

**Joint Committee Terms of Reference**

**1. Remit and Objectives of the Joint Committee**

- 1.1. The Joint Committee is constituted to provide overall strategic direction and oversight for the TVFCS.
- 1.2. The Joint Committee shall have the following functions:
  - 1.2.1. champion the TVFCS;
  - 1.2.2. act as the link between the TVFCS and the Fire Authorities ;
  - 1.2.3. guide recommendations from the TVFCS, that may affect the operational functions of the Fire Authorities, through the governance processes of the Fire Authorities;
  - 1.2.4. assist with the management of the relationships between the Fire Authorities ;
  - 1.2.5. monitor the steady state operational benefits and performance of the TVFCS, against the agreed measures and targets;
  - 1.2.6. monitor steady state risks relevant to the TVFCS;
  - 1.2.7. monitor the financial performance of the TVFCS against required and available budget, benefits and efficiencies, and to contribute to the financial processes of the Fire Authorities;
  - 1.2.8. discuss, and contribute to, proposals on future developments for the TVFCS;
  - 1.2.9. provide strategic direction on the future of the TVFCS;
  - 1.2.10. consider and recommend to the Fire Authorities proposals in relation to Fire Authority Decisions including but not limited to;
    - (a) discuss, and recommend proposals for additional full partners into the TVFCS;
    - (b) discuss, and recommend proposals for the supply of TVFCS services to other fire and rescues services or other clients;
  - 1.2.11. decide upon and determine all matters which are Joint Committee Decisions, any matters referred to the Joint Committee for decision pursuant to the TVFCS decision making process in clause 8 (Decision Making by TVFCS) and any matters reserved by law or otherwise to the Joint Committee.

**Joint Committee Standing Orders**

**Part 1 Joint Committee Meetings**

**1. Interpretation of the Standing Orders**

- 1.1. If there is any conflict between these Standing Orders and the Local Government (Access to Information) Act 1985 the Act shall prevail.
- 1.2. The ruling of the Chairman as to the meaning or application of any of the Standing Orders in Part 1 or as to any aspect of the Joint Committee's procedure (including the order of business) shall be conclusive and shall not be challenged at any meeting of the Joint Committee nor open to discussion.
- 1.3. References to the Secretary shall include such other named officers authorised by them to act on their behalf.

**2. Membership of the Joint Committee**

- 2.1. Each Fire Authority shall appoint two of its members to be a member of the Joint Committee and may nominate substitute members provided that OCC's appointed members and substitute members are members of its Executive.
- 2.2. A Fire Authority shall notify the Secretary of the names and contact address of its representatives and of any replacement representative. Once notified to the Secretary, a member shall continue to hold membership unless he/she ceases to be a member of a Constituent Authority or until a replacement member is so notified to the Secretary.

**3. Place and Time of Meetings**

- 3.1. Meetings of the Joint Committee shall be held:
  - 3.1.1. at such mutually convenient times as are agreed by the Joint Committee; and
  - 3.1.2. at the premises of the Chairman.
- 3.2. In addition to any extraordinary meetings called by the Chairman at his discretion or on the request in writing of any member of the Joint Committee, meetings will generally be held in March, July (annual meeting), September and December each year at times and on dates fixed at the annual meeting unless the Joint Committee decides otherwise.
- 3.3. At the appointed time the proceedings at a meeting of the Joint Committee shall commence by the Chairman calling the Joint Committee to order.

#### **4. Notice, Agenda and Reports**

- 4.1. The Secretary shall send to members a notice to attend a meeting of the Joint Committee together with the minutes of the preceding meeting and an agenda not less than five (5) Business Days before the meeting.
- 4.2. Want of service of the notice on any member of the Joint Committee shall not affect the validity of the meeting.
- 4.3. The agenda shall include a printed copy of any plans, strategies or reports in all matters where a recommendation is to be made to the Joint Committee pursuant to clause **Error! Reference source not found.** (Decision Making Within TVFCS).
- 4.4. All such recommendations which are submitted to the Joint Committee, so far as practicable, shall be set out clearly in the form of resolutions to be considered by the Joint Committee.

#### **5. Attendance of Officers**

- 5.1. A Chief Fire Officer and/or Principal Officer from each of the Fire Authorities, and any member of the Coordination Group, shall be entitled and may be required to attend meetings of the Joint Committee in a non-voting capacity.

#### **6. Substitutes**

- 6.1. Substitute members are permitted to attend a meeting of the Joint Committee.
- 6.2. If a member is not able to attend a meeting, his Fire Authority may give to the Secretary notice in writing including the name of the member to attend in his place. If possible notice should be given by 4.00 pm on the day before the meeting and not later than the start of the meeting.
- 6.3. A member appointed as substitute shall have the same responsibilities and duties as the members of the Joint Committee whom they are substituting.

#### **7. Record of Attendances**

- 7.1. Every member of the Joint Committee attending a meeting of the Joint Committee shall sign the attendance book or sheet but any omission may be rectified by the Secretary to the Joint Committee.

#### **8. Interests of Members**

- 8.1. If any member, under the Code of Conduct applicable to the Fire Authority which he/she represents, has a personal interest in any matter then he shall declare the interest and the reasons why it arises, at the earliest opportunity in the meeting (which will usually be under the agenda item on members' interests). If that interest is also a disclosable pecuniary interest, while such matter is considered, the member must withdraw from the meeting.

## **9. Admission of Public and Press**

- 9.1. The public and press shall be admitted to all the meetings of the Joint Committee unless excluded by resolution in accordance with the provisions of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985.
- 9.2. The Chairman may give the Secretary directions as to arrangements for the admission of the public.
- 9.3. No member of the public shall interrupt or take part in the proceedings at any meeting. If any member of the public interrupts or behaves in a disorderly manner at any meeting, the Chairman may, after warning, order his removal from the room, or may order that the part of the room open to the public shall be cleared.
- 9.4. The Chairman may at any time, if he thinks it desirable in the interest of order, move that the meeting be adjourned or suspended, and if the motion is carried, the meeting shall be adjourned or suspended to a time to be determined by the members.

## **10. Motions Affecting Employees**

- 10.1. If any question arises at a meeting of the Joint Committee as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, or as to the conduct or ability of any person employed by a Fire Authority to carry out work in connection with TVFCS, a motion to exclude the public and press shall be moved forthwith by the Chairman and put without debate.

## **11. Appointment of Chairman and Vice Chairman and Secretary<sup>1</sup>**

- 11.1. At the first meeting of the Joint Committee, and then at the first meeting in any Financial Year from July 2016 which shall be the Annual General Meeting (AGM), the Joint Committee shall appoint a Chairman and a Vice Chairman in accordance with this paragraph 11.
- 11.2. Chairmen shall be appointed in the following order of rotation:
  - 11.2.1. until the 2016 AGM the Chairman shall be a member of RBFA;
  - 11.2.2. until the 2017 AGM the Chairman shall be a member of BMKFA; and
  - 11.2.3. until the 2018 AGM the Chairman shall be a member of OCC,  
and the above order of rotation shall apply for subsequent years.
- 11.3. Vice Chairmen shall be appointed in the following order of rotation:

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<sup>1</sup> NOTE – Query arising from August PSG for lawyers as to whether a Vice Chairman is necessary.

- 11.3.1. until the 2016 AGM the Vice Chairman shall be a member of BMKFA;
  - 11.3.2. until the 2017 AGM the Vice Chairman shall be a member of OCC; and
  - 11.3.3. until the 2018 AGM the Vice Chairman shall be a member of RBFA,  
and the above order of rotation shall apply for subsequent years.
- 11.4. The Chairman and Vice Chairman of the Joint Committee shall each hold office until:
- 11.4.1. the next AGM of the Joint Committee when a new Chairman and Vice Chairman of the Joint Committee shall be appointed provided that the first Chairman and Vice Chairman shall be appointed until the AGM in July 2016.
  - 11.4.2. he/she ceases to be a member of the Joint Committee, or
  - 11.4.3. he/she resigns from the office of Chairman or Vice Chairman by notification in writing to the Secretary to the Joint Committee.
- 11.5. At the first meeting of the Joint Committee, the members shall agree which member of RBFA will be appointed as Chairman and which member of BMKFA will be appointed as Vice Chairman.
- 11.6. The Secretary shall be an officer of the Fire Authority whose member is the Chairman and shall be appointed for the same duration as the Chairman.

## **12. Minutes**

- 12.1. At each meeting the Chairman shall ask the Joint Committee to approve the signing of the minutes of the last meeting of the Joint Committee as a correct record.
- 12.2. No discussion shall take place upon the minutes, except upon their accuracy, and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Chairman shall sign the minutes.

## **13. Adjournment of Meeting**

- 13.1. The Chairman may, in addition to any other power, adjourn a meeting of the Joint Committee for such period as he shall consider expedient. The Chairman shall fix the date and time at which the Joint Committee will resume either at the time of the adjournment or at any time thereafter.
- 13.2. Subject to Standing Order 13.1, if any meeting of the Joint Committee is adjourned before its business has been finished, the meeting shall then stand adjourned until a date and time fixed by the Joint Committee, or fixed by the Chairman, or if no such date and time is fixed, to the next meeting of the Joint Committee.

#### **14. Lack of Quorum**

- 14.1. Three members of the Joint Committee constitutes a quorum including at least one properly appointed member from each of the Fire Authorities.

#### **15. Order of Business**

- 15.1. The order of business at a meeting of the Joint Committee shall be:
- 15.1.1. Election of a member of the Joint Committee to preside at the meeting, in the absence of the Chairman and Vice Chairman;
  - 15.1.2. appointment of Chairman of the Joint Committee, at its AGM or when a vacancy exists for the post;
  - 15.1.3. appointment of Vice Chairman of the Joint Committee, at its AGM or when a vacancy exists for the post to appoint a Vice Chairman;
  - 15.1.4. where necessary, to note changes in membership of the Joint Committee;
  - 15.1.5. members' interests;
  - 15.1.6. to consider whether the minutes of the last meeting of the Joint Committee are a correct record;
  - 15.1.7. to deal with business specially brought forward by the Chairman as urgent;
  - 15.1.8. to deal with any business required by statute to be done at the meeting;
  - 15.1.9. to deal with business remaining from the last meeting, if any;
  - 15.1.10. to deal with written questions;
  - 15.1.11. to deal with other business specified in the agenda.

### **Part 2 Rules of Debate**

#### **16. Relevance**

- 16.1. A member shall direct his speech to the question under discussion or to a personal explanation or to a point of order.

#### **17. Points of Order or Personal Explanation**

- 17.1. A member may at any time raise a point of order and shall be heard immediately. A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the member shall first specify the Standing Order or statutory provision and the way in which the member considers it has been broken.
- 17.2. A member may at any time raise a point of personal explanation. A personal explanation must be confined to some material part of

a former speech by the member at the same meeting of the Joint Committee which has been misunderstood. A member so raising such a point shall be entitled to be heard immediately.

## **18. Motions and Amendments**

- 18.1. If a motion, referred to in the agenda, is not moved either by the member who has given the notice or by some other member on his behalf, it shall be treated as abandoned and shall not be moved without fresh notice, unless postponed by consent of the Joint Committee.
- 18.2. A motion or an amendment may be spoken to by the proposer, but shall not be discussed unless it has been proposed and seconded. If the Chairman so requires, the motion shall be put in writing and handed to the Secretary.
- 18.3. A member, when seconding a motion or amendment, may declare his intention of reserving his speech until a later period of the debate.
- 18.4. Notwithstanding Standing Order 18.2, a motion to adopt a report, or paragraphs of a report, need not be seconded.

## **19. Definition of Amendment**

- 19.1. An amendment shall be relevant to the motion and shall be either:
  - 19.1.1. to leave out words; or
  - 19.1.2. to leave out words and insert or add other words; or
  - 19.1.3. to insert or add words but it shall not have the effect of introducing a new proposal into, or negating, the motion before the Joint Committee.

## **20. Disposal of Amendments**

- 20.1. Whenever an amendment has been moved and seconded no other amendment shall be moved until the first amendment has been disposed of; however, notice of any number of amendments may be given. The Chairman may rule that amendments moved on related subjects shall be debated (but not voted on) together.
- 20.2. If an amendment is rejected, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion, and become the substantive motion upon which any further amendment may be moved.

## **21. Variation of Motions**

- 21.1. A member who has given notice of a motion may, with the consent of the seconder and of the Chairman signified without discussion, vary its terms or language, provided that in so doing he does not alter its substance.

## **22. Withdrawal of Motion or Amendment**

- 22.1. A motion or amendment once moved and seconded shall not be altered or withdrawn by the proposer without the consent of the

seconded and of the Joint Committee, which shall be signified without discussion.

**23. Closure of Debate on a Motion or Amendment**

23.1. A member may at the conclusion of a speech by another member, move without comment, "that the question is now put" or "that the debate is now adjourned" or "that the meeting of the Joint Committee now adjourns" on the seconding of which the Chairman shall proceed as follows:

23.1.1. on a motion that the question is now put, unless in his opinion the matter before the meeting has been insufficiently discussed (in which case the Chairman may refuse to accept the motion), he shall first put to the vote the motion that the question is now put. If it is passed, the Chairman shall then call upon the proposer of the original motion only to exercise his right of reply under Standing Order 26.

23.1.2. On a motion to adjourn the debate or the meeting, if in his opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed at that meeting, the Chairman shall put the adjournment motion to the vote without giving any right of reply on that occasion.

**24. Right of Reply**

24.1. A proposer of a motion shall have the right of reply immediately before such motion is put to the vote. In exercising his right of reply a proposer shall confine himself to answering previous speakers and shall not introduce any new matter into the debate.

**25. Voting**

25.1. The Joint Committee shall vote upon all matters (except where statute otherwise provides) by show of hands, but on demand of three members of the Joint Committee, the names of the members present and their votes shall be taken by the Secretary and recorded in the minutes.

25.2. The matter shall be decided by a majority of the members of the Joint Committee (or their substitutes) present and voting on the matter at the meeting and in the event of an equal number of votes the Chairman shall have a casting vote.

25.3. Where immediately after a vote is taken at a meeting of the Joint Committee any member requires, the minutes of that meeting shall indicate whether that member voted for the issue, against the issue or abstained from voting.

**26. Questions of Which Members Must Give Notice (Written Questions)**

26.1. A member of the Joint Committee who has given due notice as provided by Standing Order 26.3 (five (5) Business Days) when the item on the agenda relating to written questions is reached,



may ask a question of the Chairman or another member.

- 26.2. Questions may be on any matter in relation to which the Joint Committee have powers or duties and which is not ruled by the Chairman to be irrelevant or inappropriate in form or of such a nature that the preparation of the answer will require the expenditure of a disproportionate amount of time, money or effort.
- 26.3. Notice of a question shall be in writing and shall be given to the Secretary to the Joint Committee at least five (5) Business Days before the meeting of the Joint Committee at which the question is to be asked, but the Chairman (after consultation with the relevant Fire Authorities to whom the question is addressed) may allow this provision to be relaxed if, in his opinion, it would facilitate the proper conduct of the Joint Committee's business. This right is reserved to allow a written answer to be given in complex cases after the relevant meeting of the Joint Committee.

## **27. Replies to Questions**

- 27.1. A copy of every question together with, so far as it is practical/practicable, a copy of the answer to be given, shall be circulated in the room before the meeting at which the question is to be asked to all members of the Joint Committee and the press unless motion under Standing Order 9.1 (to exclude the public and press) is to be moved. The member asking the question shall have the right to ask that the question shall be answered orally.
- 27.2. In answering any question it shall be deemed a sufficient reply if, where the desired information is contained in a publication of the Joint Committee or the relevant Fire Authority, a reference is made to that publication and a copy of it is made available to members of the Joint Committee.

## **28. Supplementary Questions**

- 28.1. Every question shall be put and answered without discussion, but the Chairman may, at his discretion, allow the questioner a supplementary question elucidating the answer.

## **29. Absence of Member Who Has Given Notice**

- 29.1. If a member who has given notice of a question is absent from the meeting at which the question is to be asked, another member may ask the question.

## **30. Disclosure of Joint Committee Business**

- 30.1. All documents marked "confidential", all documents marked "exempt/confidential", all documents and matters which have been, or are intended to be, raised or discussed in the absence of the press and public, and all discussions on those occasions, shall be treated as confidential.

### **Part 3 General**

#### **31. Execution of Documents**

- 31.1. Any document required to be signed by the Joint Committee shall be signed by the Chairman.

#### **32. Inspection of Documents**

- 32.1. A member of the Joint Committee may, for the purposes of his duty as such member but not otherwise, on application to the Secretary to the Joint Committee, inspect any document which has been considered by the Joint Committee, and if copies are available shall on request be supplied with a copy of such a document.
- 32.2. A member shall not knowingly inspect and shall not call for any document relating to a matter in which he has a personal interest which is also a disclosable pecuniary interest under his Fire Authority's Code of Conduct.
- 32.3. This Standing Order shall not preclude the Secretary from declining to allow inspection of any document which is, or in the event of legal proceedings would be, protected by privilege arising from the relationship of solicitor and client.
- 32.4. All reports to the Joint Committee shall be open for inspection by any member and the Secretary shall send to any member of the Joint Committee who so requests all reports and papers (save those marked "exempt/confidential").

#### **33. Standing Orders to be given to Members**

- 33.1. A copy of these Standing Orders shall be given to each member upon appointment to the Joint Committee.

#### **34. Contracting Powers**

- 34.1. The Joint Committee has no delegated powers to contract and all contracts will, with the agreement of such of the Fire Authorities as is appropriate, be in the name of a Fire Authority or Fire Authorities authorised for the purpose. Each contracting Fire Authority shall comply with its own Standing Orders relating to contracts.

#### **35. Costs and Expenses**

- 35.1. Each Fire Authority will meet their own costs of member and officer involvement in the Joint Committee including travelling and subsistence costs and allowances.
- 35.2. The administrative costs and expenses of the Joint Committee including the costs of the Secretary and the services provided by the Secretary to the Joint Committee and members of the public and of hosting the meetings of the Joint Committee will be met by the Fire Authority whose member is the Chairman of the Joint Committee from time to time.

35.3 Without prejudice to the arrangements as to costs and expenses set out in this paragraph 35, in the event that the Fire Authorities agree or are required by law to put in place a separate budget for the Joint Committee then the budget will be approved and managed following the same arrangements which apply to the Annual TVFCS Revenue Budget.

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