



AGENDA ITEM: 14

NORTH WALES FIRE AND RESCUE AUTHORITY

18th March 2013

REVIEW OF MONITORING OFFICER STATUTORY APPOINTMENT AND SERVICE LEVEL AGREEMENT

Report by Simon Smith, Chief Fire Officer

Purpose of Report

- 1 To provide members with information relating to the review undertaken of the statutory appointment and the service level agreement regarding provision of Clerk/Monitoring Officer services.
- 2 To seek approval to renew the service level agreement for the provision of clerk, monitoring officer, constitutional advice and other services to the North Wales Fire and Rescue Authority.

Purpose of the role

- 3 The role of the Clerk/Monitoring Officer has three main parts:-
 - 3.1 Statutory role of Monitoring Officer under section 5 of the Local Government and Housing Act 1989 (as amended). Duty to ensure that the Authority carries out its functions lawfully, ensuring lawfulness and fairness of decision making, supporting the Standards Committee, dealing with Code of Conduct issues including any training for Members thereon and on ethical issues.
 - 3.2 Clerk to the Authority - to ensure that meetings are administered in accordance with relevant statutes, regulations and the Constitution and to deal with legal and procedural matters for the Authority. Keep the Constitution up to date and relevant. Undertaking the matters that are reserved to the Clerk that are provided for in the Constitution.

- 3.3 Overall Governance and Democratic arrangements including:
- Code of Corporate Governance
 - Member Engagement and Members' Charter
 - Scheme of Members' Allowance
 - One off roles, for example, risk reduction group, audit and participation in the appointment process for Principal Officers.

Information

- 4 These services are provided under a 4 year Service Level Agreement which was last commissioned from Flintshire County Council for the services of their Chief Executive, Colin Everett, and his Head of Legal and Democratic Services as Deputy to undertake this role, in 2008. This agreement expired on 31st March 2012. However, at the June 2012 meeting, the Authority agreed to extend the agreement for a further period of one year.
- 5 During this period of one year the opportunity was taken to review the means of providing this function. Some Fire and Rescue Authorities employ a full time officer as Clerk and Monitoring Officer but the workloads within North Wales Fire and Rescue Authority do not require this level of commitment. Other Authorities combine the role with other posts but that can create a conflict of interest so it was decided to continue with a SLA with one of the Local Authorities within North Wales.
- 6 An additional benefit with this arrangement is the maintenance of the good working relationships and flow of independent advice and information with senior colleagues in the six Local Authorities in North Wales through the external appointments of Clerk and Treasurer to the Authority.
- 7 Given the nature of the agreement, a Service Level Agreement rather than a professional contract, and with the added element of demonstrating collaborative working within North Wales, it is proposed that the Authority continues with the agreement until the end of the life of the current Fire and Rescue Authority.

- 8 The fee for this arrangement has been renegotiated and reduced from £16,500 to £11,000 per year which covers the personal fee to the Clerk, Deputy Clerk and the administrative support.

Recommendation

- 9 Members are asked to approve the renewal of the current service level agreement for the provision of clerk, monitoring officer, constitutional advice and other services to the North Wales Fire and Rescue Authority.