

## EAST SUSSEX FIRE AUTHORITY

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### **Report of a meeting of the East Sussex Fire Authority held at County Hall, St. Anne's Crescent, Lewes at 10:30 hours on Thursday, 9 December 2021.**

Present: Councillors Galley (Chairman), Lambert (Vice-Chair), Azad, Dowling, Evans, Geary, Hamilton, Marlow-Eastwood, Maples, Osborne, Peltzer Dunn, Redstone, Taylor, Theobald, Tutt and West

N.B. Apologies were received from Councillors Powell and Scott

The agenda and non-confidential reports can be read on the East Sussex Fire & Rescue Service's website at <http://www.esfrs.org/about-us/east-sussex-fire-authority/fire-authority-meetings/> A brief synopsis and the decisions relating to key items is set out below.

#### **1 HMICFRS SELF ASSESSMENT**

- 1.1 The Authority considered a report seeking approval for a draft self-assessment document, forming part of Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) inspection process 2022. The document was a key part of the Inspection process and had been compiled by the Senior Leadership Team to answer questions that had been posed by HMICFRS. The template was more focused than for previous inspections and Services were requested to comment only on developments since the last inspection.
- 1.2 Members were pleased with the preparatory work being undertaken in anticipation of the inspection. It was felt the HMICFRS would adapt their processes after earlier tranches and monitoring this and gaining intelligence from colleagues at neighbouring FRS would be advantageous. Whilst the self-assessment addressed the necessary information, there was still a degree of work to be completed with regards to the findings of the first inspection, including responding to the new Fire Standards. This was being monitored to ensure that fire standards were being implemented in the Service. The Fire Authority approved the 2022 HMICFRS inspection self-assessment document.

#### **2 APPOINTMENT OF EXTERNAL AUDITORS**

- 2.1 The Authority considered a report setting out proposals for appointing the external auditor to the Authority for the accounts for the five-year period from 2023/24. The current contract with PSAA (Public Sector Audit Appointments) was due to expire on 31 March 2023, the report set out the requirement to comply with appointment legislation and recommended the Authority continued to appoint through PSAA. Current indications were that other local authorities in East Sussex and most other fire authorities would also opt into PSAA.

- 2.2 Audit fees had increased, partly due to increased regulation of Auditors, changes in accounting standards increasing workloads and difficulties in recruiting staff to deliver public sector audits. There was the potential that fees would rise through the re-procurement, but as mitigation of this the Fire Authority had already approved an increased budget.
- 2.3 Members of the Scrutiny & Audit Panel had discussed this matter at length and confirmed that they remained concerned by the scale of the fee increases but understood the explanations that had been given. The restrictions on those providers that could be considered would be raised formally through the Local Government Association. The Chief Fire Officer (CFO) would raise it with the National Fire Chiefs Council (NFCC).
- 2.4 The Authority agreed to accept Public Sector Audit Appointments' (PSAA) invitation to opt into the sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023. They also delegated authority to the Assistant Director Resources/Treasurer to put in place any arrangements necessary to give effect to this decision.

### **3 REVIEW OF THE CONSTITUTION OF THE FIRE AUTHORITY - Members Code of Conduct and Associated Guidance, Procedure and Officer Delegations**

- 3.1 The Authority considered a progress report on the review of the Fire Authority's constitutional arrangements, proposing amendments to the Member's Code of Conduct and associated Guidance, Procedure and Officer Delegations for publication in the Authority's Constitution. Considerable work had been done on the proposed amendments and represented clear updates and improvements.
- 3.2 It was suggested an alteration be made to refer to the expectation that confidentiality be maintained after a member leaves office as opposed to ending when they cease to be a member of the Fire Authority. The Authority agreed to this proposal and that those Members appointed to the LGA would raise this with them as the proposed wording had been based on the LGA's Model Code of Conduct document.
- 3.3 Members queried whether it was clear enough that any complaints must be specifically about conduct in their role as a Councillor and that all members had the right to a private life. The Senior Lawyer confirmed there was extensive caselaw supporting elected representatives right to a private life and was amenable to change the wording of this section to reflect this with more clarity. The Fire Authority agreed to the incorporation of this amendment.
- 3.4 There was a slight change suggested regarding social media and potential issues surrounding having two separate accounts as for some platforms this would potentially be a breach of their guidance. The Senior Lawyer confirmed they were happy to make this amendment to reflect the need to adhere to the rules of the platform in use. The Fire Authority agreed to this change.

- 3.5 The Authority approved the proposed changes to the East Sussex Fire Authority's Constitution with the addition of two minor amendments to the wording of the Code and one to the Guidance, all three of which were indicated to officers and agreed at the meeting. They authorised the Authority's Chief Fire Officer & Chief Executive to take all steps necessary or incidental to the implementation of the changes agreed by the Authority, and to amend and re-publish the constitutional documents to reflect those amendments; and noted the intention to bring a further report to the Fire Authority proposing revisions to the Authority's Financial Regulations.

**4 EMERGING ISSUES WITH IMMEDIATE DETRIMENT**

- 4.1 The Fire Authority considered a confidential report providing an update on the changing position regarding Age Discrimination, Remedy & Immediate Detriment (ID) cases following the Home Office (HO) had rescinded their informal guidance. The Authority instructed Senior Officers to keep the matter under close review.

**COUNCILLOR ROY GALLEY  
CHAIRMAN OF EAST SUSSEX FIRE AUTHORITY**

9 December 2021