

TERMS OF REFERENCE AND DELEGATION OF POWERS TO COMMITTEES AND SUB-COMMITTEES

- A The exercise of delegated powers and decision-making by Committees and Sub-Committees appointed by the Authority pursuant to the powers vested in the Authority by the Local Government Act 1972 and any other statutory or common law provisions shall be subject to:
- i Statutory or legal requirements.
 - ii Standing Orders of the Authority.
 - iii Strategic and corporate policies adopted by the Authority and/or directions of the Authority in relation to the exercise of delegated functions.
- B No delegation shall preclude the reference of matters by a Committee or Sub-Committee to the Authority nor preclude the Authority from exercising any powers so delegated except where action has already been taken pursuant to a resolution of a Committee or Sub-Committee under its approved Terms of Reference and delegated authority.

WEST YORKSHIRE FIRE AUTHORITY

The Authority is a Body Corporate established pursuant to Section 26 Local Government Act 1985.

It has 22 Members appointed by the five District Councils within West Yorkshire in the following ratio:

Bradford	5
Calderdale	2
Kirklees	4
Leeds	8
Wakefield	3

From June 2003 the political composition of the Authority will be 11 Labour Members, 7 Conservative Members and 4 Liberal Democrat Members.

MATTERS RESERVED TO THE AUTHORITY

All matters not specifically delegated to either a Committee, a Sub-Committee or an Officer of the Authority and including, but not by way of limitation, the following matters:

- 1 Variations to Standing Orders and Financial Standing Orders;
- 2 The Revenue Budget and Capital Plan, levying or issuing of a precept or borrowing of money;
- 3 Major policy issues including:
 - i the number and location of Fire Stations;
 - ii major organisational variations to the management structure of the Authority and the Command Structure of the Brigade;
 - iii major variations to the Establishment Scheme;
 - iv proposals for expenditure not within approved Revenue Budget or Capital Plans.

EXECUTIVE COMMITTEE

A TERMS OF REFERENCE

- 1 Notwithstanding any Standing Order or the Terms of Reference of any other committee or the matters reserved to the Authority, to deal with any matter (except those reserved to the Authority by Law) which will not admit of delay;
- 2 To act as the Disciplinary Tribunal of the Fire Authority under the Fire Services (Discipline) Regulations 1985;
- 3 To act as the Member Level Appeals Panel under approved Disciplinary Procedures for Support Staff;
- 4 To act as the Member Level Appeals Panel for appeals by members of either Uniformed Service or the Support Staff establishments under any other employment procedures including Grading Appeals, Grievance Appeals and Appeals under Pension Regulations;
- 5 The appointment of the Chief Executive / Chief Fire Officer and Directors to the Authority, and to determine all matters relating to their terms and conditions of appointment and service.
- 6 Policy strategy and implementation relating to matters of general management of the Authority and its corporate governance.

B CONSTITUTION

4 Members

PERSONNEL AND TRAINING COMMITTEE

A TERMS OF REFERENCE

To consider and determine matters of policy within approved budgets and/or report to the Authority in relation to:

- 1 Issues relating to the employment of staff;
- 2 Local and national conditions of service for employees of the Authority;
- 3 Recruitment and establishments;
- 4 Industrial relations involving the interpretation of national agreements and the application of local agreements;
- 5 The application of the Authority's policy on equal opportunities;
- 6 Job evaluation (including ratification of appeal panel recommendations);
- 7 Matters relating to the West Yorkshire Fire Service International Training Centre including:
 - a the training requirements of the Fire Service including statutory responsibilities laid down in the Fire Services Act 1947
 - b the functioning and marketing of training facilities
 - c the future training requirements of the Service and the Authority
 - d the determination of course fees and charges for use of facilities
 - e equipment provision
- 8 General issues relating to the training, education and health and welfare of staff.

B CONSTITUTION

12 Members

FINANCE AND GENERAL PURPOSES COMMITTEE

A TERMS OF REFERENCE

To consider and/or to determine and/or to report to the Authority on the following matters:

- 1 Finance (except the levying or issuing of a precept or borrowing money);
- 2 Financial Regulations;
- 3 Delegation of Powers to Chief and other Officers;
- 4 Insurance matters;
- 5 Members' allowances;
- 6 Attendance of Members and Officers at conferences and seminars;
- 7 All claims by or against the Authority;
- 8 Data Protection and Computer Development;
- 9 Buildings, Land and Property;
- 10 Servicing arrangements with Kirklees Metropolitan Council and Agency or Consultancy arrangements with any other organisation;
- 11 Purchasing of supplies, vehicles and services;
- 12 The award of tenders and monitoring of contracts including Compulsory Competitive Tendering requirements and approved lists;
- 13 Membership Subscriptions;
- 14 Expenditure on periodicals and publications;
- 15 Examination of Creditors' Accounts;
- 16 Superannuation and gratuities;
- 17 The response to formal consultations of the Authority carried out by any other body not being in relation to matters dealt with by officers under the Scheme of Delegations of Powers;
- 18 Receive reports on the discharge of any Civil Defence and Emergency Planning activities carried out by the Authority and authorise any action not already delegated to Officers;
- 19 Authorise the submission of any returns and financial submissions to the Home Office under Civil Defence Regulations.

- 20 Receive reports on the discharge of the Authority's obligations under any other statutory provisions such as the CIMAH Regulations and authorise any action not already delegated to Officers.
- 21 To make recommendations to the Authority in matters relating to:

Standing Orders and Financial Standing Orders.

The Revenue Budget and Capital Plan and/or issuing of a precept or borrowing money.
- 22 Miscellaneous Financial matters including Virement. Banking arrangements. Leasing. Investments. Writing off bad debts. Audit of Accounts. Fees and Charges.
- 23 To consider and determine and / or (where decisions are required by law or otherwise to be made by the Authority itself) to report to the Authority on :

All matters relating to the powers, duties and responsibilities of the Authority in its capacity as a designated Best Value Authority under the Local Government Act 1999.

B CONSTITUTION

12 Members

STANDARDS COMMITTEE

A TERMS OF REFERENCE

To;

- 1 Promote and maintain high standards of conduct by the Elected and Co-opted Members of the Authority.
- 2 Assist Elected and Co-opted Members of the Authority to observe the Authority's Code of Conduct.
- 3 Consider the Government's Model Code of Conduct and advise the Authority on the adoption of an appropriate local Code of Conduct for Members of the Authority.
- 4 Monitor and keep under review the Authority's Code of Conduct and, where necessary, make recommendations to the Authority on any required amendments.
- 5 Advising training or arranging to train Members and Co-opted Members of the Authority on matters relating to the Authority's Code of Conduct.
- 6 Following consideration of a report or recommendations from the Monitoring Officer to take any action prescribed by regulations including action against any Member or Co-opted Member (or former such Members) of the Authority who is the subject of any such report or recommendation.
- 7 Grant in accordance with regulations dispensations to Members and Co-opted Members of the Authority prohibited from participation in the business of the Authority by the Code of Conduct.
- 8 Consider guidance issued by the Standards Board on matters relating to conduct of Members and make recommendations to the Authority as appropriate.
- 9 To take on behalf of the Authority any action required to comply with a notice given to the Standards Committee by a case tribunal under Section 79(8) of the Local Government Act 2000.
- 10 To exercise any other functions conferred upon the Standards Committee by law.

B CONSTITUTION

5 Members (including two independent members)

BEST VALUE ADVISORY COMMITTEE

To monitor, scrutinise and consider management recommendations on compliance with Best Value requirements and related issues under the Local Government Act 1999, subordinate legislation, statutory and other guidance, and to submit advisory recommendations to the Finance and General Purposes Committee for consideration.

DISCIPLINARY APPEALS COMMITTEE

A TERMS OF REFERENCE

To consider and determine appeals by members of the Fire Brigade who are subject to the Fire Services (Discipline) Regulations, in cases where the subject of the appeal has been heard by the Disciplinary Appeals Tribunal in the first instance.

B CONSTITUTION

3 Members

Footnotes

- 1 The Disciplinary Appeals Committee is not a Standing Committee of the Authority, and meetings are only held when necessary;
- 2 The function of the 'Disciplinary Appeals Tribunal' referred to in A above is undertaken by the Executive Committee.

SCHEME FOR THE SUBSTITUTION OF MEMBERS AT COMMITTEE MEETINGS

- 1 If a substantive Member of a committee is unable to attend a meeting of that committee, he/she will notify the Director of Corporate Services' office (Committee and Administration Manager on 01274 655740) as soon as possible, whereupon the Director's office will endeavour to contact the first named substitute to ascertain that Member's availability to attend the meeting; and, if that Member cannot after reasonable endeavour be contacted, or is unable to attend, the further named substitutes will be contacted in order of precedence, in order that the substitute Member can then attend the committee meeting in place of the substantive Member.
- 2 A substantive Member shall not be entitled to take part in any committee meeting for which a substitute Member has been appointed under Paragraph 1 of this scheme, unless that substitute Member notifies the Director of Corporate Services before the meeting commences that he/she is withdrawing from attendance at the meeting in favour of the substantive Member.
- 3 If, for any reason, a substitute member who is appointed under Paragraph 1 subsequently becomes unable to attend the meeting and so notifies the Director's office then the Director's office shall endeavour to contact the next named substitute in order of precedence so that the Member can attend the committee meeting.
- 4 A Member may be nominated as a substitute for more than one substantive Member of the same committee, but may attend and vote at the committee meeting in place of one substantive Member only.
- 5 Only the Member actually taking part in the committee meeting shall be entitled to payment of any attendance allowance
- 6 The approved list of substitutes shall be as determined by the Authority at its Annual meeting.