



**CAMBRIDGESHIRE  
& PETERBOROUGH  
FIRE AUTHORITY**  
*Working together to improve community safety*

## **SCHEME OF DELEGATION**

The Authority has agreed the following delegation of its powers and duties to Committees and Officers. The exercise of any power or duty referred to in the Scheme of Delegation is to be subject to compliance with the law, the provisions of this Constitution, sufficient budgetary provision having been made and to any decision of the Authority.

### **Version History**

<b>Version</b>	<b>Date</b>	<b>Comments</b>
1	October 2004	Appointment of Treasurer and amendment of scheme
2	February 2007	Organisational structure amendments
3	August 2016	Financial limit updates
4	September 2018	Terminology updates
5	November 2021	

## CONTENTS

1.	General Arrangements.....	3
2.	Urgency Powers of Chair of Authority.....	4
3.	Delegations to the Chief Fire Officer.....	5
4.	Delegations to the Deputy Chief Executive Officer and Treasurer of the Fire Authority.....	8
5.	Delegations to the Assistant Chief Fire Officer.....	13
6.	Delegation of Authority to Budget Holders of the Fire Authority.....	15
7.	Role of the Monitoring Officer and Legal Adviser to the Fire Authority.....	16
8.	Role of the Fire Authority's Internal Auditor.....	17
9.	Financial Limits of Delegated Powers.....	18

## **1. GENERAL ARRANGEMENTS**

- 1.1 The Cambridgeshire and Peterborough Fire Authority has legal responsibility to ensure that an efficient and effective fire and rescue service is provided for the residents of Cambridgeshire and Peterborough.
- 1.2 The Authority has agreed the following delegation of its powers and duties to its Officers. The exercise of any power or duty referred to in the Scheme of Delegation is to be subject to compliance with the law, the provisions of this Constitution, sufficient budgetary provision having been made and to any decision of the Authority.
- 1.3 The Chief Fire Officer and other named Officers in this Scheme of Delegation are authorised to discharge the functions of the Fire Authority in relation to the services and activities for which they are responsible, in accordance with this Scheme of Delegation, subject to the requirements in paragraph 1.4.
- 1.4 Any decision or action shall comply with;
  - 1.4.1 legal requirements,
  - 1.4.2 the Fire Authority's Financial Regulations,
  - 1.4.3 the Fire Authority's Standing Orders; all relevant resolutions, orders and directions of the Fire Authority and of any operational Committee.
- 1.5 Named Officers shall not discharge any function, the exercise of which is by law expressly vested in the Fire Authority or a Committee.
- 1.6 Without derogating from the discharge of functions under these arrangements;
  - 1.6.1 the Chief Fire Officer and other named Officers shall maintain close liaison with Members representing the political groups in relation to any

matter, which in their opinion may be regarded as sensitive or contentious by any such group,

- 1.6.2 where a Member has made known to the Chief Fire Officer or other named Officer their legitimate interest, the Chief Fire Officer or other named Officer shall keep the Member informed of significant developments relating to the matter.
- 1.7 The existence of a delegation to the Chief Fire Officer or other named Officer shall not require them to take a decision on that issue and they may refer the matter for guidance or decision by Members if they consider it is appropriate to do so. In so doing the Chief Fire Officer or other named Officer shall advise the Member(s) concerned of the extent of their delegated powers relating to the matter.
- 1.8 The Authority conferred upon the Chief Fire Officer or other named Officer may be exercised in their absence or at other times by an Officer authorised by the Chief Fire Officer or other named Officer in accordance with any directions of the Chief Fire Officer or other named Officer.
- 1.9 The Chief Fire Officer in consultation with the Chair of the Authority shall determine any case in which there is uncertainty whether a named Officer is authorised to act under these arrangements.
- 1.10 Reference in these arrangements to the discharge of functions of the Fire Authority include references to the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of those functions and the Chief Fire Officer or other named Officer is authorised to act accordingly.

## **2. URGENCY POWERS OF CHAIR OF AUTHORITY**

- 2.1 When a decision which requires Member approval needs to be made urgently, the Chair or Vice-Chair of the Authority may make such decision, in consultation with the Chief Fire Officer (or a chief officer in his/her absence) and or Monitoring Officer.

- 2.2 A decision under urgency powers shall only be made if it is not reasonably practicable to call a special meeting of the Authority or relevant Committee at which to take the decision.
- 2.3 A decision made under urgency powers shall be communicated to the Members of the Authority as soon as practicable and in any event will be reported to the next scheduled meeting of the Authority or one of its Committees, setting out the full rationale for the decision.

### **3. DELEGATIONS TO THE CHIEF FIRE OFFICER**

#### **Role of Chief Fire Officer/Chief Executive Officer/Head of Paid Service**

- 3.1 The Chief Fire Officer has overall responsibility to ensure the fire and rescue service meets its legal obligations under legislation and the Fire and Rescue National Framework. The Chief Fire Officer also has overall responsibility for securing economy, efficiency and effectiveness. The Chief Fire Officer acts as Head of Paid Service under the provisions of the Local Government and Housing Act 1989.
- 3.2 **As Chief Fire Officer;**
- 3.2.1 the senior leader in the Service, providing strategic leadership and management of all staff,
- 3.2.2 responsible for the development and implementation of the Service Integrated Risk Management Plan,
- 3.2.3 effective joint working with partners,
- 3.2.4 the senior operational commander in the Service.
- 3.3 **As Chief Executive Officer and Head of Paid Service;**
- 3.3.1 responsible for advising the Fire Authority and for ensuring, along with the Authority's Monitoring Officer and Treasurer, that the Authority can effectively discharge all responsibilities imposed upon it by statute and guidance,

- 3.3.2 overall management responsibility for risk and financial control for the Service.

### **Specific Delegations**

- 3.4 The Chief Fire Officer has authority over all other Officers so far as this is necessary for the efficient management and execution of the Fire Authority's functions. The Chief Fire Officer's duties include;
  - 3.4.1 advising the Fire Authority on matters of general policy,
  - 3.4.2 being responsible for the efficient and effective implementation of the Fire Authority's programmes and policies,
  - 3.4.3 reviewing the organisation and administration of the Service,
  - 3.4.4 the development and implementation of effective and equitable staffing practices and policies,
  - 3.4.5 the maintenance of good internal and external relations,
  - 3.4.6 being responsible for the efficient and effective implementation of health and safety legislation,
  - 3.4.7 to act as controller in war and be empowered to exercise all the powers of the Fire Authority in the event of circumstances arising in which the Fire Authority is unable to act,
  - 3.4.8 to determine any case where there is uncertainty as to which Officer is authorised to act under the Fire Authority's general Scheme of Delegation to Officers,
  - 3.4.9 to determine, in consultation with the relevant Members, the Fire Authority's response to any future industrial action affecting the Fire Authority's services,
  - 3.4.10 to make all personnel appointments up to and including the level of Principal Officer and to determine the remuneration and conditions of service of each post. The appointment of a Principal Officer will be subject to ratification by the Fire Authority,

- 3.4.11 authority to discipline, (including termination of employment and determine appeals against dismissal) of all uniformed and local government employees and to determine appeals against any decision in which they did not participate in accordance with the relevant disciplinary procedures where applicable and otherwise in accordance with the Fire Authority's disciplinary scheme,
- 3.4.12 authority to agree on behalf of the Fire Authority local conditions of service to supplement the National Joint Council for Local Authorities' Fire Brigades Scheme of Conditions of Service, (the 'Grey Book'), and the National Joint Council for Local Government Services, National Agreement on Pay and Conditions of Service, (the 'Green' book),
- 3.4.13 authority to exercise on behalf of the Fire Authority any discretion afforded to the employer (but not exercised by the Fire Authority) by the Grey Book, Green Book and Gold Book,
- 3.4.14 authority to make any decision (other than a request for reconsideration) required to be made by the Fire Authority under the Firefighters' Pension Scheme Order 1992 and 1996 and amendments and the Local Government Pension Scheme,
- 3.4.15 authority to consider and authorise an extension to full sick pay in exceptional circumstances subject to the merits of each individual case,
- 3.4.16 to direct effective public relations and media services to promote the Fire Authority within the community,
- 3.4.17 to follow the appropriate procedures for the invitation and acceptance of tenders/quotations as set out in Standing Orders as to Contracts,
- 3.4.18 to dispense with or approve requests to dispense with any provision of Standing Orders relating to contracts in consultation with (a) the Deputy Chief Executive Officer of the Fire Authority in relation to contracts up to a fixed sum (A7 in paragraph 9), or (b) the Deputy Chief Executive Officer and the Fire Authority Chair in relation to higher value contracts (A8 in paragraph 9),

- 3.4.19 to be responsible for the control of personnel and the security, custody and control of all other resources including plant, buildings, materials, cash and stores appertaining to the Service,
- 3.4.20 to declare land surplus to requirements provided that the capital value or the annual rental does not exceed a fixed sum (A5 and A6 in paragraph 9),
- 3.4.21 to authorise and approve, in conjunction with the appropriate Officers, the acquisition of land and the taking or variation in taking, of leases, licences, applications and easement of or over any land, (including buildings), where either the capital payment or the annual rental do not exceed a fixed sum (A5 and A6 in paragraph 9),
- 3.4.22 to dispose of land, (and the granting of leases, licences, applications and easements in relation to the same), irrespective of its value provided that the land has been declared surplus to requirements by the Fire Authority,
- 3.4.23 to exercise corresponding powers and duties delegated to Officers of the Fire Authority where these or similar powers and duties are included in revised Acts, Orders or Regulations.

#### **4. DELEGATIONS TO THE DEPUTY CHIEF EXECUTIVE OFFICER AND TREASURER OF THE FIRE AUTHORITY**

##### **Role of Deputy Chief Executive Officer and Treasurer**

- 4.1 The Deputy Chief Executive Officer has responsibility for;
  - 4.1.1 providing strategic leadership to all staff and overall co-ordination of the fire and rescue service,
  - 4.1.2 development of organisational strategy, best practice, effective joint working with partners and delivering efficiency and effectiveness,
  - 4.1.3 provide strategic advice and guidance to the Fire Authority,
  - 4.1.4 ensure robust financial governance.



## **Specific Delegations as Deputy Chief Executive Officer**

- 4.2 To deputise for the Chief Fire Officer in his absence, with day to day non-operational management decision making powers.
- 4.3 The Deputy Chief Executive Officer is responsible for;
  - 4.3.1 positively promoting a culture of probity and sound financial discipline and control as requirements of the organisation,
  - 4.3.2 budget preparation and its management to the specified timetable, including identification and costing of budget options,
  - 4.3.3 the preparation of timely budgetary control reports,
  - 4.3.4 establishing an effective monitoring and reporting framework to ensure a proper awareness of significant issues,
  - 4.3.5 providing financial advice and support to the Chief Fire Officer and budget holders in line with the financial framework of the Fire Authority,
  - 4.3.6 managing the procurement and monitoring of bought-in financial services,
  - 4.3.7 understanding the nature of the reporting needed for the Fire Service under Sections 112 and 114 of the Local Government Finance Act 1988 and obtaining the necessary information to enable a report to be made,
  - 4.3.8 initiating exception and routine reports on Section 112 and 114 issues, as necessary,
  - 4.3.9 ensuring all applicable personnel have seen and understand the need to comply with standing orders, financial regulations and central standards and other financial standards, rules and protocols,
  - 4.3.10 to be responsible for ensuring proper standards of financial management within the Service,
  - 4.3.11 to be responsible for budgetary control and the monitoring of expenditure and income,

- 4.3.12 to make arrangements and be responsible for the payment of salaries and wages to all employees and pensioners including: making deductions of trade unions subscriptions from pay on behalf of recognised trade unions on request, implementing schemes which permit voluntary deductions from pay for charities and other benevolent organisations where practicable and determining, in consultation with the Chief Fire Officer, future applications for the early payment of deferred pension rights and implementing national salary and wage awards to employees,
- 4.3.13 to sanction virements between main revenue budget heads subject to certain financial limits, (A1 in paragraph 9), and other conditions as set out in Financial Regulations,
- 4.3.14 to sanction capital virements between capital programme heads subject to certain financial limits, (A2 in paragraph 9), and other conditions set out in Financial Regulations,
- 4.3.15 to implement the insurance and risk management policies and report annually to the Fire Authority on the arrangements that are in place,
- 4.3.16 to write off certain bad or irrecoverable debts or deficiencies relating to stores or property up to certain financial limits, (A3 in paragraph 9), or in certain defined circumstances,
- 4.3.17 to be authorised to visit all establishments of the Fire Authority, to have access to all Fire Authority and Service documents, other records, computers systems and property and to require relevant information or explanation from any Officer,
- 4.3.18 to make loans in furtherance of Service objectives to employees and associated organisations up to a maximum amount, (A4 in paragraph 9), and subject to certain provisos,
- 4.3.19 to amend any guidance on the application of Standing Orders relating to contracts and to dispense with any individual requirement in special circumstances as agreed by the Chief Fire Officer or the Fire Authority as appropriate,
- 4.3.20 to commence supply of goods and services in advance of an executed contract in exceptional circumstances,

- 4.3.21 to compile lists of potential contractors and criteria for short-listing,
- 4.3.22 to conduct pre and post tender negotiations with tenderers after the receipt of tenders in accordance with the requirement of Standing Orders relating to contracts,
- 4.3.23 to select and manage schemes for internal and external insurance risks,
- 4.3.24 to fix, waive or vary charges in appropriate circumstance where no statutory fee is prescribed, in consultation with the Chief Fire Officer,
- 4.3.25 to be responsible for the effective delivery of support services to the Fire Authority (legal, numerical services, insurance claims, management, payroll, pensions, audit, etc),
- 4.3.26 to ensure that any issue of concern in the financial management of the Fire Authority is drawn to the attention of the Chief Fire Officer,
- 4.3.27 to co-ordinate, in consultation with the appropriate Members and trade unions, the Fire Authority's response to retention/recruitment problems within the agreed financial and policy framework,
- 4.3.28 to maintain the list of politically restricted posts under the Local Government and Housing Act 1989,
- 4.3.29 to update the Scheme of Delegation to reflect revised Acts, Orders and regulations and new or revised constitutional documents approved by the Fire Authority,
- 4.3.30 to be responsible for the efficient and effective training of all service personnel in accordance with relevant legislative requirements and Home Office recommended standards,
- 4.3.31 to be responsible for the strategic planning of the Fire Authority and to make applications for planning permission under the appropriate Town and Country Planning Regulations,
- 4.3.32 to appoint architects and other consultants for Fire Authority projects and to inform the appropriate Members of all appointments and review performance,

- 4.3.33 to be responsible for the effective implementation of all human resources policies of the Fire Authority.

#### **As Treasurer to the Fire Authority**

- 4.4 The Treasurer to the Fire Authority shall discharge the responsibilities identified in Financial Regulation 1.2 under Section 112 and 114 of the Local Government Finance Act 1988;
  - 4.4.1 proper administration of the Fire Authority's financial affairs,
  - 4.4.2 identification of potential unlawful, unbudgeted expenditure.
- 4.5 The Treasurer may and in consultation with the Fire Authority, discharge some of these duties through other appropriate Officers. However ultimate responsibility will be retained for;
  - 4.5.1 reporting as appropriate to the Chief Fire Officer and/or the Fire Authority,
  - 4.5.2 raising significant issues of under-performance with the Chief Fire Officer,
  - 4.5.3 establishing a robust monitoring and reporting framework to ensure the proper discharge of Section 112 and 114 functions,
  - 4.5.4 ensuring the maintenance of an adequate and effective internal audit service,
  - 4.5.5 receiving reports from the Chief Fire Officer and any other Officer delegated to produce such reports,
  - 4.5.6 positively promoting a culture of probity and sound financial discipline and control as requirements of the organisation.
- 4.6 The Treasurer will also discharge the following responsibilities;
  - 4.6.1 strategic financial advice to the Fire Authority, including the establishment of budget strategy/guidelines relating expenditure to likely resources and the charges to the constituent financing authorities,

- 4.6.2 setting the financial framework including adequate standards, protocols and procedures for budgeting, accounting, systems and reporting and for establishing a framework of monitoring to ensure these requirements are met,
- 4.6.3 maintaining the Fire Authority's accounts,
- 4.6.4 preparing reports and accounts, together with their submission, to the Fire Authority,
- 4.6.5 review and approval of all financial information formally provided to the Fire Authority and its Members (including budgetary control reports),
- 4.6.6 the review and approval of schemes of financial delegation,
- 4.6.7 advising the Chief Fire Officer and other Officers as appropriate on the issues and circumstances in which Section 112 and 114 reporting is needed,
- 4.6.8 accepting routine and exception Section 112 and 114 reports from the Chief Fire Officer, Senior Officers, budget holders and the Fire Authority's Internal Auditor.

## **5. DELEGATIONS TO THE ASSISTANT CHIEF FIRE OFFICER**

### **Role of Assistant Chief Fire Officer**

- 5.1 The Assistant Chief Fire Officer has responsibility for;
  - 5.1.1 providing strategic leadership to all staff and overall co-ordination of the fire and rescue service,
  - 5.1.2 development of organisational strategy, best practice, effective joint working with partners and delivering efficiency and effectiveness,
  - 5.1.3 provide strategic advice and guidance to the Fire Authority,
  - 5.1.4 ensure compliance with responsibilities and duties outlined within the Fire Service Act and Fire Safety Order.

## **Specific Delegations**

- 5.2 To deputise for the Chief Fire Officer in his absence on operational decision making.
- 5.3 The Assistant Chief Fire Officer is responsible for;
  - 5.3.1 positively promoting a culture of probity and sound financial discipline and control as requirements of the organisation,
  - 5.3.2 understanding the nature of the reporting needed for their services under Sections 112 and 114 of the Local Government Finance Act 1988,
  - 5.3.3 establishing an effective monitoring and reporting framework to ensure a proper awareness of significant issues,
  - 5.3.4 obtaining the necessary information about their services to enable them to report (including receiving reports from the appropriate Accountants),
  - 5.3.5 initiating exception and routine reports, as necessary, to the Deputy Chief Executive Officer,
  - 5.3.6 to exercise the functions of the Fire Authority in relation to the means of escape in case of fire, fire precautions in any premises, licensed premises, factories, offices, shops and railway premises,
  - 5.3.7 to undertake the powers and functions relating to the Regulatory Reform (Fire Safety) Order 2005 and associated regulations,
  - 5.3.8 to exercise control over the operational delivery and performance of the Service,
  - 5.3.9 to deliver the operational aspects of the Service within recommended Home Office guidelines,
  - 5.3.10 to direct a performance monitoring system to ensure the Service is performing to the expectations of the community and to the requirements of the Home Office and other national organisations,
  - 5.3.11 to ensure an optimal number of appropriately trained operational staff are available within the Service area to meet operational requirements at all times,

- 5.3.12 to provide an effective recruitment and retention system relating to operational firefighter posts,
- 5.3.13 to be responsible for the effective implementation of all legislative requirements relating to equal opportunities and fairness in employment policies,
- 5.3.14 to direct the provision of an efficient communications and mobilising system to ensure that the Service meets its statutory functions,
- 5.3.15 to direct the operational support functions of the Service in respect of water supplies, fire ground intelligence, operational equipment and other associated responsibilities.

## **6. DELEGATION OF AUTHORITY TO BUDGET HOLDERS OF THE FIRE AUTHORITY**

- 6.1 Budget holders are responsible for;
  - 6.1.1 positively promoting a culture of probity and sound financial discipline and control as requirements of the organisation,
  - 6.1.2 understanding and ensuring compliance with internal control and the requirements of standing orders, financial regulations and control standards and other corporate financial standards, rules and protocols,
  - 6.1.3 complying with approved schemes of delegation,
  - 6.1.4 timely implementation of agreed audit recommendations,
  - 6.1.5 the introduction and maintenance of adequate and cost-effective systems of internal control within their area of responsibility,
  - 6.1.6 initiating exception reports where necessary to senior Officers,
  - 6.1.7 reporting any potential overspending to their line manager in a timely manner to allow for corrective action to be taken where required.

## **7. ROLE OF THE MONITORING OFFICER AND LEGAL ADVISER TO THE FIRE AUTHORITY**

- 7.1 To operate as the Fire Authority's Monitoring Officer under the provisions of the Local Government and Housing Act 1989.
- 7.2 To act as Proper Officer for the Local Government, (Committees and political groups), Regulations 1990 and to be authorised to give effect to the wishes of political groups in relation to their membership of the Fire Authority and its Committees.
- 7.3 To affix the common seal to all documents necessary to bring into effect decisions of the Fire Authority or any of its Committees, sub Committees or Officers acting in pursuance of powers delegated.
- 7.4 To serve statutory notices to ascertain the legal interest of any person in the land.
- 7.5 To give legal advice to the Fire Authority, its Officers and Members and to commission specialist legal advice and representation as required.
- 7.6 To authorise the institution or defence of legal proceedings at common law or under any enactment, statutory instrument, order or byelaw conferring functions on the Fire Authority or in respect of functions undertaken by the Fire Authority.
- 7.7 To authorise Officers for the purposes of Sections 44, 45 and 46 of the Fire and Rescue Services Act 2004 to exercise the powers contained therein and to appoint Officers as inspectors under Part 3, Article 26, of the Regulatory Reform (Fire Safety) Order 2005, to exercise the powers of inspection under Article 27 contained in the Regulatory Reform (Fire Safety) Order 2005 and regulations made there under and to exercise the powers contained in the Licensing Act 2003.
- 7.8 To decide upon a Members "need to know" and decline inspection of any document which is privileged due to legal proceedings. The Member may appeal against this decision to the Fire Authority.



## **8. ROLE OF THE FIRE AUTHORITY'S INTERNAL AUDITOR**

- 8.1 The Fire Authority's Internal Auditor is responsible for the independent audit of control systems within the Authority to assess their adequacy to ensure;
  - 8.1.2 reliable financial and other management information and reporting,
  - 8.1.3 compliance with laws, regulations, policies, rules, etc,
  - 8.1.4 properly safeguarded assets and interests,
  - 8.1.5 efficient and effective operations,
  - 8.1.6 recommending and gaining acceptance of improvements to systems of internal control identified as necessary during the course of audits; reporting all findings and issues transparently through the prevailing democratic processes,
  - 8.1.7 initiating on an exception basis such reports that are necessary for the Treasurer and /or Chief Fire Officer,
  - 8.1.8 positively promoting a culture of probity and sound financial discipline and control as requirements of the organisation,
  - 8.1.9 providing advice on the nature of internal control, the potential consequences of poor control and the control options available to reduce or limit risk,
  - 8.1.10 assist as required in the investigation of potential fraud and corruption within the Service.

## 9. FINANCIAL LIMITS OF DELEGATED POWERS

A1	Approval by Treasurer to the Fire Authority of revenue virement	£250,000
A2	Approval by Treasurer to the Fire Authority of capital virement	£250,000
A3	Approval by Treasurer to the Fire Authority of debt write-off in consultation with the Chair of the Policy and Resources Committee	Up to £10,000
<b>Land Transactions</b>		
A5	Capital Sum	£250,000
A6	Annual Rental	£100,000
<b>Contract Value</b>		
A7	Chief Fire Officer in consultation with the Treasurer to the Fire Authority	Up to £50,000
A8	Chief Fire Officer and Treasurer to the Fire Authority in consultation with the Chair of the Fire Authority, to be reported on annually to the Fire Authority	From £50,000 to the Government Procurement Agreement Threshold