**SWFRA SCHEME OF DELEGATION**

**2023**

SWFRA SCHEME OF DELEGATION

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# Introduction

1. In order to provide a practical method of operational and financial management throughout the Organisation, Officers have been given certain powers by the Fire and Rescue Authority in the form of Officer Delegations.
2. Under the provisions of the Local Government Act 1972, the Organisation is required to maintain a list of powers delegated to Officers and to make it available for inspection purposes.
3. This list of delegated powers is maintained by the Monitoring Officer and forms an integral part of the Authority’s overall governance arrangements.
4. These delegated powers, as detailed in the following sections, may from time to time be amended, added to or reduced in the interest of operational efficiency as determined by the Fire and Rescue Authority. The most up to date version of this Scheme of Delegations will be maintained on the Service’s intranet site as part of the Constitution of the Authority.
5. In choosing whether or not to exercise a delegation, Officers should be mindful of the over-riding need to comply with the Fire and Rescue Authority Constitution including the Financial Procedure Rules (and any associated Financial Policies and Procedures). They should also consider whether or not it would be appropriate to consult other Officers or Members before exercising a delegation.
6. For the purposes of this Scheme of Delegations, the term “Organisation” includes the South Wales Fire and Rescue Service and/or the South Wales Fire and Rescue Authority as appropriate.
7. For clarity the statutory posts of the Organisation are filled by the following Officers:

|  |  |
| --- | --- |
| Head of Paid Service | Chief Fire Officer |
| Chief Financial Officer | Treasurer |
| Monitoring Officer  Proper Officer  SIRO (Senior Information Risk Owner)  SRO (Senior Responsible Officer) | Director Corporate Services |

# General Delegations

## General

1. In relation to Principal Officers and Heads of Service, delegated powers are identified against each position as outlined in the paragraphs below. For the purposes of these delegations, Principal Officer includes the Directors and Treasurer. Heads of Service includes Area Managers and Corporate Heads of Service.
2. Where delegations are given below Principal Officer level within a particular Directorate, this does not prevent the relevant Principal Officer also exercising these powers. Principal Officers may also request reports upon the exercise of delegated powers by an Officer within their Directorate as and when they consider appropriate.

## Principal Officer Delegation

1. Officers to whom functions are delegated under this scheme may not sub-delegate those functions. However, where it would be impracticable for all the powers and duties conferred on a named person to be performed by that individual, that person may authorise officers in their departments to perform tasks, or to carry out specific statutory functions under the provisions of relevant legislation, on their behalf.
2. Each Officer will ensure that where s/he wishes to authorise officers within her/his department to sign documents or perform functions on her/his behalf s/he will:
3. where applicable, record that authorisation, naming the officer, the date, tasks which that officer is authorised to perform, and including the signature of the officer, and retain that record until such a time it is no longer required; and
4. where applicable, comply with the requirements of the Council’s Financial Regulations and Contract Standing Orders.
5. An authorised officer will perform the tasks on behalf of the authorising officer. Any decisions taken under this, or any other similar authority, shall remain the responsibility of the Authorising Officer and must be taken in the name of that Office.
6. Any reference in these delegations to a Post or Office e.g. Director People Services, Head of Finance and Procurement etc. shall be to the post holder or office holder at that time (permanent or temporary) and if the title of the Post or Office is changed or the functions of the Post or Office are varied, then the reference will be to the Officer undertaking the relevant function at that time.
7. All staff are given authority to act and take decisions commensurate with their level of responsibility and in accordance with the Organisation’s agreed policies and procedures in force at that time.
8. Operational personnel performing the role of “Incident Commander” have authority to carry out their respective duties in accordance with the Service’s Standard Operating Procedures or National Operating Guidance (NOG) when adopted in entirety and the South Wales Incident Command System.
9. Suitably trained Officers will have the authority to fulfil the role of “Gold”, “Silver” and “Bronze” Commander at multi- agency incidents, where circumstances required.
10. Those personnel who are qualified as Emergency Fire Appliance drivers have authority to exercise the powers under Section 87 of the Road Traffic Act 1984, when responding to emergency calls.
11. All staff have responsibility for ensuring a safe working environment at their place of work and taking remedial or preventative action in accordance with approved procedures where the working environment is not safe.

## Principal Officers

1. Manage the Organisation in the absence of the Chief Fire Officer and Deputy Chief Fire Officer, and as such, make decisions as required.
2. To determine policy and procedures to ensure the Organisation discharges its statutory duties and ensures efficient and effective service delivery.
3. Authority to make all necessary decisions to effectively manage the Directorate within approved budget in a manner consistent with the plans and objectives of the Organisation, to ensure that the Organisation discharges its statutory duties and to ensure efficient and effective service delivery.
4. Incur expenditure and authorise use of resources within the approved budget of the Fire and Rescue Authority.
5. Chief Finance Officer and/or Director of Corporate Services approve a scale of chargeable services on behalf of the Organisation.
6. To agree responses on behalf of the Organisation to consultations or similar exercises by external agencies, including the Welsh Government.
7. Principal Officers acting as Executive Leadership Team to approve the Organisation’s Risk Management Policy Statement and Strategy.
8. To determine approved budget holders within their directorate.
9. To take necessary action and decisions in accordance with the level of authority given to them in the Organisation’s Financial Procedure Rules.
10. To authorise overseas travel within approved budget.
11. To hear and determine appeals in accordance with the Service’s Policies and Procedures.
12. To make revenue virements within service area for which they are responsible of up to £50,000 with written approval of Head of Finance or Senior Accountant.
13. To make revenue virements between different service areas of up to £100,000 with written approval of Head of Finance or Senior Accountant and retrospectively reported to FAPM Committee.
14. To undertake duties and responsibilities set out in any of the Authority’s constitutional documents and plans.

## All Principal Officers and Heads of Service

1. Initiation, development, delivery, review and revision of partnership schemes, collaborations and projects for the furtherance of the Organisation’s priorities and objectives.
2. Prepare, review, amend and implement operating policies and procedures to assist the Organisation in discharging its statutory and other duties.
3. In accordance with agreed procedures, authorise the filling of vacancies.
4. Authority to apply disciplinary sanctions up to and including dismissal in accordance with the Service’s Policies and Procedures
5. Authority to apply capability sanctions up to and including dismissal in accordance with the Service’s Policies and Procedures
6. Consider and determine applications from employees regarding secondary employment in accordance with the policy of the Organisation.
7. Authority to attend and take decisions on behalf of the Organisation at Community Safety Partnerships and Public Service Boards.
8. Dispose of redundant equipment (excluding vehicles) in accordance with approved policies and procedures.

## Principal Officer on Duty

1. Authority to take all necessary action to respond to and co-ordinate the response of the Organisation to an incident, major emergency or disaster and where appropriate to report the action taken to the Chairperson of the Fire Authority.

## All Operational Staff

1. Power under the Fire and Rescue Services Act 2004 for the purposes of:

(a) s.38: securing a suitable supply of water in the event of a fire

(b) s.44: powers of firefighters etc in an emergency etc

(c) s.45 & 46: obtaining information and investigating fires

1. Power under the Fire and Rescue Services (Emergencies) (Wales) (Amendment) Order 2017 make provision in its area, to the extent that it considers it reasonable to do so, for the purpose of:

(a) rescuing people, or protecting them from serious harm in the event of an emergency involving flooding; and

(b) rescuing people in the event of an emergency involving inland water.

1. Power to utilise the exemptions under the Road Traffic Acts when responding to an emergency.
2. Authority to undertake familiarisation visits at risk premises to assist the Organisation in discharging its duties under s.7.2.d of the Fire and Rescue Services Act 2004.
3. Respond to emergency situations as directed by Control or a Senior Officer.
4. Commit appropriate resources in accordance with Service Procedures.
5. Authority to impound breathing apparatus sets following any failure in accordance with Health and Safety (RIDDOR) Regulations.

## Budget Holders

1. In accordance with Financial Policies and Procedures of the Organisation, authority to incur expenditure and ensure control over departmental budgets and the management of devolved budgets.

## All Managerial & Supervisory Staff

1. Ability to make disciplinary, capability and conduct reviews, assessments, decisions and sanctions in line with organisational policies and procedures.
2. Authority to undertake investigations involving RIDDOR incidents (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995) or other incidents where considered appropriate and take decisions or make recommendations on remedial or preventative action, as appropriate.

# Chief Fire Officer

**The Chief Fire Officer, and in their absence, the Deputy Chief (Fire) Officer**

1. To take all necessary action within approved budgets to discharge the duties, functions and responsibilities of the Organisation under or in relation to the Fire and Rescue Services Act 2004, Civil Contingencies Act 2004 or other legislation or subordinate legislation applicable to the Fire and Rescue Service including power to authorise Officers to take action under any provision or supplementary power contained within that Act or subordinate legislation.
2. To take all necessary action to respond to and co-ordinate the response of the Organisation to an emergency or disaster and subsequently to report to the Chairperson of the Fire and Rescue Authority where appropriate.
3. To deploy staff, vehicles, resources and equipment and to utilise the Authority’s buildings and other assets in the most effective manner to discharge the Organisation’s responsibilities.
4. Incur expenditure on behalf of the Organisation in accordance with approved budgets.
5. Act in urgent matters (where the Fire & Rescue Authority would normally determine), where there is insufficient time to call a special meeting. Wherever possible the Monitoring Officer and other relevant Statutory Officers and Chairperson or Deputy Chairperson of the Authority and/or Chair of the relevant committee should be consulted subject to details of the action being reported to the next available meeting of the Fire and Rescue Authority.
6. In consultation with the Chairperson and/or the Deputy Chairperson of the Fire and Rescue Authority, take such action as considered necessary to mitigate risk to the community in relation to any issue likely to cause disruption to business or business continuity.
7. Accept offers of external funding in consultation with the Treasurer or Head of Finance, where appropriate, subject to the details of any such acceptance being reported to a future meeting of the Finance Audit and Performance Management Committee.
8. In the absence of the Monitoring Officer or Deputy Monitoring Officer, to sign or seal documents on behalf of the Organisation.
9. To take any action considered necessary to ensure:

(a) that the duties, functions and responsibilities of the organisation are prioritised as far as is practicable to mitigate risk to the community and risk to our staff: and

(b) that the organisations available resources are deployed as effectively and efficiently as possible to mitigate risks to the community and risks to our staff; and

(c) that where required to mitigate risk to the community and risk to our staff, additional financial resources may be drawn from the Authority’s reserves for use if required where approved budget is not available.

3.10 Where practicable, the statutory officers of the Service and the Chairperson or Deputy Chairperson of the Authority will be consulted on the proposed use of these delegations and the Monitoring Officer shall report the use of these delegations to the next available Fire Authority meeting.

# Chief Fire Officer and Monitoring Officer

1. In any year where local government elections are to be held between the last Fire and Rescue Authority meeting of the Municipal year and the first meeting of the Authority after the AGM the Chief Fire Officer and Monitoring Officer may make decisions upon any matters in the interests of the Fire and Rescue Authority which for reasons of urgency or due process cannot wait until the first meeting of the Fire and Rescue Authority following the AGM. The Chief Fire Officer and Monitoring Officer shall consult with appropriate officers and following the AGM of the Fire and Rescue Authority shall consult with the chairperson and or deputy chairperson of the Authority. Any decisions taken under this delegated power must be recorded by the Monitoring Officer and reported to the first meeting of the Fire and Rescue Authority following the AGM.
2. To approve the acquisition of land and buildings subject to the:

(a) Acquisition being in the approved Capital Programme

(b) Total value of payment in any one case not to exceed £250,000

1. To declare land and buildings surplus to requirement provided.

(a) The land and buildings do not exceed £0.5m in value in any one case.

(b) An appropriate appraisal of the land and buildings has been carried out.

# Delegations to Statutory Officers

## Head of Paid Service

5.1.1 To perform the role of Head of Paid Service in accordance with Section 4 of the Local Government and Housing Act 1989 and any subsequent or subordinate legislation and in particular when considered necessary to do so to report to the Fire and Rescue Authority with proposals on:

(a) the effective co-ordination and discharge by the organisation of their different functions

(b) the number and grades of staff required by the organisation for the discharge of their functions

(c) the configuration of the organisation’s staff

(d) the appointment and management of the organisation’s staff

5.1.2 On behalf of the Organisation, implement national conditions of service and such other local agreements as may be determined by the Fire and Rescue Authority and/or the Service from time to time.

## Monitoring Officer

**The Director of Corporate Services as Monitoring Officer, and in their absence, the Head of Corporate Support as Deputy Monitoring Officer**

5.2.1 To perform the role of Monitoring Officer in accordance with the provisions of section 5 and 5a of the Local Government and Housing Act 1989 or other recommended guidance and any subsequent or subordinate legislation and in particular to report to the Fire and Rescue Authority on any proposal, decision or omission by the Fire and Rescue Authority, its committees or Officers or other bodies on which it is represented which has given rise to or is likely to give rise to:

(a) a contravention of law or any code of practice made or approved by or under any enactment

(b) such maladministration or injustice as would fall within the investigation remit of the Public Services Ombudsman

5.2.2 To receive the following:

(a) notification of the appointment of a Member by a constituent Authority

(b) resignation by a Member

(c) notices under the Fire and Rescue Authority’s approved Code of Conduct for Members

(d) notices under the Local Government (Committees and Political Groups) Regulations 1990

(e) declaration by a Member to observe the Fire and Rescue Authority’s approved Code of Conduct for Members.

5.2.3 To keep up to date and amend the Members Payment Scheme in line with the determinations of the Independent Remuneration Panel for Wales.

5.2.4 To sign any document on behalf of the Organisation.

5.2.5 To execute and arrange for the sealing of documents on behalf of the Organisation.

5.2.6 Authorise the exchange of information with other individuals or organisations in accordance with the law and any agreed protocols or procedures following consultation, where necessary, with the Information, Governance and Compliance Officer.

## Chief Finance Officer (Treasurer)

**The Treasurer, and in their absence, the Head of Finance as their Deputy**

5.3.1 To perform the role of Treasurer in accordance with the South Wales Fire and Rescue Service (Combination Scheme) Order 1995, Sections 112, 113 and 114 of the Local Government Finance Act 1988 (as amended by the Fire and Rescue Services Act 2004 Sch. 1, para 68 (3)), Local Government and Housing Act 1989 and the Accounts and Audit (Wales) Regulations 2014 and any subsequent or subordinate legislation.

5.3.2 To determine and issue the constituent authorities’ contributions.

5.3.3 To determine the accounting policies, procedures, records and systems for the Organisation and approve any amendments thereto.

5.3.4 To secure the provision of treasury management services.

5.3.5 Authority to enter into credit arrangements on behalf of the Organisation.

5.3.6 The writing off of bad debts up to the value of £10,000 where there is no prospect of recovery.

5.3.7 To report any potentially unlawful decision on expenditure within the Organisation.

5.3.8 To settle, subject to discussion with the Director of Corporate Services, any uninsured claim against the Authority up to £50,000 subject to an annual report to the Fire and Rescue Authority on the use of this delegation.

5.3.9 In consultation with the Director of Technical Services to dispose of vehicles in the most appropriate manner to ensure best value is obtained for the Organisation.

5.3.10 To agree the carry forward of year end balances for specific items of expenditure up to an individual value of £100,000, such sum to be included in earmarked reserves, included in the Statement of Accounts and reported to the Fire and Rescue Authority.

## SIRO – Senior Information Risk Owner

**The Director of Corporate Services, and in their absence, Head of Corporate Support as Deputy)**

5.4.1 To perform the role of Senior Information Risk Owner in accordance with the Freedom of Information Act 2000, Data Protection Act 2018 and the General Data Protection Regulation 2016 and any subsequent or subordinate legislation and in particular to:

(a) determine effective organisational management of information in all its forms and locations

(b) determine the Strategy and act as advocate for good practice in information governance within the Organisation.

(c) To determine efficient ways of handling both electronic and paper-based information, how it is held, used and shared.

(d) To determine how information is kept safe and secure, and ensuring it is appropriately shared when necessary to do so.

(e) To determine robust management of the risks involved in the handling of information, and compliance with regulatory and statutory guidance including Data Protection and Freedom of Information.

(f) To disseminate the importance of good information governance and particularly what has been highlighted by the Information Commissioner.

(g) To deal with and mitigate against the implications of data security breaches and make recommendations on how the Organisation may guard against this.

## SRO – Senior Responsible Officer

**The Director of Corporate Services, and in their absence, Head of Corporate Support as deputy**

5.5.1 To perform the role of Senior Responsible Officer in accordance with the Regulation of Investigatory Powers Act 2000, the Human Rights Act 2000, The Data Protection Act 2018 & the Data Retention and Investigatory Powers Act 2014 and any subsequent or subordinate legislation and in particular to:

(a) Determining, by name, appropriate officers able to grant RIPA authorisations (Authorising officers)

(b) Verifying the competency of officers before authorising them to grant RIPA authorisations

(c) Ensuring the integrity of the surveillance processes in place and compliance with legislation and Home Office Codes of Practice

(d) Engagement with Surveillance Commissioners and inspectors when they conduct their inspections

(e) Overseeing implementation of any post inspection action plans

## Proper Officer

**The Director of Corporate Services, and in their absence, Head of Corporate Support as deputy.**

5.6.1 To perform the role of Proper Officer in accordance with the relevant Local Government legislation and any subsequent or subordinate legislation and in particular to:

(a) accept written notice of nominated office

(b) be the officer to whom general notices and recording of disclosures of interests should be given

(c) give notice, signing and issuing of summonses in respect of any Fire and Rescue Authority meeting

(d) give public notice of any meeting to which the public are entitled to attend, provide copies of the agenda and facilities for the press

(e) to exclude from the Fire and Rescue Authority, committee or sub-committee agenda any information to be dealt with in a meeting from which the public are likely to be excluded

(f) to determine which documents are not, by virtue of containing exempt information, to be open to public inspection

# Service Delivery Directorate

Operations Department

## Director Service Delivery & Head of Operations

1. To take all necessary action to secure provision of emergency call response and mobilisation procedures under the Fire and Rescue Services Act 2004, Civil Contingencies Act 2004 or other legislation applicable to the Fire and Rescue Service or subordinate legislation.
2. To take all necessary action on a day-to-day basis to ensure that equipment, appliances and personnel are located or transferred to best meet the Organisation’s operational requirements.

## Director Service Delivery, Head of Operations and Group Manager Control

6.2.1 To take all necessary decisions within approved budget to ensure the Organisation discharges its statutory duties under the Fire and Rescue Services Act 2004 to maintain Fire Control services within the Organisation.

6.2.2 Take all necessary action to ensure first line support is implemented in the event of any loss or failure to the mobilising and communications systems and in the event of major power loss, ensure a prompt and effective “fallback” and evacuation procedure is followed.

Risk Reduction Department

## Director Service Delivery

6.3.1 To discharge the Organisation’s powers and duties (including the institution and carrying out of legal proceedings following consultation with the legal advisor) in relation to Fire Safety under the Regulatory Reform (Fire Safety) Order 2005 and any subsequent or subordinate legislation.

6.3.2 Power to authorise entry, appoint inspectors and authorise individual Officers in writing to discharge appropriate functions under the Regulatory Reform (Fire Safety) Order 2005 and any subsequent or subordinate legislation.

6.3.3 Power to comply with any requirement of a decision, order or direction of a Court or Tribunal, in relation to fire safety statutory provisions, insofar as it relates to the Organisation, subject to taking appropriate legal advice.

6.3.4 Initiation of Fire Investigations and reporting on the conclusions and recommendations of such investigations.

## Head of Risk Reduction

6.4.1 Authority to enforce the Regulatory Reform (Fire Safety) Order 2005. –

6.4.2 Under the Regulatory Reform (Fire Safety) Order, issue and serve formal cautions and prohibition notices and act as authorised signatory for such correspondence and documentation.

6.4.3 Under the Regulatory Reform (Fire Safety) Order 2005, power to respond to the findings of investigations, issue and serve prohibition notices, enforcement notices and alteration notices and to act as authorised signatory for such correspondence and documentation.

6.4.4 Authority to carry out investigations in relation to potential fire safety offences, fatalities, serious injuries and deliberate fires.

6.4.5 The examination of, and if necessary, objection to the granting, reviewer renewal of Licences and/or Regulations by the Licensing Authority under the Licensing Act 2003, Gambling Act 2005 or any other Licences or Registrations that the Fire and Rescue Authority is requested to consider under these or any subsequent enactment.

6.4.6 Discharging the Fire and Rescue Authority’s functions in relation to consultation with Local Authorities under the Housing Act 2004, Section 10, houses in multiple occupation.

6.4.7 Act as authorised signatory for correspondence and documentation relating to the following:

* Fire Safety and Safety of Places of Sport Act 1987 (Designated Grounds and Regulated Stands)
* Safety of Sports Grounds Act 1975 (Letters)
* Building Regulations Consultations

6.4.8 Powers of an Inspector for the purpose of discharging the Fire Authority’s duties in accordance with the following Legislation and Regulations:

* Article 27 of the Regulatory Reform (Fire Safety) Order 2005 or any statutory amendment or re-enactment thereof.
* Fire & Rescue Services Act 2004
* Health & Safety at Work etc Act 1974
* The Construction (Design & Management) Regulations 2007
* The Safety Signs and Signals Regulations 1996
* The Dangerous Substances (Notification and Marking of Sites) Regulations 1990.

And, take any other action relating to the Authority’s role as Enforcing authority in respect of the Regulatory Reform (Fire Safety) Order 2005.

6.4.9 Under the Regulatory Reform (Fire Safety) Order 2005, issue and serve action plans, notification of fire safety deficiencies, and general correspondence including non-statutory reports.

6.4.10 Act as authorised signatory for correspondence and documentation relating to the following:

* Informal education and advice
* The Building Regulations 2010
* Gaming Act 1968 – Consultation
* Licensing Act 2003 – Consultation
* Housing Act 2004 – Consultation
* Other Consultations .

6.4.11 Authority to establish and maintain appropriate partnerships with the object of reducing risk within the community and commit approved resources to supporting these to ensure that statutory responsibilities relating to this purpose are discharged.

6.4.12 Authority to work and share information with other agencies in accordance with agreed procedures.

# 7. Technical Services Directorate

## 7.1 Director of Technical Services

7.1.1 To take all necessary action to secure provision of emergency call response and mobilisation procedures under the Fire and Rescue Services Act 2004, Civil Contingencies Act 2004 or other legislation applicable to the Fire and Rescue Service or subordinate legislation.

7.1.2 To take all necessary action on a day-to-day basis to ensure that equipment, appliances and personnel are located or transferred to best meet the Organisation’s operational requirements.

7.1.3 Receive and disseminate, as appropriate, security and civil contingencies information within the Organisation, to enable specific risks to be appropriately addressed.

7.1.4 In consultation with Treasurer to dispose of vehicles in accordance with agreed policies and procedures.

## 7.2 Head of Operational Risk Management and Group Manager

1. Authority to take decisions on behalf of the Organisation, within approved budget, to ensure the Organisation effectively meets its statutory responsibilities as a Category 1 responder.

7.2.2 Approve all relevant documentation relating to operational appliances and equipment to assist the Organisation in discharging its functions under the PUWER Regulations (Provision and Use of Work Equipment Regulations).

7.2.3 Authority to gather information relating to risk premises within the Organisation’s area, to assist the Authority in discharging its functions under S.7.2.d. of the Fire and Rescue Services Act 2004.

## 7.3 Fleet Engineer & Workshop Manager

7.3.1 To act as the competent responsible person for the managing of Fleet as required by statutory provisions (the Health and Safety at Work etc Act 1974, and the Management of Health and Safety Regulations 1999).

7.3.2 To discharge the Service’s duties and responsibilities to investigate, remedy and report Fleet issues and accidents in the workplace.

## 7.4 Head of ORM & Health & Safety Advisor

7.4.1 Authority to undertake investigations involving RIDDOR incidents (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995) or other incidents where considered appropriate and take decisions on remedial or preventative action, as appropriate.

## 7.5 Health & Safety Advisor

7.5.1 To act as the competent responsible person for managing Health and Safety as required by statutory provisions (the Health and Safety at Work etc. Act 1974, and the Management of Health and Safety Regulations 1999).

## 7.6 Head of ICT Services & ICT Managers

7.6.1 To electronically sign click through licence agreements on behalf of the Organisation for ICT related agreements providing all other authorities to enter into the agreement are in place and all terms and conditions can be adhered to.

## 7.7 Area Manager - Training

7.7.1 To take the necessary action within approved budget to ensure the Organisation discharges its statutory responsibilities under the Fire and Rescue Services Act 2004 in relation to training and development.

# 8 Corporate Services Directorate

**Corporate Support Department**

## 8.1 Director Corporate Services

1. Approve the commencement of supplies, services or construction work, in exceptional circumstances, prior to the formal conclusion of the contract.
2. To make consequential amendments to any of the approved documents of the Organisation to take account of any of the following:

(a) any change in the job title of any Officer

(b) the transfer of any of the responsibilities of any Officer who has delegated functions, to any other Officer

(c) any change in structure and responsibilities of the Organisation

(d) any change in any other title or name of any Officer, organisation, scheme or plan

(e) subject to consultation with the Treasurer any change in financial limits or authorisation levels (save for major changes which would require the approval of the Fire and Rescue Authority)

(f) any changes to the legislation or guidance (including Acts, Measures, Statutory Instruments, Regulations, Orders, Byelaws) where that legislation or guidance is applied, extended, amended, consolidated or replaced

(g) in any other case where a minor amendment is necessary to correct a clerical error or (as long as the document remains substantially to the same effect) to keep the document up to date

(h) procedural changes to reflect current working practices or procedures of the Service.

## 8.2 Delegations to the Director Corporate Services and the Head of Corporate Support

1. The institution, prosecution, defence, settlement or opposition in any actual, contemplated or potential legal proceedings in relation to any of the Authority’s powers, duties, rights, liabilities, actions or inaction including initiating legal proceedings (to include seeking an injunction) where that action is necessary to protect any interest of the Fire and Rescue Authority, its land, property or any other assets, or Fire and Rescue Authority Members or Officers or where it is expedient to do so in connection with any power, duty, obligation, action, inaction or decision of the Fire and Rescue Authority or the Fire and Rescue Service either criminal or civil.
2. To take all such actions as may be necessary as a result of appeals or applications to Ministers, Courts, Tribunals or any other body in respect of anything done by the Fire and Rescue Authority or a Committee or Officer acting in pursuance of delegated powers or against any decision, order, notice, requirement or direction of the Organisation or against any decision or order in legal or quasi legal proceedings to which the Organisation is a party.
3. To determine if gifts received by employees of the Authority with a market value not exceeding £25.00 should be accepted.
4. Authority to settle insurance claims for loss, damage or personal injury following consultation with the Authority’s Insurer’s.

## 8.3 Director of Corporate Services, Head of Corporate Support & Legal Services Officer

1. The power to deal with all matters in respect of land or buildings and structures thereon, including sale, purchases, exchange, leasing, licences, assignments, wayleaves, easements, mortgaging, charging, granting of options or other dealings, subject to:-

(a) any statutory restrictions and requirements

(b) Fire and Rescue Authority approval for any major sale or major lease

1. The swearing of Affidavits and the making of statutory declarations for the Authority.
2. Power to comply with any direction, order, judgment or decision of any Court or Tribunal, insofar as it relates to the Organisation.
3. The issuing and serving of any statutory or other notices in relation to any of the Authority’s powers, duties, rights or liabilities.
4. To take such action as is necessary to secure a planning consent on any land within the ownership or to be acquired by the Authority.
5. Power to determine the terms of any indemnity or guarantee for which the Authority is requested to provide.
6. To take legal proceedings to recover possession of any Organisation owned property occupied by unauthorised occupiers.
7. Lodge and proceed with any appeal from an order or decision of a Court, Tribunal, Inspector or other person of competence within any time limit set.
8. To agree the terms of new contracts, agree the variation of existing contracts, permit sub-contracting, assignments, novations and termination of contracts entered into by the Organisation.
9. To approve price variations justified under the Rise and Fall Clauses in any contract.
10. To approve increases in contract costs due to delayed starts etc, where the cost can be contained within the original figure or by reductions in work or from within the contingency sum.
11. To approve contract variations up to £50,000 or 15% of the original contract sum (whichever is the greater).
12. All contract variations under these arrangements are to be reported retrospectively to FAPM Committee.
13. Effect appropriate insurance cover for the Organisation and authorise the payment of premiums and the negotiation of all claims.

## 8.4 Head of Corporate Support, Head of Service Performance & Communication and the Information Governance & Compliance Officer

1. To take any necessary actions and decisions to ensure that the Organisation meets its responsibilities in accordance with Data Protection, Freedom of Information and Regulation of Information requirements.

## 8.5 Legal Services Officer

1. Following consultation with either the Director of Corporate Services or the Head of Corporate Support, the institution, prosecution, defence, settlement or opposition in any actual, contemplated or potential legal proceedings in relation to any of the Authority’s powers, duties, rights, liabilities, actions or inaction including initiating legal proceedings (to include seeking an injunction) where that action is necessary to protect any interest of the Fire and Rescue Authority, its land, property or any other assets, or Fire and Rescue Authority Members or Officers or where it is expedient to do so in connection with any power, duty, obligation, action, inaction or decision of the Fire and Rescue Authority or the Fire and Rescue Service either criminal or civil.

**Finance Department**

## 8.6 Director Corporate Services

1. To take all necessary action to ensure that all financial services/activities undertaken by the Organisation satisfy current financial legislation, including the Local Government and Finance Acts, and the Organisation’s Contract Standing Orders and Financial Regulations.
2. Incur expenditure and make payments on behalf of the Organisation including fees and expenses payable to Brokers and Agents.
3. The writing off of bad debts up to the value of £5,000 where there is no prospect of recovery.
4. Recovery by legal proceedings of debts owed to the Authority and the settlement of claims.
5. Appointment of the Authority’s bankers and to open and close any necessary bank accounts following consultation with the Treasurer.
6. Determine and implement suitable paper and electronic financial management systems to efficiently discharge the Organisation’s statutory duties.
7. Accept offers of external funding in consultation with the Treasurer or Chief Fire Officer, where appropriate, subject to the details of any such acceptance being reported to a future meeting of the Fire and Rescue Authority.
8. Together with the Senior Procurement Officer, authority to exercise an exemption to the Contract Standing Orders if an unforeseeable emergency involving immediate risk to persons, property or serious disruption to the Organisation’s services occurs.

## 8.7 Head of Finance

1. Authority to determine, review and revise the appropriate level of charges for external services.
2. Authority to align financial procedures and processes with the Organisation’s Financial Procedure Rules and to report to the Director Corporate Services on any discrepancies or deviations.
3. Approve claims to external funding bodies for recovery of grant or other external funding to the Organisation in accordance with the funding conditions.
4. Implement and maintain the necessary robust financial management systems to protect the Organisation.
5. To arrange the borrowing and investments of the Organisation in such a manner as to comply with the Organisation’s approved Treasury Management Strategy and Treasury Management Practices.
6. Incur expenditure and make payments on behalf of the Organisation including fees and expenses payable to Brokers and Agents.
7. Determine and implement suitable paper and electronic financial management systems to efficiently discharge the Organisation’s statutory duties.
8. Authority to write off disposal of redundant stock or equipment up to an approved limit.
9. Following consultation with the Director of Corporate Services authority to write off bad debts up to the value of £2,500 where there is no prospect of recovery.

## 8.8 Senior Accountant

1. In the absence of the Director of Corporate Services and the Head of Finance, Procurement and Property, assess the Authority’s borrowing requirement and arrange and monitor loans for capital expenditure.
2. Take action to maximise the return on the Organisation’s investments in accordance with the approved Treasury Management Strategy.
3. To arrange the borrowing and investments of the Organisation in such a manner as to comply with the Organisation’s approved Treasury Management Strategy.
4. In accordance with the Organisation’s Financial Regulations, power to dispose of surplus plant and equipment valued less than £1,000 and to dispose of surplus or redundant stock.

## 8.9 Senior Procurement Officer & Procurement Officer

1. Approve or reject electronic tenders as appropriate.
2. Together with the Director of Corporate Services, authority to exercise an exemption to the Contract Standing Orders if an unforeseeable emergency involving immediate risk to persons, property or serious disruption to the Organisation’s services occurs.
3. In accordance with the Organisation’s Financial Procedure Rules power to dispose of surplus plant and equipment valued at less than £1,000 and to dispose of surplus or redundant stock.

**Property Services Department**

## 8.10 Head of Finance and Property Strategy Manager

1. In accordance with the waste and environmental Legislation, provide specialist advice, support and guidance to Organisation personnel in matters relating to sustainable development, and maintain links with other agencies to ensure the Organisation effectively meets its statutory responsibilities.
2. Authority to sign Waste Transfer Notes on behalf of the Organisation.

## 8.11 Strategic Property Manager

1. Following consultation with the Director of Corporate Services approve the commencement of supplies, services or construction work, in exceptional circumstances, prior to the formal conclusion of the contract.
2. Following consultation with the Director of Corporate Services or the Head of Finance, to approve reactive maintenance of the Organisation’s property portfolio beyond the approved budget where this is deemed absolutely necessary to remedy a significant health and safety breach, maintain the operational functionality of a building or protect the infrastructure or integrity of the building.
3. To take such action as is necessary to secure a planning consent on any land within the ownership or to be acquired by the Authority.

## 8.12 Facilities Manager

1. To approve expenditure of appropriate planned and reactive maintenance of the Organisation’s property portfolio within the approved budget up to a value of £75,000 for each project.
2. . To sign off planned or reactive works as completed to the required standards under the stated specifications up to a value of £75,000 for each project.

## 8.13 Buildings Co-ordinator

1. To approve expenditure of appropriate planned and reactive maintenance of the Organisation’s property portfolio within the approved budget up to a value of £50,000 for each project.
2. To sign off planned or reactive works as completed to the required standards under the stated specifications up to a value of £50,000 for each project.

## 8.14 Facilities Co-ordinator

1. To approve expenditure of appropriate planned and reactive maintenance of the Organisation’s property portfolio within the approved budget up to a value of £15,000 for each project.
2. To sign off planned or reactive works as completed to the required standards under the stated specifications up to a value of £15,000 for each project.

# 9 People Services Directorate

## 9.1 Director People Services

1. To appoint to and maintain the establishment and posts within the Organisation to ensure adherence to the approved salaries budget.
2. To take all necessary decisions to implement, administer, amend, and review practices, policies, procedures and protocols on employment arrangements (including pay, emoluments and pensions) within the Organisation to accord with statutory or local requirements.
3. Authority to deal with all matters relating to the permanent or temporary appointment (including the method of appointment), transfer, suspension, dismissal, grievances, tribunals, pay, promotion, recruitment and terms of conditions of service of all staff, including negotiations with representative bodies.

Note: In the case of disciplinary action in relation to the Head of Paid Service, Monitoring Officer and Chief Finance Officer, sections 9.8.6 to 9.8.9 of the Constitution apply.

1. To engage temporary or casual staff additional to the authorised establishment to meet exceptional needs for a period not exceeding 12 months in accordance with the Organisation’s agreed policies and procedures in force at that time.
2. Authority to deal with individual cases of early retirement and/or voluntary redundancy and/or flexible retirement, subject to the approval of the Chief Fire Officer and Treasurer with regards to the financial aspects of the proposals.
3. In exceptional circumstances authority to re-employ staff with particular knowledge, skills and expertise, on temporary non-uniformed contracts following retirement, subject to no new contract being issued until an individual has retired from the Service and the relevant statutory period has expired between the date of retirement and the commencement of the temporary contract.
4. Authorisation of Casual User Allowance and Essential User Allowance.
5. Authority to pay salaries, wages, allowances or other emoluments, and to make any necessary deductions to existing and former employees and Fire and Rescue Authority Members in accordance with approved procedures.
6. Determine the appropriate rates of subsistence for duties abroad.

## 9.2 Director People Services & Head of Human Resources

1. Appointment of temporary, permanent and agency staff and determination of probationary periods, up to but not including Principal Officers.
2. Determination of applications for time off for Trade Union duties and activities in accordance with Conditions of Service and ACAS Code of Practice.
3. Authorising temporary promotions and honoraria payments within the approved budget, up to but not including Principal Officers.
4. Review and authorise extensions of sick pay allowances and Occupational Health Private Treatment and submit an annual report on such action to the HR & Equalities Committee.
5. Authorise Occupational Health Private Treatment and submit an annual report on such action to the HR & Equality Committee.
6. Take all necessary action to assist the Organisation in discharging its responsibilities under Welsh Language legislation.