accountability. HFA aims to provide a positive and supportive culture to enable employees to raise their concerns.*
A Whistleblowing Policy and subscription to the services of whistleblowing charity Protect are in place. Staff are informed of this service via updates in wage slips as well as via the Whistleblowing Policy which is published on the external website [LINK](#).
- p) A Service Improvement Plan has been developed to ensure that improvement areas across the Service are documented, evidenced and regularly reviewed [LINK](#).
- q) Member and Officer Development Programmes. During 2021/22 Officers undertook facilitated supportive leadership development. Access to the T2Hub of Management and Leadership Self Development resources, Continual Professional Development through the Leadership Forum and Guest Speakers and Directors completing the Executive Leadership Programme.
- r) 7 scheduled Member Days to support Member development and awareness conducted as remote sessions during Covid-19 restrictions.
- s) An approved Treasury Management Policy and Prudential Indicators.
- t) A Protective Marking Scheme (based upon the Her Majesty's Government Security Framework).
- u) Implementation of a Public Sector Equality Duty (PSED) action plan to implement its priorities. Actions within this plan has been fully integrated within the LGA FRSEF Self-assessment/action planning process and Priorities following consultation [LINK](#).
- v) Aligned service delivery with our Local Authorities (Hull, East Riding, North Lincolnshire and North East Lincolnshire) through District management teams, is helping partnership work and assists us to be closer and more accountable to local communities.
- w) Retention of the Customer Service Excellence Award, conducted in quarter one each year [LINK](#).
- x) Bi-Annual Performance Reports to HFA are published on our Website [LINK](#).
- y) A Pension Board, as required under The Firefighters' Pension Scheme (Amendment) (Governance) Regulations 2015, was formed in 2015 to oversee

compliance in the operation of the Firefighters' Pension Scheme (FPS). The Pension Board met twice during 2021/22.

- z) The Executive Director of People and Development chairs a Joint Consultative Committee attended by all Representative Bodies to discuss any matters relating to staff terms and conditions.
- aa) Member Champions continue to support functional areas and are invited to attend local District performance meetings and to meet with Directors.
- bb) Consultation on our Council Tax Precept for 2021/22 drew a significant number of responses from our community (2624). This allowed Fire Authority Members to make an informed decision on this matter.
- cc) In line with legislative requirements HFRS published its Gender, Ethnicity and Disability Pay Gap Report 2021/22 by the end of March 2022. *Any arising actions are included within the Report to HFA [LINK](#).*
- dd) *Emergency Preparedness for significant events is assured through provision of a fulltime team, established and tested Business Continuity Plans and a lead role within the Humber Local Resilience Forum (LRF).*
- ee) *Policies relating to compliance, management and administration of information governance, under the General Data Protection Regulations (GDPR) are published on the external website: [LINK](#).*

Review of Effectiveness

- 11. The HFA has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the executive managers within the Authority who have responsibility for the development and maintenance of the governance environment, the head of internal audit's annual report, and also by comments made by the external auditors and other review agencies and inspectorates.
- 12. HFA reviews the effectiveness of the GAS Committee and receives an Annual Report at the HFA Annual General Meeting. A review of the size and role of the GAS Committee was conducted at the HFA Meeting 7 December 2020, membership was reduced from seven to five (upon the completion of terms of office). The HFA Constitution was amended to reflect changes.
- 13. The GAS Committee has continued its scrutiny programme during 2021/22, including the scrutiny of:
 - Effectiveness of the Anti-Bullying Campaign
 - Promotion Process
 - Implementation of the NFCC Core Code of Ethics
 - Management of Risk Information
 - Workforce Planning.
- 14. The induction and training of new Members during 2021/22 has further enabled Members to discharge the functions of the HFA.
- 15. During the 2021/22 financial year, the HFA and Committees met as follows:

- HFA 9 occasions
 - GAS Committee 7 occasions
 - Pension Board 2 occasions.
16. Members of the Pension Board receive reports against a number of key workstreams designed to ensure that the Board operates in compliance with the Pension Regulator's Code of Practice for Pension Boards, this encompasses three broad areas Governance, Administration and Communication.
17. The review of the effectiveness of the system of internal control is informed by:
- The work of Senior Officers
 - The work of Internal Audit
 - Corporate Risk and Opportunity Management
 - Performance information
 - The Authority's External Auditor, in their Annual Governance Report, Annual Audit Letter and other reports.
18. Internal Audit has undertaken a number of reviews during 2021/22. The following areas were covered:
- National Operational Guidance
 - Full Time Shift System
 - Equality, Diversity and Inclusion
 - Protection Enforcement
 - Protection Out of Hours Arrangements
 - Key Financial Controls
 - Data Quality – Risk Information
 - Grievance Management.

In response to the Covid-19 pandemic reviews were conducted remotely.

19. The Authority is fully compliant against the CIPFA Financial Management Code. Full compliance against the code became mandatory from 1 April 2022.
20. The overall Head of Internal Audit opinion for the period 1 April 2021 to 31 March 2022 provides Reasonable Assurance.
21. The effectiveness of the governance framework is considered throughout the year by SLT, the GAS Committee and HFA. Much of this is discharged through internal reports such as Management Accounts and Performance Reports as well as the work of Internal and External Audit. Any significant issues are captured via the risk management system and considered by the Fire Authority where appropriate.
22. A comprehensive Assurance Map for the Service has been developed to help inform the work of SLT, the GAS Committee and Internal Audit.

Significant Governance Issues 2021/22

23. Members are assured that the Service has appropriate arrangements in place should use of the powers under the Regulation of Investigatory Powers Act (RIPA) 2000 be necessary. There was no use of RIPA or requests for covert surveillance during 2021/22.

24. In February 2016 HMG published the Policing and Crime Bill to improve the efficiency and effectiveness of police forces. The Bill received Royal Assent in January 2017 and the Act now places a statutory duty upon Fire and Rescue, Police and Ambulance services to collaborate. The Act also enables Police and Crime Commissioners (PCC) to take responsibility for fire and rescue services, where a Business Case is formed and there is local public support. We continue to proactively identify collaborative opportunities with the Police and Ambulance services, and other bodies. This has included:
- A joint Emergency Service Fleet Management workshop with the Police.
 - A joint Estates (Operational and Strategic) function with Humberside Police.
 - Provision of a medical First Responder scheme in partnership with Yorkshire Ambulance (YAS), East Midlands Ambulance Service (EMAS).
 - A Falls Response Team with City Health Care Partnership (CHCP), NHS Hull Clinical Commissioning Group (CCG) and Hull City Council.
 - An agreement with Yorkshire Ambulance Service (YAS) for them to provide Service wide Clinical Governance.
 - Memorandums of Understanding with Humberside Police and Ambulance Trusts to support response activities including:
 - Searching for Missing Persons
 - Fire Investigation
 - Forced Entry for Medical Rescues
 - Drone
 - Bariatric
 - An Integrated Health Centre incorporating a Full-Time fire station, in partnership with Hull CCG.
 - A Fire and Police Transformation Board continues to review collaboration opportunities where they are beneficial and practicable.
 - Shared provision of a Health and Safety function with Humberside Police, managed by HFRS.
 - HFRS providing Financial Management support to Humberside PCC.
 - 'Don't Cross the Line' campaign to support stopping attacks on Emergency Service Workers.
25. Following the first inspection of Effectiveness, Efficiency and People, by HMICFRS in November 2018, steps have been taken to react to inspection outcomes and prepare the Service for inspection taking place in 2021/22. This includes development of a Service Improvement Plan and performance monitoring through a Strategic Leadership Team performance meeting held monthly.
26. Review and re-alignment of Strategic Management structure and portfolios to support succession planning and continuous service improvement. Including:
- Appointment of an Executive Director of People and Development and an Assistant Chief Fire Officer/ Executive Director of Service Delivery.
 - Re-alignment of portfolios including Deputy Chief Fire Officer/Executive Director of Corporate Services and Executive Director of Finance/S.151 Officer.
 - Re-alignment of Service Delivery Director portfolios to include a dedicated Director of Prevention and Protection and Director of Emergency Response, supplementing the existing Director of Service Improvement.
 - Establishment of an Executive Board with Terms of Reference.
27. One Whistleblowing complaint was received internally during 2021/22 and was dealt with in accordance with the Whistleblowing Policy. An investigation is currently in progress.

Action Plan

28. Strategic Risk and Opportunity Register

The action points outlined below are included within our Strategic Risk and Opportunity Register and Action Plan, progress will be monitored throughout 2022/23.

- Incorporation of the Humberside PCC onto the HFA, including any arising changes to governance arrangements and mechanism for PCC to produce Business Case to take over governance of Fire and Rescue
- Continued Scenario Planning to mitigate the effect of any further reductions or challenges on finances
- Workforce Planning
- Cyber Security threats
- Emergency Services Network
- Grenfell Inquiry Outcomes
- Environmental Sustainability
- Impact of COVID-19.

29. COVID-19 Pandemic.

The ongoing impact of the pandemic is closely monitored in conjunction with partner agencies and a dynamic/responsive Implementation Management Team is stood up whenever risks are perceived to be increasing, and/or to facilitate requests for assistance from partner agencies.

Conclusions

30. This Annual Governance Statement for 2021/22 provides Members with a high level of assurance for the Authority's governance arrangements.

Signed

.....
Chair of the Authority

.....
Chief Fire Officer & Chief Executive

.....
S.151 Officer

.....
Secretary & Monitoring Officer

PERFORMANCE REPORTING 2022/23

SUMMARY

1. This paper provides information regarding the reporting of Service level performance for the period 2022/23.
2. Performance against all of our Strategic Objectives will be monitored and retrospectively reported to Humberside Fire Authority (HFA) on a bi-annual basis.

RECOMMENDATIONS

3. That Members endorse the approach for reporting performance during 2022/23

BI-ANNUAL PERFORMANCE REPORTING

4. During 2021/22 bi-annual performance reporting was introduced, as approved by Members at the HFA meeting in March 2021. Performance on this frequency will remain the same for the reporting period 2022/23. As detailed in the Business Planning Framework the period April – September will be reported in November and the period October – March reported in June. The format and performance measures used in the 2021/22 reports will remain the same for 2022/23. Members are reminded that the bi-annual reports, October – March, are reflective of cumulative performance over the full 12-month period.
5. The continuation of bi-annual performance reporting in 2022/23 provides Members and the public with more meaningful performance information. This is achieved as the longer reporting period enables more robust trend analysis to be completed, combined with the opportunity to evaluate the impact of Service intervention activities.
6. Cyclical performance reporting will be supplemented by exception reporting of relevant trends/incidents or events to Members at HFA or Member Days. Members will also continue to benefit from Local Authority focussed performance reporting and Q&A, at meetings held by District Managers and during Member Champion discussions with Directors.
7. Biannual performance reports will include the following:

Performance and Risk	Occupational Health and Wellbeing
Health Safety and Environment	Operational Assurance
Absence Management	Workforce Planning

RELATIONSHIP TO THE STRATEGIC PLAN 2021-24

8. The bi-annual performance reports reflect the output and / or outcomes of the strategic plan objectives, which are managed through Directorate workstreams against the four Strategic Objectives:
 - a) What our public and business communities expect us to do well.
 - b) What we must do well to deliver effective and efficient services, taking account of community expectations.
 - c) What we must do well to efficiently and effectively manage the Service through financial and corporate governance.
 - d) What we must do well to ensure we value and support the people we employ.
9. Performance measures are subject to consistent monitoring at strategic, tactical and local delivery levels. Scrutiny and evaluation will be enhanced through the new directorate structure and meeting structures.
10. Members will receive updates on the delivery of key outcomes via the cyclical performance reports and by exception at meetings and Member Days. National comparators and trends will be reported to provide greater context, where data is available and relevant.
11. Members will also be aware that our objectives are only achievable through an efficient governance framework.

MANAGEMENT AND REPORTING OF LOCAL LEVEL PERFORMANCE

12. It is mutually beneficial and of particular relevance for Members to engage with District Management teams within their Local Authority Areas. Members have a standing invitation to attend District Performance Meetings, where they can gain a perspective of local issues and contribute their knowledge and experience to support planning and engagement activities. Dates for future meetings will be circulated to Members by District Administration Officers.
13. Likewise, engagement between Directors and Member Champions, for each functional support and delivery area, provides opportunities to contribute to planning and delivery activities.
14. Performance at a functional level will be reported by exception to the monthly Strategic Leadership Team Performance Meeting. The key agenda items reviewed in this meeting includes:

Programme Management	Service Improvement Plan
Risk and Opportunity Register	HMICFRS updates
Internal Audit Schedule	Audit and Scrutiny progress

STRATEGIC PLAN COMPATIBILITY

15. This paper supports the delivery of the Strategic Plan 2021/24 and will support Members in HFA decision making and in their capacity as Member Champions, to positively influence fire and rescue related matters in their home Authorities.

FINANCIAL/RESOURCES/VALUE FOR MONEY IMPLICATIONS

16. Analysis of performance over time contributes towards efficiency review activity.

LEGAL IMPLICATIONS

17. None directly arising.

EQUALITY IMPACT ASSESSMENT/HR IMPLICATIONS

18. Performance against our Public Sector Equality Duty Objectives, approved by Members following consultation in December 2020, will be incorporated into cyclical reports. This will also be an area of interest to Member Champions. An Equality Impact Assessment (EIA) has been completed in relation to biannual performance reporting and no detrimental factors were identified.

CORPORATE RISK MANAGEMENT IMPLICATIONS

19. Reporting and scrutiny of Service performance provides an assurance that arising risks are being mitigated.

HEALTH AND SAFETY IMPLICATIONS

20. None directly arising.

COMMUNICATION ACTIONS ARISING

21. The Strategic Plan and Performance Reports are publicly available via the HFRS Website.

DETAILS OF CONSULTATION

22. The Strategic Leadership Team have been consulted in relation to performance management.

RECOMMENDATIONS RESTATED

23. That Members endorse the approach for reporting performance during 2022/23.

M Sutcliffe

Officer Contact: Simon Rhodes srhodes@humbersidefire.gov.uk
Head of Corporate Assurance

Humberside Fire Authority
29 April 2022

**Report by the Chief Fire Officer/
 Chief Executive & Monitoring
 Officer/Secretary**

USE OF DELEGATED POWERS UNDER FIRE AUTHORITY CONSTITUTION BY CHIEF FIRE OFFICER & CHIEF EXECUTIVE

SUMMARY

1. This report provides the Authority with details of the decisions taken by the Chief Fire Officer & Chief Executive during 2021/22 to vary the establishment, under his delegated powers within the Fire Authority Constitution.

RECOMMENDATIONS

2. The Authority is asked to consider this report and take assurance that the Scheme of Delegation has been properly exercised.

BACKGROUND

3. The Scheme of Delegation set out in the Constitution (Part 3, Section B) gives the Chief Fire Officer & Chief Executive delegated authority as follows:

“(m) (vi) to vary in any one financial year the overall establishment to a maximum of 0.5% of total annual budget (provided that such a variation does not affect more than 10 permanent full-time equivalent posts), and provided that any such variations are within the approved Budget (and confirmed by the S.151 Officer) and are in accordance with the approved Strategic Plan (and IRMP) of the HFA. The Chief Fire Officer & Chief Executive shall report on an annual basis to the HFA setting out the basis upon which such powers have been exercised.”

4. In the year 2021/22 the following substantive establishment changes (not including temporary changes or those approved by the Fire Authority as part of a HFA report) have been approved under the delegated authority given to the Chief Fire Officer & Chief Executive:
 - Creation of one additional Head of Function post in Service Improvement – Head of Corporate Risk and Intelligence.
 - Creation of one additional Head of Function post in Service Delivery – Head of Prevention.
5. Members should note that this report concerns only permanent changes to the establishment. Temporary posts, re-gradings and changes in job content where the post remains substantially the same are not included as such decisions are within the remit of the Chief Fire Officer & Chief Executive under the Constitution.

STRATEGIC PLAN COMPATIBILITY

6. The proper use of delegated powers is in accordance with the Strategic Plan objective of ‘making the best use of the resources we have.’

FINANCIAL/RESOURCES/VALUE FOR MONEY IMPLICATIONS

7. None arising directly.

LEGAL IMPLICATIONS

8. None arising directly.

EQUALITY IMPACT ASSESSMENT/HR IMPLICATIONS

9. None arising directly.

CORPORATE RISK MANAGEMENT IMPLICATIONS

10. None arising directly.

HEALTH AND SAFETY IMPLICATIONS

11. None arising.

COMMUNICATION ACTIONS ARISING

12. None arising directly

DETAILS OF CONSULTATION AND/OR COLLABORATION

13. Not applicable.

BACKGROUND PAPERS AVAILABLE FOR ACCESS

14. Constitution of Humberside Fire Authority.

RECOMMENDATIONS RESTATED

15. The Authority is asked to consider this report and take assurance that the Scheme of Delegation has been properly exercised.

**C BLACKSELL
M BUCKLEY**

Officer Contact: Simon Rhodes srhodes@humbersidefire.gov.uk
Head of Corporate Assurance

Humberside Fire & Rescue Service
Summergroves Way
Kingston upon Hull

Revised Fire Authority Member Code of Conduct

REPORT EXECUTIVE SUMMARY

Councils are required to adopt a code dealing with the conduct that is expected of Members and co-opted Members when they are acting in their capacity as a Member or co-opted Member of the Authority. The content of the code must be consistent with the seven principles of public life and must include provision in respect of the registration and disclosure of pecuniary and non-pecuniary interests.

Following a series of workshops and consultation processes the Local Government Association has produced a revised model code of conduct this is attached at Appendix A to this report. Humberside Fire Authority needs to consider if it wishes to amend its existing Member Code of Conduct and if so which, if any, elements of the revised model code it should adopt.

A briefing paper was circulated to Members of the Fire Authority with a draft of a revised Member Code of Conduct for the Fire Authority and Members were asked for their comments. The Governance Audit and Scrutiny Committee have also considered and provided comments on the draft Member Code of Conduct.

The Fire Authority are asked to consider the adoption of a revised Member Code of Conduct as set out at Appendix B to this report.

RECOMMENDATIONS

1. That the Fire Authority adopt a revised Member Code of Conduct as set out at Appendix B of this report.

REPORT DETAIL

2. Councils are required to adopt a code dealing with the conduct that is expected of Members and co-opted Members when they are acting in their capacity as a Member or co-opted Member of the Authority. The content of the code must be consistent with the seven principles of public life and must include provision in respect of the registration and disclosure of pecuniary and non-pecuniary interests.
3. Following a series of workshops and consultation processes the Local Government Association has produced a revised model code of conduct this is attached at Appendix A to this report. Humberside Fire Authority needs to consider if it wishes to amend its existing Member Code of Conduct and if so which, if any, elements of the revised model code it should adopt.
4. A briefing paper was circulated to Members of the Fire Authority with a draft of a revised Member Code of Conduct for the Fire Authority and Members were asked for their comments. The Governance Audit and Scrutiny Committee have also considered and provided comments on the draft Member Code of Conduct. The Fire Authority are asked to consider adopting a revised Member Code of Conduct as set out at Appendix B of this report

Matters for consideration

Seven Principles of Public Life / Core Code of Ethics

5. These are included as an appendix to the LGA Code and incorporated into the body of the current code. The principles can be included as a preamble to the code if so it should be made clear that they do not form part of the code and complaints relating to breaches of the principles cannot be considered. The Governance Audit and Scrutiny Committee have recommended that the principles of public life should be referred to but not included in the Code.
6. As part of the feedback on the draft code from Members it has also been suggested that the National Fire Chiefs Council Core Code of Ethics is also included in the Code as this forms the basis of the officer code of conduct and the two codes should reflect each other.

Introductory Paragraphs/Scope of the Code

7. The model code opens with a series of introductory statements. Other than the definitions and the paragraph setting out the purpose of the code it is not clear what value the introductory paragraphs add to the code of conduct. It is therefore recommended that they are not included in a revised Code of Conduct.

Definitions

8. It is considered that a definition section is a necessary part of a code of conduct. Therefore, this is included. Governance Audit and Scrutiny Committee have recommended that the reference to Councillors in the Code should be replaced with a reference to Members of the Fire Authority and its committees. The Code has been amended to include this within the definitions.

Purpose of the Code of Conduct

9. The principles in this section are covered at present by the last two paragraphs under ‘ Introduction and Interpretation ‘ in the current code. It is considered that these should be retained.

General principles of Councillor conduct

10. It is considered that this section should not be included as it will create confusion in the minds of councillors and members of the public.. It is clear from the LGA model code that the only parts of the model code whereby a complaint of a failure to comply can be made are those elements that come under the heading ‘Standards of Councillor Conduct’. The introductory paragraph to this section states –

*This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. **Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.***

It is clear therefore that it is only in respect of a breach of the provisions that follow this that a complaint can be made.

11. As this is the case, the inclusion of expected standards of behaviour for Councillors alleged breaches of which cannot be investigated alongside standards of behaviour alleged breaches of which can be investigated within the same document creates a lack of clarity. Councillors will be unclear as to the standards of behaviour to which they are being held and for which they can be subject to investigation and members of the public will be unclear as to those matters they can complain about.

Application of the Code

12. This section is covered in the current code in the sections headed ‘ Introduction and Interpretation ‘ and ‘ Who does this Code apply to and when does it apply ‘ They set out when the code of conduct applies to members. It is considered that elements of the current code should be retained and the elements of the model code that deal with which types of communications the Code applies to should be included. The reference to social media is considered particularly important.

General Conduct

13. In terms of the general requirements set out under the Code of Conduct under this heading it is considered that all of these elements should be included. In general they reflect the requirements of the existing Code of Conduct. There are some amendments that have been made to make the requirements clearer and there are some additional requirements and some amendments to existing requirements.. The model code also includes explanatory paragraphs that explain each of the requirements of the Code in more detail and this is considered to be a useful addition to the existing Code of Conduct
14. One issue that may seem unimportant but is key is the question of whether the requirements of the Code should be expressed in the first person ‘I’ or in the second person ‘You’. The requirements of the existing Code of Conduct are expressed in the second person ‘You must’. The requirements of the LGA model code are expressed in the first person ‘I will’. The reasoning, it would appear, is that Councillors should be making a commitment to act in a certain way. The problem is that the introductory sections of the LGA model code are set out in the second person and the move to first person seems clunky. It is therefore considered that the code should, as at present, be set out in the second person ‘You must’.

Interests

15. The provisions relating to the registration and declaration of interests are set out in the LGA model code in a separate appendix as opposed to in the main body of the code where (other than the definition of pecuniary interests) they are placed in the current code of conduct. It is suggested that the provisions relating to interests are included in the main body of the code rather than as an appendix. The registration and declaration of interests are important elements of the code. Members need therefore to be aware of the requirements and they may be missed if they are placed in an appendix.

Registration of Interests

Pecuniary Interests

16. The requirement to register pecuniary interests is a statutory requirement. The current code sets out the requirements as does the LGA model code. It is recommended that the current drafting of the Code of Conduct with regard to the registration of pecuniary interests should remain as is drafted subject to the inclusion of the full definition of pecuniary interests in the main body of the code rather than as an appendix.

Non-Pecuniary Interests

17. The LGA model code contains most of the non-pecuniary interests listed in the current code of conduct as personal interests, The LGA code also includes any unpaid directorships. It is considered that this can be covered by including a requirement to register any voluntary work undertaken by a member which will include unpaid directorships and other voluntary work. It is also considered that the term personal interests should be replaced with the term non-pecuniary interests.

Actions on Interests

Pecuniary Interests

18. It is considered that the paragraph in the LGA model code relating to the disclosure of pecuniary interests and the action to be taken in relation to pecuniary interests reflects the existing provisions of the Code and should be adopted.

Non-Pecuniary Interests

19. The LGA model code of conduct varies from the current code of conduct. it provides that a member with a non-pecuniary interest

- May not speak unless members of the public can speak
- May not take part in the discussion
- May not vote
- Must leave the room

Effectively treating non-pecuniary interests as though they were pecuniary interests.

20. The reasoning for this it not clear. The result would be that Councillors with fairly minor interests in a matter would not be able to take part in debates and would not be able to vote. It is not considered that this is justified and the code of conduct should continue to provide that Councillors with a simple non-pecuniary interests should be allowed to vote. If members have a non-pecuniary interest the nature of which is likely to affect their judgement of the public interest that can be covered by a category of prejudicial interests (see below).

Non-Registerable Interests

21. The LGA model code then introduces a third category of interests – non registerable interests. The drafting of this section of the LGA model code is a little confused. The intention appears to be to make a distinction between matters that **directly relate** to and matters that **affect** the wellbeing or financial position of certain persons and organisations. It is considered that this distinction will be difficult to understand and it will be difficult for members of the public to understand if a Councillor has taken the appropriate action.
22. In place of the above it is recommended that the existing code should be amended to set out three categories of interests and actions as set out below –

Interest	Action
Pecuniary Interests	<ul style="list-style-type: none">• Declare• Leave meeting• Do not speak• Do not vote
Non-Pecuniary Interests	<ul style="list-style-type: none">• Declare• Remain in meeting• Can speak• Can vote
Prejudicial Interests	<ul style="list-style-type: none">• Declare• Leave meeting• Do not speak• Do not vote

Prejudicial Interests

23. In previous versions of the statutory (pre 2011) code there was a definition of prejudicial interests –

Where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

Members with a prejudicial interest had to declare the interest, leave the meeting, could not speak and could not vote.

24. There were certain circumstances whereby a Councillor was not taken to have a prejudicial interest in a matter including –
- *an allowance, payment or indemnity given to members;*
 - *any ceremonial honour given to members; and*
 - *setting council tax or a precept under the Local Government Finance Act 1992.*

This meant that Councillors were not prevented from setting the precept or voting on allowances for Councillors. It is not considered that the second category of exemption is relevant to the fire authority therefore it will not be included.

25. It is considered that adding a category of prejudicial interests to the existing code of conduct as set out below along with two of the exceptions as set out above and restrictions on participation will be a clearer way of implementing the provisions of the model code. The new definition of prejudicial interests would be as follows –

Subject to sub-paragraph (a) below where you have a non-pecuniary interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

It is considered that the above sets out a more easily understandable hierarchy of interests that incorporates elements of the model code of conduct.

Other Issues

26. The Governance Audit and Scrutiny Committee have also made two other recommendations which are dealt with below –

The Governance Audit and Scrutiny Committee felt that the role of chairpersons be defined within the Code, particularly with regard to declarations of interest;. After consideration it is not recommended that there should be any such reference. It is a matter for individual Councillors to decide if they have an interest in an item. Whilst other Councillors including the chair may have a view as to whether a Councillor should be declaring an interest in a particular matter the responsibility to make the declaration lies with the Councillor concerned.

The Governance Audit and Scrutiny Committee also felt that details should be included of what may occur if there was a breach of the Code by a Councillor. Again it is recommended that this is not included. The sanctions that the Fire Authority or their home authority could impose are limited but would also need to be tailored to the relevant breach of the code. Any examples therefore would not be definitive.

STRATEGIC PLAN COMPATIBILITY

27. The Code of Conduct will support the following Strategic Plan aims –

We treat everyone in an open , fair and equal manner.

We promote our principles and expected behaviours and are ethical , transparent and accountable

FINANCIAL/RESOURCES/VALUE FOR MONEY IMPLICATIONS

28. There are no financial implications associated with the adoption of the Code of Conduct.

LEGAL IMPLICATIONS

29. Under s 27 of the Localism Act 2011 the Fire Authority are required to adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity.

EQUALITY IMPACT ASSESSMENT/HR IMPLICATIONS

30. The adoption of the Code will promote equalities by requiring elected Members to treat others with respect and courtesy and not to do anything which may cause the Authority to breach any equality laws.

CORPORATE RISK MANAGEMENT IMPLICATIONS

31. None

HEALTH AND SAFETY IMPLICATIONS

32. None

COMMUNICATION ACTIONS ARISING

33. Under s 28 of the Localism Act 2011 the Fire Authority must publicise its adoption, revision or replacement of a code of conduct in such manner as it considers is likely to bring the adoption, revision or replacement of the code of conduct to the attention of persons who live in its area.

DETAILS OF CONSULTATION AND/OR COLLABORATION

34. Consultation on the revised Code of Conduct has been carried out with elected Members of the Authority.

BACKGROUND PAPERS AVAILABLE FOR ACCESS

35. None

RECOMMENDATIONS RESTATED

36. That the Governance Audit and Scrutiny Committee provide feedback to the Fire Authority on the draft Member Code of Conduct

M Buckley

Officer Contact: Mathew Buckley ☎ 01482 393100
Monitoring Officer and Secretary

Humberside Fire & Rescue Service
Summergroves Way
Kingston upon Hull

Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) 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”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

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.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General 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, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

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.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and

contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality 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.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

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.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

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

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

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.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

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.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport

- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

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 of 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.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

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 a 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.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

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 interests

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 of 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 of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as 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.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Disclosure of Other Registerable Interests

6. 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

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being 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.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registrable 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

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
 - 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.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

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](#).

Subject	Description
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

	<p>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 —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>‘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.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor’s knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(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.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(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</p>

	spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.
--	--

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a 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 Registrable Interests

You must register as an Other Registrable 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

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.

SECTION A – HUMBERSIDE FIRE AUTHORITY MEMBERS' CODE OF CONDUCT

Humberside Fire Authority is required to adopt a code dealing with the conduct that is expected of Members and co-opted Members of the authority when they are acting in that capacity. The Code must be consistent with the Seven Principles of Public Life (the 'Nolan' principles) and the National Fire Chief's Council Core Code of Ethics -

The Seven Principles of Public Life

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.

National Fire Chief's Council Core Code of Ethics

- **Putting our communities first** – we put the interest of the public, the community and service users first.
- **Integrity** – we act with integrity including being open, honest and consistent in everything we do.
- **Dignity and respect** - making decisions objectively based on evidence, without discrimination or bias.
- **Leadership** – we are all positive role models, always demonstrating flexibility and resilient leadership. We are all accountable for everything we do and challenge all behaviour that falls short of the highest standards.
- **Equality, diversity, and inclusion (EDI)** – We continually recognise and promote the value of EDI both within the FRSs and the wider communities in which we serve. We stand against all forms of discrimination, create equal opportunities, promote equality, foster good relations, and celebrate difference.

The principles and Core Code of Ethics do not form part of the Code itself. Complaints that a Member has breached the provisions of the Code must be based on a breach of the provisions set out below under Standards of Councillor Conduct.

PART I - GENERAL PROVISIONS

1. Introduction and Interpretation

Definitions

In this Code of Conduct:-

Member means a member or co-opted member of the fire authority ; “co-opted member” is defined in the Localism Act 2011 Section 27(4) 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”.

This includes members of the Governance Audit and Scrutiny committee.

Relative means Spouse, Civil partner, any person with whom you are living as a spouse or civil partner, parent, grandparent, child, grandchild or sibling.

Purpose of the Code of Conduct

You are a representative of the Fire Authority (the Authority) and the public will view you as such. Therefore your actions impact on how the Authority as a whole is viewed and your actions can have both a positive and negative impact on the Authority.

The public expect Councillors to act in an open and transparent manner, which reinforces public confidence in the Authority

Application of the Code of Conduct

This Code applies to you as a Councillor on the Fire Authority when you act in your role as a Councillor. It is your responsibility to comply with the provisions of this Code.

This Code of Conduct applies to you when you are acting in your capacity as a Councillor which may include when:

- you misuse your position as a Councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Councillor;

and references to your official capacity are construed accordingly.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication

- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct.

Where you act as a representative of the Authority:

- on another relevant authority, you must when acting for that other authority, comply with that other authority's code of conduct; or
- on any other body, you must, when acting for that other body, comply with your Authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

Standards of Member conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a Member. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

You must treat others with respect and courtesy.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Member, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Members.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online. Intimidatory or threatening behaviour which may amount to a criminal offence can be reported to the Police. You may also report any such behaviour to the relevant social media provider. This also applies to fellow Members, where action could then be taken under the Code of Conduct, and authority employees, where concerns should be raised in line with the protocol for member and officer relationships.

- 1. You must not bully or harass any person.**
- 2. You must not do anything which may cause the Authority to breach any equality laws.**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that

undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Members have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services

3. You must not conduct yourself in a manner that could reasonably be regarded as bringing your office or Authority into disrepute.

As a Member, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other Members and/or the Authority and may lower the public's confidence in your or the Authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring the fire authority into disrepute.

You are able to hold the fire and rescue service and fellow Members to account and are able to constructively challenge and express concern about decisions and processes undertaken by the Authority whilst continuing to adhere to other aspects of the Code of Conduct.

4. You must not

a. Disclose information:

- i. given to you in confidence by anyone
- ii. acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature,
- iii. which consists of the personal data of another person, unless
 1. You have received the consent of a person authorised to give it;
 2. You are required by law to do so;
 3. 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
 4. the disclosure is:

- a. **reasonable and in the public interest; and**
- b. **made in good faith and in compliance with the reasonable requirements of the local authority; and**
- c. **You have consulted the Monitoring Officer prior to its release.**

- b. **Improperly use knowledge gained solely as a result of your role as a Councillor for the advancement of you, your close associates, members of your family, your employer or your business interests.**

Prevent anyone from getting information that they entitled to by law.

The Authority must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the Authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

- 5. You must act solely in the public interest and not use, or attempt to use, your position as a Member improperly to confer or secure for yourself or any other person an advantage or disadvantage.**

Your position as a Member provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly

- 6. You must not do anything which compromises, or is likely to compromise, the impartiality of those who work for, or on behalf of, Humberside Fire and Rescue Service.**

Officers work for the Fire and Rescue service as a whole and must be politically neutral. They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

- 7. You must not misuse the resources of the Authority**
- 8. When using the resources of the Authority or authorising their use by others you must:**
 - a. **act in accordance with the Authority's requirements**

- b. ensure that such resources are not used improperly for political purposes (including party political purposes)**

You may be provided with resources and facilities by the Authority to assist you in carrying out your duties as a Member.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of Authority buildings and rooms.

These are given to you to help you carry out your role as a Member more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the Authority's own policies regarding their use.

9. You must –

- a. undertake Code of Conduct training provided by your Authority.**
 - b. co-operate with any Code of Conduct investigation and/or determination.**
 - c. comply with any sanction imposed on you following a finding that you have breached the Code of Conduct.**

10. You must not –

- a. intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**
 - b. make any trivial or malicious complaint against any other Member alleging a breach of any of the provisions of this Code of Conduct.**

It is extremely important for you as a Member to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the Authority or its governance. If you do not understand or are concerned about the Authority's processes in handling a complaint you should raise this with your Monitoring Officer.

- 11. You must within 28 days of receipt, register offers of gifts or hospitality with a value of £25 or more which have been offered to you in your capacity as a Councillor from any person or body other than the authority.**

- 12. You must not accept gifts and hospitality regardless of value where it may lead any reasonable person with knowledge of the relevant facts to believe that you might be influenced by the gift or hospitality given.**

In order to protect your position and the reputation of the Authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Member. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a Member, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a Member. If you are unsure, do contact your Monitoring Officer for guidance.

- 13. You must before the end of 28 days beginning on the day on which you become a Member or within 28 days of any change in an interest or becoming aware of any new interest notify the Monitoring Officer of:**

- a. The following Pecuniary Interests of yourself, your spouse or civil partner, any person with whom you are living as husband or wife or any person with whom you are living as if they were a civil partner:**
 - i. Any employment, office, trade, profession or vocation carried on for profit or gain.**
 - ii. 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.**
 - iii. 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.**
 - iv. 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.**
 - v. Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer**
 - vi. 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.

- vii. 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 spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

** 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a 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.

b. The following Non-Pecuniary interests of yourself:

- i. Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the authority
- ii. Any voluntary work undertaken by you
- iii. Any bodies –
 - a. exercising functions of a public nature
 - b. directed to charitable purposes or
 - c. whose principal purposes include influence of public opinion of policy (including any political party or trade union)

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

14. You need only notify the Monitoring Officer of any interests of which you are aware pursuant to paragraph 13 above.

15. Where the nature of the interest is such that you consider that the disclosure of the interest could lead to you or a person connected with you being subject to violence or intimidation, (and the Monitoring Officer agrees) details of the interests will not be included in any published version of the register of interests save that the register will state you have an interest the details of which are withheld under section 32(2) of the Localism Act 2011.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the Authority. You need to register your interests so that the public, employees of the Fire and Rescue Service and fellow Members know which of your interests might give rise to a conflict of interest. The register is a public

document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a pecuniary interest as set out at paragraph 13 above is a criminal offence under the Localism Act 2011.

Actions on Interests

- 16. Where a matter arises at a meeting which directly relates to one of your Pecuniary Interests as set out at paragraph 13 above, you must disclose the interest, not participate in any discussion or vote on the matter and must leave 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 pecuniary interest.**
- 17. You have a non-pecuniary interest in any business of the authority where either-**
 - a. it is likely to affect any of the bodies listed in paragraph 13 (b) above;**
 - b. it is likely to affect any person or body from whom you have within the last six years and in your capacity as a Member accepted an offer of gifts or hospitality with a value of £25.00 or more, or**
 - c. the decision in relation to that business might reasonably be regarded as affecting your wellbeing, or financial position, or the wellbeing or financial position of a relevant person to a greater extent than the majority of other Council tax payers, rate payers or inhabitants of the Ward affected by the decision.**
- 18. A relevant person is:-**
 - a. A relative or any person with whom you have a close association, or**
 - b. A person or body who employs or has appointed such persons any firm of which they are a partner or any company of which they are Directors.**
- 19. Where you have a non-pecuniary interest in any business of the Authority and you attend a meeting of the Authority at which that business is considered you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration or when the interest becomes apparent.**

20. Paragraph 19 only applies where you are aware or ought reasonably to be aware of the existence of the interest.
21. Where you have an interest but by virtue of paragraph 15 it is not registered in the Authority's register of interests you must indicate you have a non-pecuniary interest but need not disclose the sensitive information to the meeting.
22. Subject to sub-paragraph (a) below where you have a non-pecuniary interest in any business of the Authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest
 - a. You do not have a prejudicial interest in any business of the authority where that business relates to the functions of your Authority in respect of –
 - i. an allowance, payment or indemnity given to members;
 - ii. setting the precept under the Local Government Finance Act 1992
23. Where a matter arises at a meeting in which you have a prejudicial interest, you must disclose the interest, not participate in any discussion or vote on the matter and must leave the room. Where you have an interest but by virtue of paragraph 15 it is not registered in the Authority's register of interests you must indicate you have a prejudicial interest but need not disclose the sensitive information to the meeting.

Amendments to the Constitution

SUMMARY

1. Since the last iteration of the Constitution there have been further legal changes that necessitates changes to the Constitution.

The amendments and reason for them are set out at Appendix 1 of this report for Members consideration.

RECOMMENDATIONS

2. That the appended amendments to the Constitution be approved.

BACKGROUND

3. Since the last iteration of the Constitution there have been further legal changes that necessitates changes to the Constitution.

The amendments and reason for them are set out at Appendix 1 of this report for Members consideration. Further to the amendments listed, a new section (Part 4: Section E) has been added for the Authority's consideration. A summary of Part 4: Section E is offered in Appendix 1 and the full text has been circulated as a supporting paper.

STRATEGIC PLAN COMPATIBILITY

4. This report ensures that the Constitution is compatible with relevant legislation.

FINANCIAL/RESOURCES/VALUE FOR MONEY IMPLICATIONS

5. None arising directly.

LEGAL IMPLICATIONS

6. As set out above.

EQUALITY IMPACT ASSESSMENT/HR IMPLICATIONS

7. None arising directly.

CORPORATE RISK MANAGEMENT IMPLICATIONS

8. This report is designed to further enhance the governance arrangements of the Authority.

HEALTH AND SAFETY IMPLICATIONS

9. None arising directly.

COMMUNICATION ACTIONS ARISING

10. None.

DETAILS OF CONSULTATION AND/OR COLLABORATION

11. Chief Fire Officer & Chief Executive and Statutory S.151 Officer.

BACKGROUND PAPERS AVAILABLE FOR ACCESS

12. None

RECOMMENDATIONS RESTATED

13. That the appended amendments to the Constitution be approved.

Officer Contact: Mathew Buckley ☐ 01482 567174
Monitoring Officer/Secretary


M BUCKLEY

Humberside Fire & Rescue Service
Summergroves Way
Kingston upon Hull
SC April 2022

Appendix 1: Changes to the HFA Constitution

Summary of changes to be made	Comment
<p>PART 2: ARTICLE 2</p> <p>2.1 - Composition</p> <p>The HFA is currently composed of 22 23 Members. 22 who are Elected Members appointed by East Riding of Yorkshire Council (8), Hull City Council (6), North Lincolnshire Council (4) and North East Lincolnshire Council (4). The number of nominations from each of the four constituent authorities is in proportion to the number of local government electors in each of the four constituent authorities' areas.</p> <p>The Police and Crime Commissioner is also a Member on the Fire Authority for the duration of their term of office.</p>	<p>Membership now includes the Police and Crime Commissioner as a voting Member.</p>
<p>PART 2: ARTICLE 7</p> <p>7.1 Meetings of the Committee</p> <p>The Committee shall meet as and when required.</p> <p>7.1.1 Appointment of Senior Officers</p> <p>(a) The Appointments Committee shall make recommendations to the Fire Authority regarding the appointment and conditions of service of the following Senior Officers of the Executive Board Strategic Leadership Team:</p> <p>Chief Fire Officer & Chief Executive Deputy Chief Fire Officer Assistant Chief Fire Officer Executive Directors</p>	<p>Amendments made following the implementation of the new leadership structure in March 2022.</p>
<p>PART 2: ARTICLE 11 - OFFICERS</p> <p>11.2 Statutory Posts</p> <p>HFA has designated the following posts:</p> <p><u>Designation</u> <u>Post</u></p>	<p>Change of post title following the implementation of the new leadership structure in March 2022.</p>



Appendix 1: Changes to the HFA Constitution

Summary of changes to be made		Comment
Head of Paid Service	Chief Fire Officer & Chief Executive	
Monitoring Officer	Secretary	
S.151 Officer	Executive Director of Finance Corporate Services	
PART 4: SECTION A - RULES OF PROCEDURE		
Rule 8 - Order of Business		
<u>Budget Meeting (Setting of the Precept)</u>		
8.3 In accordance with Paragraph 11 of Schedule 2 of <i>The Local Authorities (Standing Orders) (England) Regulations 2001/3384</i> a recorded vote must take place for the setting of the precept.		New section 8.3 to be included as an aide-mémoire at the budget meeting.
<i>“Immediately after any vote is taken at a budget decision meeting of an authority there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.”</i>		
PART 4: SECTION C - OFFICER EMPLOYMENT PROCEDURE RULES		
Rule 5 – Disciplinary Action		
5.2	The Chief Fire Officer & Chief Executive, the Monitoring Officer and the Section 151 Officer may be suspended whilst an investigation takes place into alleged misconduct. No other disciplinary action may be taken in respect of any of those Officers except in accordance with a recommendation in a report made by a Designated independent person. The suspension will be on full pay pending the outcome of the investigation and where appropriate, the disciplinary hearing. The period of suspension will initially be for no longer than 2 months then reviewed at least every 4 weeks in consultation with the Independent Investigator.	To be in keeping with recent case law and the Joint Negotiating Committee (JNC) for local authority CEO Conditions of Service Handbook.
PART 4: SECTION E - CONTRACT PROCEDURE RULES		The whole of Section E has been updated to bring up to date in terms of terminology and applicable legislation following Brexit where EU and OJEU references have been replaced by national guidance and regulations.
 Part 4 Section E - NEW.docx		As well as this there have been some specific updates to reflect our obligations under;

Appendix 1: Changes to the HFA Constitution

Summary of changes to be made	Comment
	<ul style="list-style-type: none"> • Local Government Transparency Code. • Specific PPN's (Procurement Policy Notes) issued by government • Strengthens conflict of interest provision • Ability to reserve below threshold contracts <p>Also minor changes have been made to the local threshold values for the Service's procurement processes and introduces a new Decision Record form (Schedule 3 to part 4) to facilitate distinct approval levels. At the moment Directors sign off decision records for low value purchases which is quite onerous. Therefore some approval levels have been suggested within the Decision Record form which are more in line with the financial scheme of delegation and APTOS (the financial management system) approval levels. It also requires clear identification of instances of the procurement rules being set aside due to an exemption which was an Internal Audit recommendation.</p>
PART 5: SECTION A - MEMBERS' CODE OF CONDUCT	To be replaced/updated following the approval of the new code of conduct submitted to 29 April 2022 meeting of the Authority.
PART 6: MEMBERS' ALLOWANCES SCHEME	Updated scheme following approval by the Authority at its meeting of 10 February 2022.

Appendix 1: Changes to the HFA Constitution

Summary of changes to be made	Comment																				
 Members' Allowances Scheme																					
<p>PART 7: MANAGEMENT STRUCTURE</p> <p>The Senior Officers who make up the Strategic Leadership Team are:</p> <table border="1" data-bbox="129 499 1451 1098"> <thead> <tr> <th>Post</th><th>Name</th></tr> </thead> <tbody> <tr> <td>Chief Fire Officer & Chief Executive Head of Paid Service</td><td>Chris Blacksell</td></tr> <tr> <td>Deputy Chief Fire Officer & Executive Director Service Delivery of Corporate Services</td><td>Phil Shillito</td></tr> <tr> <td>Assistant Chief Fire Officer</td><td>Niall McKiniry</td></tr> <tr> <td>Executive Director of Corporate Services Finance S.151 Officer</td><td>Kevin Wilson</td></tr> <tr> <td>Executive Director of People and Development</td><td>Vacant Christine Cooper</td></tr> <tr> <td>Temporary Director of Service Improvement</td><td>Niall McKiniry Matthew Suttcliffe</td></tr> <tr> <td>Temporary Director of Prevention and Protection Service Delivery</td><td>Paul McCourt Steve Duffield</td></tr> <tr> <td>Director of Emergency Response Service Delivery Support</td><td>Steve Topham</td></tr> <tr> <td><u>Other Senior Appointments</u> Secretary to Fire Authority Monitoring Officer</td><td>Mathew Buckley (East Riding of Yorkshire Council)</td></tr> </tbody> </table> <p>New Organisational Structure Chart to be replaced on page 131</p>  Organisational Structure - 1 March :	Post	Name	Chief Fire Officer & Chief Executive Head of Paid Service	Chris Blacksell	Deputy Chief Fire Officer & Executive Director Service Delivery of Corporate Services	Phil Shillito	Assistant Chief Fire Officer	Niall McKiniry	Executive Director of Corporate Services Finance S.151 Officer	Kevin Wilson	Executive Director of People and Development	Vacant Christine Cooper	Temporary Director of Service Improvement	Niall McKiniry Matthew Suttcliffe	Temporary Director of Prevention and Protection Service Delivery	Paul McCourt Steve Duffield	Director of Emergency Response Service Delivery Support	Steve Topham	<u>Other Senior Appointments</u> Secretary to Fire Authority Monitoring Officer	Mathew Buckley (East Riding of Yorkshire Council)	<p>Updated post titles and names following the implementation of the new leadership structure in March 2022.</p>
Post	Name																				
Chief Fire Officer & Chief Executive Head of Paid Service	Chris Blacksell																				
Deputy Chief Fire Officer & Executive Director Service Delivery of Corporate Services	Phil Shillito																				
Assistant Chief Fire Officer	Niall McKiniry																				
Executive Director of Corporate Services Finance S.151 Officer	Kevin Wilson																				
Executive Director of People and Development	Vacant Christine Cooper																				
Temporary Director of Service Improvement	Niall McKiniry Matthew Suttcliffe																				
Temporary Director of Prevention and Protection Service Delivery	Paul McCourt Steve Duffield																				
Director of Emergency Response Service Delivery Support	Steve Topham																				
<u>Other Senior Appointments</u> Secretary to Fire Authority Monitoring Officer	Mathew Buckley (East Riding of Yorkshire Council)																				
<p>PART 2: THE HUMBERSIDE FIRE AUTHORITY CONSTITUTIONAL FRAMEWORK</p> <p>Article 13 – Finance, Contracts and Legal Matters</p>	<p>Reference to the Common Seal or Sealing of documents removed throughout the Constitution.</p>																				

Appendix 1: Changes to the HFA Constitution

Summary of changes to be made	Comment
<p><u>13.5 Common Seal of the Humberside Fire Authority</u></p> <p>The Common Seal of the HFA will be kept in a safe place in the custody of the Secretary. A decision of the HFA, or any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision.</p> <p>The Common Seal will be affixed to those documents which in the opinion of the Secretary, or other authorised employee, should be sealed. The affixing of the Common Seal will be attested by the Secretary, or any other person authorised by him/her.</p> <p>Every sealing of a document shall be recorded and consecutively numbered in a book kept for the purpose. The entry shall be signed by the persons who attested the seal.</p> <p>PART 3: SCHEME OF DELEGATION</p> <p><u>4. Delegation to the Secretary</u></p> <p>(a) — Execution of Documents</p> <p>The common seal of the HFA shall not be affixed to any document unless the sealing, or the action requiring the sealing, of a document has been properly authorised by the HFA or the Secretary exercising delegated powers.</p> <p>(b) — Every document which has the common seal of the HFA on it shall be signed by the Secretary. Every document which is sealed must be recorded and consecutively numbered in a sealing book which shall be open to inspection by any Member of the HFA.</p> <p>(c) — The execution of documents under these powers shall not constitute delivery of such documents to any other party to such documents. Delivery of a sealed document shall be distinct and separate event to be taken by or on behalf of the HFA after signing and sealing each document.</p> <p>PART 4: SECTION A - HUMBERSIDE FIRE AUTHORITY PROCEDURE RULES</p> <p><u>Rule 15 – Motions and Amendments which may be moved without Notice</u></p> <p>(d) — Authorising the sealing of documents;</p>	<p>The Seal was usually used for land transactions, which goes back to the time when the Authority had an in-house legal function, which it no longer does. This is no longer relevant as if the Authority were undertaking a land transaction that would be carried out by solicitors acting on its behalf.</p>

Appendix 1: Changes to the HFA Constitution

Summary of changes to be made	Comment
<p>PART 4: SECTION D – FINANCIAL PROCEDURE RULES</p> <p><u>Rule 24 – Contracts – Commencement</u></p> <p>24.1 — No Officer must authorise work to start or goods to be supplied, where these are the subject of a contract under seal entered into between the HFA and the contractor, until the Secretary has advised the officer that the contract has been signed by the contractor. Any exception to this procedure must be agreed by the Secretary.</p> <p>PART 4: SECTION E – CONTRACT PROCEDURE RULES</p> <p><u>Rule 13 – Contracts Valued At More Than £50,000 But Not More Than The Published EU Procurement Threshold in Respect to Works, Supplies or Services Contracts</u></p> <p>13.5 — The Authorised Officer shall take advice from the Secretary as to whether the contract should be a formal document and which may be executed under seal. Where the contract is to be executed under seal then the contract shall be executed by the Secretary. The Authorised Officer shall provide the Secretary with a copy of the Decision Record. Contracts in whatever form are prime financial documents and must be kept for a prescribed period of at least 6 years (12 years if under seal) or until any dispute relating to the contract has been resolved.</p>	