



HUMBERSIDE  
Fire Authority

Fire & Rescue Service Headquarters Summergroves Way Kingston upon Hull HU4 7BB

Telephone 01482 565333

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| <p>To: Members of the Governance,<br/>Audit and Scrutiny Committee</p> | <p><b>Enquiries to:</b> Rob Close<br/><b>Email:</b> <a href="mailto:committeemanager@humbersidefire.gov.uk">committeemanager@humbersidefire.gov.uk</a><br/><b>Tel. Direct:</b> (01482) 393899<br/><b>Date:</b> 1 April 2026</p> |
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Dear Member

I hereby give notice that an **EXTRAORDINARY MEETING** of the **GOVERNANCE, AUDIT AND SCRUTINY COMMITTEE** of Humberside Fire Authority will be held on **MONDAY 13 APRIL 2026 AT 10.00AM** at HUMBERSIDE FIRE & RESCUE SERVICE HEADQUARTERS, SUMMERGROVES WAY, KINGSTON UPON HULL, HU4 7BB.

The business to be transacted is set out below.

Yours sincerely

**for Lisa Nicholson**  
**Monitoring Officer & Secretary to Fire Authority**

## A G E N D A

| Business   | Page Number     | Lead                             | Primary Action Requested                           |
|--|-----------------|----------------------------------|--|
| 1. Apologies for absence                                   | -               | Monitoring Officer/<br>Secretary | To record  |
| 2. Declarations of Interest<br>(Members and Officers)      | -               | Monitoring Officer/<br>Secretary | To declare and<br>withdraw if pecuniary            |
| 3. Minutes of the meeting of<br>16 March 2026              | (pages 3 - 7)   | Chair                            | To approve   |
| 4. Amendment to the<br>Constitution - Appeals<br>Committee | (pages 8 - 13)  | Monitoring Officer/<br>Secretary | To make<br>recommendation to<br>the Fire Authority |
| 5. Review and Reaffirmation of<br>the Constitution         | (pages 14 - 18) | Monitoring Officer/<br>Secretary | To make<br>recommendation to<br>the Fire Authority |
| 6. Scrutiny Work Programme<br>2026/27                      | (pages 19 - 22) | Committee Manager                | To approve   |



**HUMBERSIDE FIRE AUTHORITY**  
**GOVERNANCE, AUDIT AND SCRUTINY COMMITTEE**

**16 MARCH 2026**

**PRESENT:** Independent Co-opted Members Chris Brown (Chair), Karen Cowan, Melissa Dearey, and Nigel Saxby.

**Officers Present:** Antoinette Diovisalvi – Joint Deputy Chief Finance Officer/Deputy S.151 Officer, Donna Chambers – Assistant Director of People and Culture, Richard Gibson – Area Manager of Service Improvement, Jason Kirby – Area Manager of People and Culture, Dan Meeke – Area Manager of Public Safety and Resilience, Steve Duffield – Area Manager of Emergency Response, Shaun Edwards – Head of Finance, Jamie Morris – Head of Corporate Assurance, Gareth Naidoo – Senior Corporate Assurance Officer, Dominic Purchon – East Riding District Manager, Natalie Simm – EDI Officer, David Robinson – Internal Audit (TIAA), Lisa Nicolson – Monitoring Officer/Secretary, and Rob Close – Committee Manager.

Rejoice Mapeto (Forvis Mazars) was in remote attendance.

The meeting was held at the Humberside Fire and Rescue Service Headquarters, Kingston upon Hull.

**11/26 APOLOGIES FOR ABSENCE** – Apologies for absence were received from Gerry Wareham.

**12/26 DECLARATIONS OF INTEREST** – No declarations of interest were made with respect to any items on the agenda.

**13/26 MINUTES – Resolved** – That the minutes of the meeting held on 9 February 2026 be approved as a correct record, subject to the following amendment:

Minute 06/26 be amended to read, “The Committee suggested external anonymous reporting routes, including Crimestoppers, HMRC anonymous reporting and Action Fraud, should be more explicitly referenced within the policies to strengthen staff assurance and confidence in reporting concerns ~~safely~~ *anonymously*....”.

The Committee sought clarity on the guidance given on Pension opt-outs. It was advised that, while no investment advice was offered, staff were advised of the impact of opting out of the pension scheme might have on their eligibility for ill health retirement.

**14/26 INTERNAL AUDIT REPORTS** – The Committee received reports from TIAA, the Service’s internal auditors, outlining internal audit activity since the previous meeting. It was reported that no amendments had been made to the Internal Audit Plan, no instances of fraud had been identified, and no final audit reports had been issued since the meeting held on 9 February 2026. Members were advised that three audits had commenced during the reporting period, namely ICT Management Controls, Key Financial Control, and the contingency audit on Talent Development, for which draft reports would be issued in due course.

**Resolved** – That the report be received.

**15/26 INTERNAL AUDIT PLAN 2026/27** – The Committee received a report of the Head of Corporate Assurance presenting the draft Internal Audit Plan for 2026/27. The report explained that the Annual Plan set out the proposed audit assignments to be carried out during 2026/27, together with the planned times and high-level scopes for each assignment. It was noted that the audits identified in the Plan would support the Head of Internal Audit’s annual opinion on the overall adequacy and effectiveness of the Service’s framework of governance, risk

management and control, and that the audit scopes had been informed by the Service's assurance framework, risk registers, Service Improvement Plan, His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) findings and recommendations, Fire Standards, National Operational Guidance and key emerging themes.

In presenting the report, the Internal Auditor (TIAA) explained that the total number of audit days had increased from 65 to 72, reflecting an uplift of one day across the global audit plan. Members were advised that the Committee could either proceed with the Plan as presented or, should it wish to retain the previous level of 65 days, remove an audit from the programme. In response, the Head of Corporate Assurance suggested that this point would be given further consideration as part of finalising the Plan.

The Committee also asked whether any additional audit services were expected to be required during the Plan period. In response, the Head of Corporate Assurance advised that none were envisaged at the present time, although this could be explored in future if necessary. The Internal Auditor (TIAA) added that such services were available if required, although it was hoped they would not be needed.

**Recommended to the Fire Authority** – That the Internal Audit Annual Plan 2026/27 be approved.

**16/26 TREASURY MANAGEMENT AND CAPITAL EXPENDITURE STRATEGY 2026/27** – The Committee received a report of the Joint Deputy Chief Finance Officer / Deputy Section 151 Officer presenting the Treasury Management and Capital Expenditure Strategy 2026/27.

The report set out the Prudential Indicators for Treasury Management and Capital and the Treasury Management Strategy Statement proposed for adoption for the financial year 2026/27. The Authority's Constitution required that the Policy Statement was approved by the full Fire Authority and this responsibility could not be delegated. Also outlined was the recommended policy to be adopted in respect of creating the Minimum Revenue Provision (MRP) for 2026/27, in line with the statutory requirements set out in The Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2008 and 2017.

Reference was also made to the liability benchmark, with it being reported that a revenue funding approach to capital expenditure was being used while interest rates remained high. Members were further advised of the indicators relating to the operational boundary and the authorised limit, and were informed that, should borrowing approach the Service's debt limit, Members would be notified accordingly. Attention was also drawn to the indicator concerning borrowing costs charged to the revenue budget, where a level of up to 5 per cent was described as reasonable, and to the maturity structure for borrowing, which was managed so as to avoid borrowing at the same time for cash flow reasons.

In relation to the Investment Strategy, it was reported that security and liquidity remained the Service's priorities. Members were advised that investments were made with a range of counterparties, for periods of no longer than one year, and only with counterparties holding a F1 rating.

In discussion, the Committee raised the potential impact of wider uncertainty on the Service's financial projections, including geopolitical instability and the Fair Funding Review. In response, the Joint Deputy Chief Finance Officer / Deputy Section 151 Officer advised that modelling had been undertaken in relation to conflict in Iran, particularly in respect of possible effects on fuel and utility costs. She explained that the Service was also considering whether discretionary capital expenditure might need to be phased, and that suppliers were being engaged with and contracts kept under review. It was noted, however, that gas prices were fixed until 2027 and electricity prices until 2028, while the fuel contract was due to expire at the end of the 2025/26 financial year and there had been no request to bring this forward.

The Committee explored the Service's approach to borrowing in what was acknowledged to be a volatile environment. In response, the Joint Deputy Chief Finance Officer / Deputy Section 151 Officer explained that the Service had not taken long-term borrowing for some time, instead short term borrowing as and when appropriate. Long-term borrowing was more likely to be considered when interest rates fell to around 2.8 per cent, and that, over the next five-year period, short-term borrowing would be the preferred option.

The Committee requested that future reports make clear which limits were statutory and which reflected local discretion.

The Committee received assurance that there had been no non-specified investments made for periods exceeding one year.

**Recommended to the Fire Authority** – That the Authority approves the Treasury Management Strategy Statement 2026/27.

**17/26 STRATEGIC RISK UPDATE** – The Committee received a presentation from the Head of Corporate Assurance providing an update on the Service's Risk and Opportunity Management framework.

It was explained that risks were identified systematically in a structured way across directorates and projects, with detailed descriptors, ratings for likelihood and impact, and clear assignment of risk owners and responsible persons. This ensured comprehensive coverage and accountability for each risk.

Risks were evaluated using a matrix that combined likelihood and impact to generate a priority score. This enabled the organisation to focus resources on the most critical risks and opportunities, aligning with the Service's risk appetite statements. Each risk was assigned a treatment strategy (accept, treat, transfer, or avoid) and internal control type (preventative, detective, or directive). Mitigations and controls were documented, tested, and regularly reviewed to ensure effectiveness and compliance.

In line with its Constitutional requirements, (Article 6: Governance, Audit and Scrutiny Committee), the Committee was responsible for providing independent advice and recommendations to the Fire Authority on the adequacy of the governance and risk management frameworks, internal controls, and financial reporting. Functions included:

- Reviewing the Annual Governance Statement prior to approval.
- Considering the framework of assurance and ensuring it adequately addresses the risks and priorities of the Authority.
- Monitoring the effective development and operation of risk management, reviewing organisational risk, and monitoring the adequacy of management action in addressing risk-related issues reported to them.
- Reviewing arrangements for the assessment of fraud risks and potential harm from fraud and corruption and monitoring the effectiveness of anti-fraud related policies.

The Committee considered the five strategic risks currently on the Risk and Opportunity Register, with a particular focus on Financial Constraints: National Grant Funding (Risk Reference 2023/24 – Fca).

**Recommended to Fire Authority** – That the Authority takes assurance of the maintenance, monitoring and management of the Risk and Opportunity Management framework, including the identification and management risk.

**18/26 SCRUTINY ITEM: EQUALITY, DIVERSITY AND INCLUSION** – The Committee received a report of the Head of Organisational Development, presented by the EDI Officer, providing an overview of Equality, Diversity and Inclusion following a previous scrutiny request for detailed updates on three key areas: Equality Impact Assessments, EDI Priorities, and Staff Forum Groups. Significant progress had been made since EDI responsibilities transferred to Corporate Assurance and a dedicated EDI Officer was appointed. This had resulted in a strengthened and more consistent equality impact assessment (EIA) process, improved quality assurance, enhanced use of Assurance Monitoring for monitoring, and new guidance to build staff understanding and confidence. Staff forum groups had also been revitalised, with renewed governance, stronger links to Strategic Leadership Team (SLT) Equality Ambassadors and increased activity across four active networks.

The Service had refreshed its statutory EDI priorities for 2025-29 and developed a supporting 12-month delivery plan to ensure actions were aligned with organisational strategy. Work would now focus on improving quantifiable measurement of progress to support transparency, evidence-based decision-making and organisational accountability. Additional developments, including the establishment of the EDI Committee, a comprehensive EDI Hub on SharePoint, and the transition of the EDI Officer role to a permanent position, demonstrated sustained commitment to embedding inclusion and driving positive cultural change across the Service.

The Committee then considered the following areas:

- **Staff Forum Group** - The Committee sought clarification on the position in relation to a dedicated LGBTQ+ Staff Forum Group. In response, the EDI Officer advised that a group of that nature had not had sufficient momentum to continue. She explained that the Service continued to encourage staff involvement in this area through other avenues and was seeking to strengthen its approach, noting that the Service maintained a strong level of engagement with Pride activity. In response to a further question, she did not consider that the absence of a forum reflected a fear of discrimination, but rather the fact that the organisation was relatively small and not highly diverse, meaning that the pool of staff available and willing to establish and sustain such a forum was limited.
- **External Support and Representation** - The Committee asked whether external support or networking opportunities were encouraged. In response, the EDI Officer advised that opportunities for collaboration with police networks were currently being explored, together with the potential for wider national engagement.
- **Wider EDI Leadership and Assurance** - The Committee noted that the EDI Officer had been offered the position of Chair of the NFCC regional EDI Board.

In concluding discussion, the Committee welcomed the benefit of having a dedicated resource in this area and commented positively on the work being undertaken to strengthen the use of Equality Impact Assessments, noting in particular the value of the approach in increasing staff understanding and confidence.

Members commended the Service's approach and progression of its equality, diversity and inclusion responsibilities.

**Recommended to Fire Authority** – That the Authority be assured that the Service's progression of Equality, Diversity and Inclusion (EDI) is performing well.

**19/26 SCRUTINY ITEM: GRENFELL TOWER INQUIRY PHASE 2 REPORT** – The Committee received a report of the East Riding District Manager providing an update on the implications of the Grenfell Tower Inquiry Phase 2 Report for Humberside Fire and Rescue Service. The report explained that Phase 2 of the Inquiry had concluded following a four-year

examination into the Grenfell Tower tragedy of 2017, with the final report published on 4 September 2024. It was noted that the report contained 58 recommendations aimed at strengthening fire safety, regulatory oversight, emergency preparedness and sector-wide capability.

The report further explained that, whilst many of the failings identified were specific to the circumstances at Grenfell, the Inquiry had emphasised the need for all fire and rescue services to examine their own preparedness, organisational learning, control room arrangements, operational planning and staff competence. In that context, it was noted that Humberside Fire and Rescue Service had already undertaken substantial work following Phase 1 of the Inquiry, including enhancements to operational equipment, breathing apparatus communications, operational command training and high-rise firefighting procedures. Phase 2 had then enabled the Service to build on that foundation and ensure that nationally identified improvements were reflected locally.

The Committee was advised that, of the 58 recommendations arising from Phase 2, 12 were directly relevant to fire and rescue services, including recommendations to HMICFRS and the NFCC, and that a further two had potential implications for Humberside Fire and Rescue Service in relation to the definition of high-risk buildings within the Building Safety Act and fire engineering competence. The report stated that a full assessment of each relevant recommendation had been undertaken and that the Service had completed all applicable actions. It was further noted that the report incorporated independent assurance from the recent NFCC Grenfell Workshop hosted by the Service and also set out the Service's position within the wider national context through the Grenfell Tower Inquiry progress tracker, demonstrating continued alignment with emerging national practice.

The Committee then considered the following areas:

- **NFCC Role** – The Committee welcomed the Service's involvement in supporting this area of work through the NFCC, noting positively the role being undertaken.
- **Multi-Agency Practice** – The Committee also welcomed the strength of the multi-agency approach undertaken by the Service and the good practice demonstrated.

**Recommended to Fire Authority** – (a) That the Authority be assured that the Service has completed all relevant actions arising from the Phase 2 report of the Grenfell Tower Inquiry.

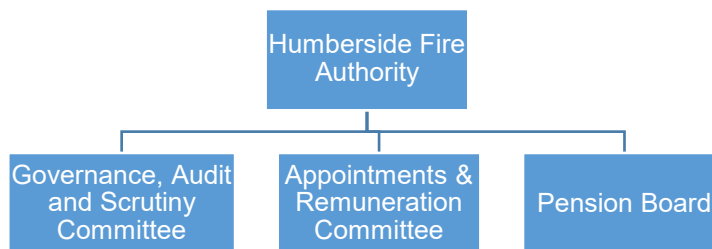
(b) That the Authority note the findings of the NFCC workshop, which confirms the strength of the Service's arrangements and identifies only a small number of development opportunities that the Service is already addressing.

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|   | <b>Agenda Item No. 4</b>                |
| <b>Governance, Audit and Scrutiny Committee<br/>13 April 2026</b> | <b>Report by the Monitoring Officer</b> |

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| <b>AMENDMENT TO THE CONSTITUTION – APPEALS COMMITTEE</b> |
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**1. SUMMARY**

- 1.1 The Authority currently establishes an ad hoc Appeals Committee (made up of four Members) to hear and determine appeals against dismissal.
- 1.2 The use of an Appeals Committee to determine appeals against dismissal does not comply with the 7<sup>th</sup> edition of the *National Joint Council (NJC) for Local Authority Fire and Rescue Services Scheme of Conditions of Service (the "Grey Book")* and therefore puts the Authority at risk of challenge in an Employment Tribunal (ET).
- 1.3 As set out at section 4.16 the Committee is requested to consider the proposal to abolish the Appeals Committee and make recommendation to the Fire Authority at its Annual General Meeting on 5 June 2026.
- 1.4 If this option is approved, the Committee Structure of the Authority would be as set out below:




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**2. RECOMMENDATION**

- 2.1 It is recommended that Committee endorses Option 1, the proposal to abolish the Appeals Committee, as set out at section 4.16, to the Fire Authority.
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**3. BACKGROUND**

- 3.1 Humberside Fire Authority Constitution establishes a Committee Structure that includes an Appeals Committee, comprising four Members of the Fire Authority. This committee is responsible for hearing appeals against dismissal.
- 3.2 The current position does not comply with the 7<sup>th</sup> edition of the *National Joint Council (NJC) for Local Authority Fire and Rescue Services Scheme of Conditions of Service (the "Grey Book")* and therefore puts the Authority at risk of challenge in an Employment Tribunal (ET).

**Scheme and Conditions of Service (Grey Book) 7<sup>th</sup> Edition**

- 3.3 The position agreed by National Joint Council (NJC) for appeals is “the appeal shall be heard by a higher level of manager. Arrangements for the final appeal stage against dismissal should be determined locally but be consistent with the principle that the corporate level involved should be higher than the level which heard the previous stage”. The same document is explicit regarding the level (Role) at which dismissal can be considered; this is at Area Manager (AM) level.

- 3.4 As the dismissing officer is at the role of AM there is capacity in the organisational structure for an Executive Officer (i.e. Assistant, Deputy or Chief Fire Officer) to hear an appeal in accordance with the Grey Book.
- 3.5 It is noted in the Grey Book that “the procedure reflects and improves on the ACAS code of practice on Disciplinary and Grievance procedures” as such Advisory, Conciliation and Arbitration Service (ACAS) best practice is included below for information.
- ACAS and National Best Practice**
- 3.6 The ACAS Code of Practice on Disciplinary and Grievance Procedures sets out the minimum standards for fairness employers must follow. The Code emphasises:
- The need for impartial, fair and procedurally sound decision making.
  - Appeals to be heard by someone not previously involved and appropriately senior. [acas.org.uk]
  - Failure to comply may lead to ET uplifts of up to 25%.
- 3.7 Government guidance further notes that employers should follow the ACAS Code when handling appeals, and failure to do so increases legal risk and potential compensation (<https://www.gov.uk/taking-disciplinary-action/appeals>).
- 3.8 Across UK public services, including most Fire and Rescue Services, appeals against dismissal are determined by senior officers rather than elected Members, ensuring consistency and professional HR led practice.
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#### **4. REPORT DETAIL AND OPTIONS**

##### **Legal and Employment Tribunal Risk**

- 4.1 There is evidence to suggest that ETs can increase compensation awards where an employer fails to follow the ACAS Code. The Grey Book explicitly warns that failure to follow this code can lead to tribunal awards being adjusted (the Grey Book notes “up to 50%”)
- 4.2 As such Member-led appeal panels create a heightened risk of procedural flaws due to lack of specialist HR or employee relations training, increasing the likelihood of such a challenge. Whilst Members of the Appeals Committee do receive training annually, this does not make them experts on employment law; the training focuses on process rather than then specialist HR or employee relations.
- 4.3 GOV.UK guidance confirms that employers must follow ACAS aligned standards in appeals to minimise legal exposure (<https://www.gov.uk/taking-disciplinary-action/appeals>).
- 4.4 The ACAS Code requires that an appeal against dismissal be heard promptly and without unreasonable delay, rather than within a fixed statutory timescale. Employers must act quickly and communicate clearly, and delays must be justified.
- 4.5 While a delay does not automatically make a dismissal unfair, an employer who unreasonably fails to follow the ACAS Code (including unnecessary delays in arranging an appeal) may face a significant uplift in compensation at tribunal.
- 4.6 On many occasion it has proven difficult to convene a meeting of the Appeals Committee within an appropriate timeframe due to Members’ diary commitments and competing priorities. There have been instances where ET have ruled in favour of the appellant, not on the grounds of the dismissal but due to a defect in procedure (ie an unnecessary delay in arranging the appeal).

## **Governance and Role Clarity**

- 4.7 The Constitution positions Members as providing strategic oversight, not operational management; therefore determining individual employment appeal cases draws Members into operational matters and increases the likelihood of role conflict.
- 4.8 The Chief Fire Officer (CFO) or an appropriately senior delegated officer of an executive level (for example the Assistant or Deputy Chief Fire Officer), is the appropriate professional decision maker for staffing matters.

## **Risk of Perceived or Actual Bias**

- 4.9 Elected Members may be subject to political or constituency pressures, creating a risk of perceived bias in employment decisions. Officers are impartial and better positioned to ensure objective and evidence-based determinations are aligned to the Core Code of Ethics.

## **Professional Standards and Workforce Confidence**

- 4.10 A CFO-led process will ensure consistency, transparency, and alignment with modern HR standards and legislation. Staff and representative bodies generally expect appeals to be heard by trained senior officers rather than political committees.
- 4.11 An Officer-led appeals process is consistent with procedures laid out in the Grey Book.

## **Sector Benchmarking**

- 4.12 Following national inspections and reviews relating to misconduct, the use of Member-led conduct and performance appeals is now uncommon across Fire and Rescue Services. Transitioning to an officer-led model will bring the Service in line with national practice.
- 4.13 Should the Fire Authority approve the removal of the Appeals Committee from its Committee Structure, it is proposed that Part 2, Article 8 of the Constitution be amended as follows (changes in red font):

### Part 2: Article 8 – Appeals ~~against dismissal~~ Committee

~~There shall be established an ad hoc Appeals Committee to hear and determine appeals against dismissal submitted by an employee in accordance with the procedures of the HFA.~~

Appeals against dismissal shall be heard by the Chief Fire Officer or an appropriately senior delegated officer above the level of Area Manager who has not been involved in the original decision, in accordance with the ACAS Code of Practice on Disciplinary and Grievance Procedures, the National Joint Council for Local Authority Fire and Rescue Services, Scheme and Conditions of Service (Grey Book) 7th Edition and the Service's Disciplinary Policy.

- 4.14 Likewise, it is proposed that, for clarity and transparency, Part 3: Decision Making – Section B – Scheme of Delegation be amended to clarify that the CFO, or their appropriate senior officer delegate, will hear all such appeals in accordance with procedures set out in the National Joint Council Scheme and Conditions of Service (Grey Book) 7th Edition and ACAS best practice.

### Part 3: Decision Making – Section B – Scheme of Delegation

#### 2. Delegation To Chief Fire Officer & Chief Executive

(m) In respect to human resource matters:

- (iii) to suspend, discipline and dismiss officers in respect to such posts that are not subject to review by a Committee (where established), including the hearing of all such appeals against dismissal, in accordance with procedures set out in the National Joint Council Scheme and Conditions of Service (Grey Book) and ACAS best practice.

### **Financial Implications**

- 4.15 There are no direct financial implications associated with this change. Indirect cost reductions may arise from lower ET exposure and reduced legal fees arising from procedural challenges.

### **OPTION 1 (Preferred)**

- 4.16 Adopt the National Joint Council Scheme and Conditions of Service (the “Grey Book”) 7<sup>th</sup> Edition and ACAS Aligned CFO Led Appeals Process.

#### Advantages

- Strong compliance with ACAS Code.
- Reduced ET risk and improved procedural fairness.
- Professional, consistent decision making.
- Strengthened governance role separation.
- National Joint Council Scheme and Conditions of Service (Grey Book) 7th Edition compliant
- Alignment with modern fire sector standards.

#### Disadvantages

- Perceived loss of independence - mitigated through procedural safeguards, transparency and national best practice compliance.

### **OPTION 2 (Status Quo)**

- 4.17 Maintain the existing Member-led appeals process via the Appeals Committee

#### Advantages

- Continuity of historical practice.

#### Disadvantages

- Significant legal and ET risk as there is less alignment with ACAS (including compensation uplift).
- Governance misalignment with Member roles.
- Inconsistent decision making due to variable HR experience.
- Outdated compared with sector norms.
- Difficulty in maintaining Member training and a lack of continuity due to rotation of Members
- Processes often elongated due to limited Member availability

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## **5. EQUALITY, DATA PROTECTION AND RISK IMPLICATIONS**

- 5.1 The preferred option as set out at section 4.16 applies equally to all employees regardless of protected characteristic. While some staff may perceive reduced independence due to the removal of Member involvement, appeals will instead be conducted by senior officers independent of the original decision, suitably trained and in accordance with ACAS and NJC requirements, ensuring procedural fairness.

5.2 The following positive and negative impacts and how these might be mitigated against have been identified.

### **Positive impacts**

- Appeals against dismissal will be heard by professionally trained senior officers with appropriate expertise in employment law, ensuring consistent, evidence-based decision making aligned to ACAS and NJC requirements.
- Reduced delays in arranging appeals improves procedural fairness and reduces stress and uncertainty for appellants.
- Clear separation between strategic Member oversight and operational decision making strengthens governance integrity.

### **Potential negative impacts**

- Some employees may perceive a reduction in impartiality due to the removal of a Member led Appeals Committee, as elected Members can be viewed as more independent from management than officers; however they are still ultimately the employer.

### **Mitigation**

- Appeals will be heard by the Chief Fire Officer or a suitably senior delegated officer who has had no prior involvement in the case, in line with the ACAS Code of Practice.
- The appeals process will remain subject to established procedural safeguards, including the right to representation and the ability to challenge decisions through external legal routes.
- Clear communication will be provided to staff and representative bodies explaining the rationale for the change, the safeguards in place, and the alignment with national best practice.
- Anonymised reporting on disciplinary and grievance outcomes will continue to be provided to the Fire Authority, maintaining transparency and oversight.

5.3 Having considered the subject matter, the proposal strengthens organisational resilience, fairness, and transparency and reduces risk in the following areas:

- Employment law compliance.
- Governance integrity.
- Reputational risk associated with Member involvement in individual employment decisions.

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## **6. CONCLUSION**

6.1 The Committee is requested to consider the proposal to abolish the Appeals Committee and recommend approval TO the Fire Authority.

6.2 The Fire Authority will still continue to receive anonymised annual conduct and grievance reporting outcomes through the publication of the annual performance report.

**Lisa Nicholson**  
**Monitoring Officer/Secretary**

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### **Officer Contact**

Lisa Nicholson - Monitoring Officer & Secretary

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## Background Papers

- [ACAS Code of Practice on disciplinary and grievance procedures](#)
- [Grey Book 7th edition - April 2025 | Fire Brigades Union](#)

## Glossary/Abbreviations

|      |  |
|------|--|
| ACAS | Advisory, Conciliation and Arbitration Service |
| AM   | Area Manager                                   |
| CFO  | Chief Fire Officer                             |
| DPIA | Data Protection Impact Assessment              |
| EIA  | Equality Impact Assessment                     |
| NJC  | National Joint Council                         |

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|   | <b>Agenda Item No. 5</b>                |
| <b>Governance, Audit and Scrutiny Committee<br/>13 April 2026</b> | <b>Report by the Monitoring Officer</b> |

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| <b>REAFFIRMATION OF THE CONSTITUTION</b> |
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**1. SUMMARY**

- 1.1 The Authority is required to review and reaffirm its Constitution at least annually.
- 1.2 Appendix 1 of this report sets out the proposed amendments for the Committee to consider and make recommendations to the Fire Authority at its Annual General Meeting on 5 June 2026.

**2. RECOMMENDATIONS**

- 2.1 It is recommended that the Committee endorses approval of the amendments, as set out at Appendix 1, to the Fire Authority:
  - (i) Amendment to the Scheme of Delegation, increasing the Chief Fire Officer & Chief Executive’s authority to vary the overall establishment from 0.5% to 1% of the total annual budget.
  - (ii) Subject to the approval of the abolition of the Appeals Committee as proposed in an early report to the Committee of 13 April 2026 (*Amendment to the Constitution – Appeals Committee*), remove reference to the Appeals Committee in the Constitution and amend the Scheme of Delegation to clarify the CFO, or their appropriate senior officer delegate, will hear all such appeals against dismissal, in accordance with procedures set out in the National Joint Council Scheme and Conditions of Service (Grey Book) and ACAS best practice.

**3. BACKGROUND**

- 3.1 The Authority is required to review and reaffirm its Constitution at least annually.
- 3.2 Proposed amendments to the Constitution can be brought to the Authority throughout the year for the Authority’s consideration and approval.

**4. REPORT DETAIL**

- 4.1 Appendix 1 of this report sets out the proposed amendments for the Committee’s consideration and endorsement to the Fire Authority, with further detail and rationale set out below.

**Amendment 1 – Scheme of Delegation - Varying the Overall Establishment**

**Part 3: Decision Making – Section B – Scheme of Delegation - Delegation to Chief Fire Officer & Chief Executive (m)(vi)**

- 4.2 This proposes to increase the CFO delegated power to vary the overall establishment from 0.5% to 1% of the total budget. The current limit of 0.5% has been in place for several years and was designed for periods of stable pay growth and predictable labour markets.

### Wage Inflation

- 4.3 The sustained increases in national pay awards for both Grey Book (operational) and Green Book (non-operational) staff have created greater budgetary and establishment volatility. Workforce numbers often need minor adjustments to absorb unavoidable cost pressures without requiring full Authority decisions for small operational changes.

### Organisational Agility

- 4.4 Moving from 0.5% to 1% provides:

- A broader envelope for responding to unexpected workforce movements (1% of total annual budget equates to £621,000, compared to 0.5% which equates to £310,500).
- Flexibility to accelerate recruitment or rebalance functions.
- Faster adaptation to risk and demand profiles.
- Reduced operational friction where minor establishment changes currently require formal reporting or delayed approval.

- 4.5 The current parameters would still remain:

- The 10 Full Time Equivalent (FTE) ceiling remains.
- The S.151 Officer must still confirm affordability.
- Decisions must remain aligned with the CRMP and Strategic Plan.
- Annual reporting requirements on the use of these powers as per the Constitution remain unchanged.

### **Amendment 2 - Reference to the Appeals Committee and appeals against dismissal process**

#### **Part 1: Summary and Explanation - 3. How Decisions are Made**

#### **Part 2: The Constitutional Framework - Article 8 – Appeals Committee & Schedule 1 - Description of Decision Making Arrangements**

- 4.6 Subject to the approval of the abolition of the Appeals Committee as proposed in an earlier report submitted to the Committee on 13 April, all reference to the Appeals Committee will be removed from the Constitution.
- 4.7 Likewise, the Scheme of Delegation is to be amended to clarify that the CFO, or their appropriate senior officer delegate, will hear all such appeals in accordance with procedures set out in the National Joint Council Scheme and Conditions of Service (Grey Book) 7th Edition and ACAS best practice.

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## **5. EQUALITY, DATA PROTECTION AND RISK IMPLICATIONS**

- 5.1 There is no requirement to carry out an Equality Impact Assessment (EIA) or Data Protection Impact Assessment (DPIA) as this report does not relate to a policy or service delivery change or involves the processing of personal data.
- 5.2 Upon review, no risk implications have been identified in relation to this subject, and no further action is deemed necessary.
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## 6. CONCLUSION

- 6.1 Appendix 1 of this report sets out the proposed amendments for the Committee to consider and make recommendations to the Fire Authority at its Annual General Meeting on 5 June 2026.

**Lisa Nicholson**  
**Monitoring Officer/Secretary**

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### **Officer Contact**

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### **Background Papers**

None

**Amendments to the Constitution**

| Changes to be made   | Comment/Rationale for Change  |
|--|---|
| <p><b>PART 3: DECISION MAKING – SECTION B – SCHEME OF DELEGATION</b></p> <p><b>2. <u>DELEGATION TO CHIEF FIRE OFFICER &amp; CHIEF EXECUTIVE</u></b></p> <p>(m) In respect to human resource matters:</p> <p>(vi) to vary in any one financial year the overall establishment to a maximum of <del>0.5%</del> <b>1%</b> of total annual budget (provided that such a variation does not affect more than 10 permanent full-time equivalent posts), and provided that any such variations are within the approved Budget (and confirmed by the S.151 Officer) and are in accordance with the approved Strategic Plan (and CRMP) of the HFA. The Chief Fire Officer &amp; Chief Executive shall report on an annual basis to the HFA setting out the basis upon which such powers have been exercised;</p>  | <p>To increase the delegated power to vary the overall establishment from 0.5% to 1% of the total budget. The limit of 0.5% has been in place for several years and was designed for periods of stable pay growth and predictable labour markets.</p> |
| <p><b>PART 1: SUMMARY AND EXPLANATION</b></p> <p><b>3. <u>HOW DECISIONS ARE MADE</u></b></p> <p>All decisions are made by the Fire Authority except those that may be delegated to its committees and <del>Appeals Committee</del> or to the Chief Fire Officer &amp; Chief Executive under the Scheme of Delegations.</p> <p><b>PART 2 THE CONSTITUTIONAL FRAMEWORK</b></p> <p><b><del>Article 8 – Appeals Committee</del></b></p> <p><del>There shall be established an ad hoc Appeals Committee to hear and determine appeals against dismissal submitted by an employee in accordance with the procedures of the HFA.</del></p> <p><b>Schedule 1 - Description of Decision Making Arrangements</b></p> <p>The following parts of this Constitution constitute the HFA's decision-making structure:</p> <p>Article 8 — <del>Appeals Committee</del></p> | <p>Subject to the approval of the abolition of the Appeals Committee as proposed in an earlier report submitted to the Fire Authority's AGM of 6 June 2026, all reference to the Appeals Committee will be removed from the Constitution.</p>         |

| Changes to be made   | Comment/Rationale for Change   |
|--|--|
| <p><b>PART 3: DECISION MAKING – SECTION B – SCHEME OF DELEGATION</b></p> <p><b>2. <u>DELEGATION TO CHIEF FIRE OFFICER &amp; CHIEF EXECUTIVE</u></b></p> <p>(m) In respect to human resource matters:</p> <p>(iii) to suspend, discipline and dismiss officers in respect to such posts that are not subject to review by a Committee (where established), <b>including the hearing of all such appeals against dismissal, in accordance with procedures set out in the National Joint Council Scheme and Conditions of Service (Grey Book) and ACAS best practice.</b></p> | <p>Subject to the approval of the abolition of the Appeals Committee as proposed in an earlier report submitted to the Fire Authority’s AGM of 6 June 2026, the Scheme of Delegation is amended to clarify that the CFO, or their appropriate senior officer delegate, will hear all such appeals in accordance with procedures set out in the National Joint Council Scheme and Conditions of Service (Grey Book) 7th Edition and ACAS best practice.</p> |

**GOVERNANCE, AUDIT & SCRUTINY COMMITTEE – SCRUTINY WORK PROGRAMME 2026/27**

| Date of Meeting   | Topic                                      | Scope  | Source   | Lead   |
|---|--|--|--|--|
| <p><b>9 November 2026</b></p> <p>[Report deadline: 12 October 2026]</p> | <p><b>Procurement &amp; Commercial</b></p> | <ul style="list-style-type: none"> <li>• Have a Procurement/Commercial Strategy (or equivalent) linked to wider FRS goals and objectives</li> <li>• Conduct all commercial and procurement activity in compliance with relevant procurement legislation and any other statute, law, government policy notes</li> <li>• Clearly define those accountable and responsible for its procurement and commercial activity and ensure sufficient capability and capacity to deliver, including ongoing training and continued professional development</li> <li>• Ensure that organisational decisions and the measures implemented support equality, diversity, and inclusivity, are non-discriminatory and that appropriate impact assessments are undertaken</li> <li>• Ensuring the procurement process includes added value/social return on investment</li> </ul> | <ul style="list-style-type: none"> <li>• Fire Standard: Procurement and Commercial</li> <li>• HFRS Strategic Plan 3.1 &amp; 3.4</li> </ul> | <p><b>Head of Procurement</b></p>                                |
| <p><b>9 November 2026</b></p> <p>[Report deadline: 12 October 2026]</p> | <p><b>Emergency Response Driving</b></p>   | <ul style="list-style-type: none"> <li>• Comply with legislation and regulations that apply to emergency response driving</li> <li>• Give due regard to relevant National Guidance to support instructor and driver training including the NFCC Emergency Response Driver and Instructor Framework</li> <li>• Ensure that records of driver competency and revalidation training are kept and maintained</li> <li>• Ensure that driver training provision is periodically independently quality assured.</li> </ul>  | <ul style="list-style-type: none"> <li>• Fire Standard: Emergency Response Driving and</li> <li>• HFRS Strategic Plan 1.5</li> </ul>       | <p><b>Head of Training</b></p> <p>Driver Training Supervisor</p> |

**GOVERNANCE, AUDIT & SCRUTINY COMMITTEE – SCRUTINY WORK PROGRAMME 2026/27**

| Date of Meeting  | Topic   | Scope   | Source  | Lead  |
|--|---|---|---|---|
| <p><b>8 February 2027</b><br/>[Report deadline: 11 January 2027]</p> | <p><b>Responding to fires and other emergencies</b></p> | <ul style="list-style-type: none"> <li>• Developed response strategy that is based on a thorough assessment of risk to the community.</li> <li>• Have an appropriate range of resources (people and equipment) available to respond to personal, property and environmental risk in line with its risk management plan.</li> <li>• Understand and actively manages the resources and capabilities available for deployment.</li> <li>• Able to handle calls in a timely manner to ensure public safety.</li> <li>• Able to manage the fair deployment (and temporary redeployment) of resources to meet operational need</li> <li>• Reference to Vision 2050 – resourcing for now and the future</li> </ul> | <ul style="list-style-type: none"> <li>• HMI Criteria</li> <li>• HFRS Strategic Plan 1.4 &amp; 1.5</li> </ul> | <p align="center"><b>Head of Emergency Response</b></p> <p>District Manager – Hull<br/>District Manager – East Riding<br/>District Manager – South Bank</p> |
| <p><b>8 February 2027</b><br/>[Report deadline: 11 January 2027]</p> | <p><b>Health and Wellbeing of the Workforce</b></p>     | <ul style="list-style-type: none"> <li>• Effective, trusted and well-understood policies and procedures to support and maintain the health, safety and wellbeing of its staff.</li> <li>• Leaders at all levels prioritise and promote the physical and mental health of all staff, with a strong focus on prevention and early intervention</li> </ul>   | <ul style="list-style-type: none"> <li>• HMI Criteria</li> <li>• HFRS Strategic Plan 2.3</li> </ul>           | <p align="center"><b>Head of Occupational Health &amp; Wellbeing</b></p>  |

**GOVERNANCE, AUDIT & SCRUTINY COMMITTEE – SCRUTINY WORK PROGRAMME 2026/27**

| Date of Meeting  | Topic   | Scope  | Source   | Lead  |
|--|---|--|--|---|
| <p align="center"><b>8 March 2027</b></p> <p align="center">[Report deadline:<br/>8 February 2027]</p> | <p align="center"><b>Communication and Engagement</b></p> | <ul style="list-style-type: none"> <li>• Have a strategic approach to communications and engagement, including consultation, which includes clear principles about how the organisation will communicate with its audiences, aligned to organisational goals of the service, its values and the principles contained within the Core Code of Ethics</li> <li>• Have leaders that support the strategic approach to communications and engagement and are exemplars in good communication behaviours and principles, aligned to those included in the NFCC Leadership Framework</li> <li>• Have an appropriately resourced and competent communications and engagement capacity that:               <ul style="list-style-type: none"> <li>○ plans for and manages reactive communication issues such as crises and emergencies, working with local resilience partners</li> <li>○ plans proactive communications internally and externally; and</li> <li>○ carries out meaningful engagement exercises and consultations, aligned to the Gunning Principles to inform strategic direction and support decision making processes</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>• Fire Standard: Communication and Engagement</li> <li>• HFRS Strategic Plan 4.2</li> </ul> | <p align="center"><b>Head of Corporate Assurance</b></p> <p align="center"><b>Senior Communications Officer</b></p> |
| <p align="center"><b>8 March 2027</b></p> <p align="center">[Report deadline:<br/>8 February 2027]</p> | <p align="center"><b>Environmental Sustainability</b></p> | <ul style="list-style-type: none"> <li>• Ensure operational practices that minimise our environmental impact and support the sustainability of the Service, including a clear policy and / or delivery plan</li> <li>• Evidence compliance with related legislation and regulations that apply</li> <li>• Evidence of the management, recording and reporting of related performance standards / targets</li> <li>• Demonstrate evaluation and learning from activities</li> </ul>   | <ul style="list-style-type: none"> <li>• HFRS Strategic Plan 3.3</li> </ul>  | <p align="center"><b>Head of Health &amp; Safety, Environmental Sustainability and Organisational Learning</b></p>  |

**GOVERNANCE, AUDIT & SCRUTINY COMMITTEE – SCRUTINY WORK PROGRAMME 2026/27**

| Date of Meeting   | Topic   | Scope   | Source  | Lead   |
|---|---|---|---|--|
| <p><b>BRIEFING NOTE</b><br/>[Deadline: 8 June 2026]</p> | <p><b>Major and multi-agency incidents preparedness</b></p> | <ul style="list-style-type: none"> <li>• Working with neighbouring FRSs to form part of a multi-agency response in line with Joint Emergency Services Interoperability Principles (JESIP).</li> <li>• Participation in the LRF, ensuring being well prepared for, or routinely contributing to, multi-agency debriefs.</li> <li>• Local arrangements to ensure compliance with, and supporting, the requirements within the 'National Coordination and Advisory Framework (NCAF) England'.</li> </ul> <p>Further to the Scrutiny Item of 10 November 2025, to provide a further update on:</p> <ul style="list-style-type: none"> <li>• Management of joint exercise programme, including requirements, types and frequency.</li> <li>• Recording processes used to capture exercises.</li> </ul> | <ul style="list-style-type: none"> <li>• HMI Criteria</li> <li>• HFRS Strategic Plan 1.1</li> </ul> | <p><b>Head of Fleet, Research and Capability</b></p> |