

Decision title

Review of the London Fire Commissioner Governance Reforms

Recommendation by
General Counsel

Decision Number
LFC-0237-D

Protective marking: **NOT PROTECTIVELY MARKED**

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Summary

On 1 April 2018, the Policing and Crime Act 2017 abolished the London Fire and Emergency Planning Authority and established the London Fire Commissioner ('the Commissioner') as the fire authority for Greater London.

At that time, a governance framework was established by the London Fire Commissioner, including the implementation of the Mayor's London Fire Commissioner Governance Direction 2018. This report reviews the performance of the framework at the end of its first year in operation; considers recommendations made by an internal audit review of the framework; addresses comments from the Deputy Mayor for Fire and Resilience; and considers views articulated by the representative bodies and Heads of Service.

Decision

The London Fire Commissioner:

1. Approves version 2.0 of the Scheme of Governance at Appendix 1, including new Procurement Standing Orders,
2. Agrees that Policy Note 348 be removed and replaced with guidance notes, and
3. Agrees the recommendations and actions set out in the report.

Dany Cotton QFSM
London Fire Commissioner



Date 23.10.19

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LONDON FIRE BRIGADE

Report title

Review of the London Fire Commissioner Governance Reforms

Report to

Corporate Services Directorate Board
Operations Directorate Board
Safety and Assurance Directorate Board
Commissioner's Board
London Fire Commissioner

Date

23 July 2019
21 August 2019
31 July 2019
28 August 2019

Report by

General Counsel

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Summary

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At that time, a governance framework was established by the London Fire Commissioner, including the implementation of the Mayor's London Fire Commissioner Governance Direction 2018. This report reviews the performance of the framework at the end of its first year in operation; considers recommendations made by an internal audit review of the framework; addresses comments from the Deputy Mayor for Fire and Resilience; and considers views articulated by the representative bodies and Heads of Service.

Recommended decisions

That the London Fire Commissioner:

1. Approves version 2.0 of the Scheme of Governance at Appendix 1, including new Procurement Standing Orders,
2. Agrees that Policy Note 348 be removed and replaced with guidance notes, and
3. Agrees the recommendations and actions set out in the report .

Background

1. In April 2018, governance arrangements were put in place by the Commissioner on recommendation of the Governance and Structures Project, in response to the Policing and Crime Act 2017 (PCA2017) and the abolition of the London Fire and Emergency Planning Authority and the establishment of the London Fire Commissioner as the fire authority for Greater London.
2. These arrangements included the development of a new corporate Scheme of Governance; the establishment of new internal governance structures; the development

of a briefing and consultation forum for the Deputy Mayor for Fire and Resilience; and arrangements to govern the changing relationship between the Greater London Authority and the London Fire Commissioner.

3. Complementary to the PCA2017 was the Mayor's [London Fire Commissioner Governance Direction 2018](#) developed by the Mayor in consultation with London Fire Brigade officers, that put in place a range of requirements for the Commissioner to be implemented by the new governance framework. These requirements include:
 - The prior approval of the Mayor when:
 - i. Appointing a statutory Deputy London Fire Commissioner
 - ii. Approving the London Safety Plan
 - Seeking prior approval of the Deputy Mayor for Fire and Resilience when:
 - i. Committing expenditure of over £150k
 - ii. Buying or selling freehold (or leasehold, where for seven years or more) interest in land
 - iii. Appointing staff of Assistant Commissioner rank or above
 - iv. Making an annual budget submission to the Mayor
 - Consulting with the Deputy Mayor for Fire and Resilience:
 - i. Prior to seeking Mayoral approval on any matter under the Direction or legislation
 - ii. On any matter reasonably considered to be novel, contentious or repercussive, irrespective of monetary value
 - Affecting the functions of the Commissioner in a manner that fulfils the political restrictions requirements of a local authority and the requirements of the GLA Group Corporate Governance Framework Agreement
 - The Mayor's approval for the London Safety Plan and other documents required by the National Framework for the Fire and Rescue Service in England, produced by Government and which the Commissioner is required to have due regard to.

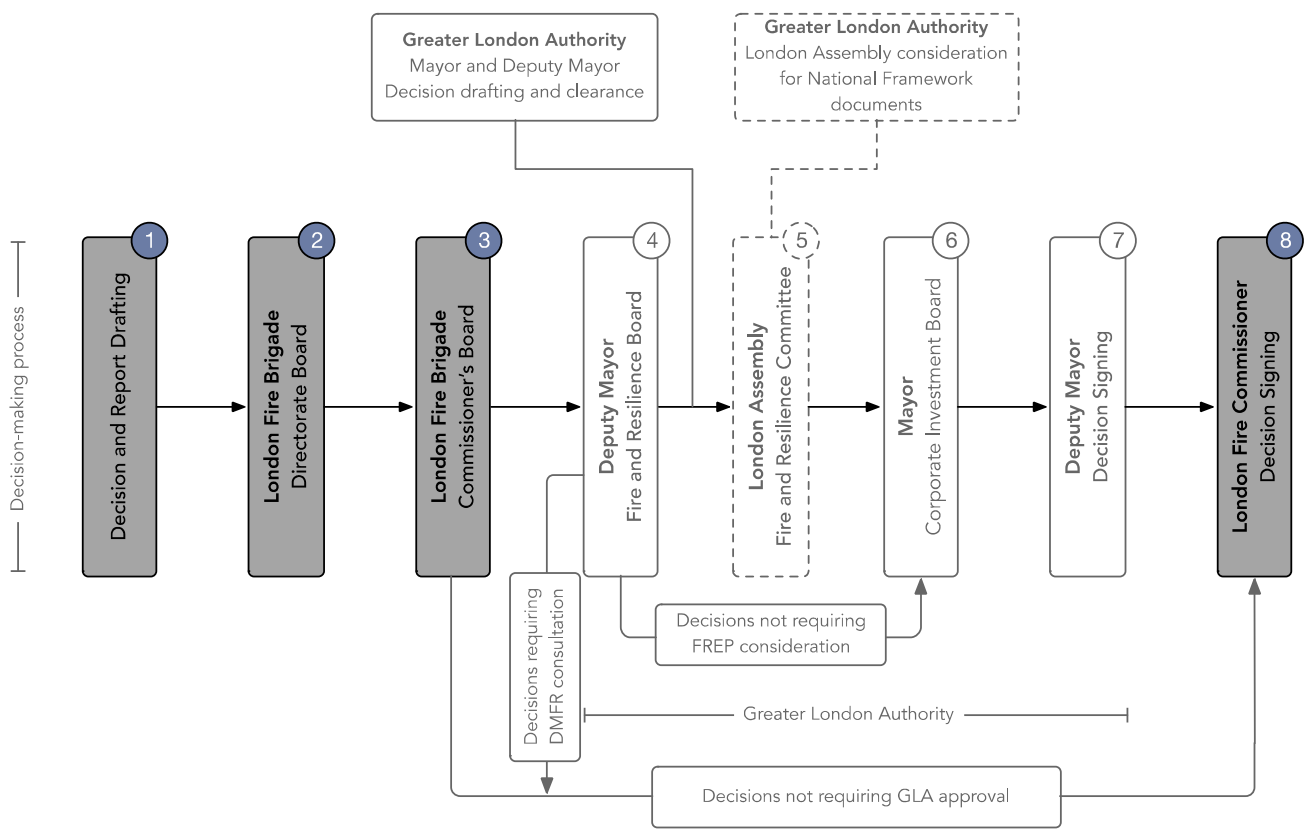
London Fire Commissioner Governance Framework 2018

4. The Commissioner established a governance framework on 1 April 2018 to guide the organisation through the new structures. That framework has established strong directorate-level consideration and scrutiny; it incorporates the consultations, briefings, and approvals required by the Deputy Mayor for Fire and Resilience and the Greater London Authority (GLA); and recognises that there is a discrete point at which decisions are taken by London's fire authority—the London Fire Commissioner.
5. The governance framework is based around principles of consideration, challenge, recommendation, and decision-making at directorate, corporate and political tiers. The framework is focused on delivering inclusive, sufficient and robust scrutiny by peers, refining products and proposals to recommend to the Commissioner. The framework acknowledges the point of 'fire authority decision-making' as the Commissioner, and not a forum established by the Commissioner.
6. The Commissioner has requested an end-of-year review of the new arrangements in order to make any necessary refinements and improvements. From Quarter 3, the trades unions have made requests regarding the new arrangements, specifically to be included on circulation lists for the Deputy Mayor's Fire and Resilience Board and to have the facility to

make representations to that board; the three directorate boards have discussed the performance of the governance framework; the Head Governance has surveyed Heads of Service and Directors and met with department teams; and the Deputy Mayor has discussed the framework at her Fire and Resilience Board; and an advisory audit was performed mid-year, offering positive and constructive feedback, with recommendations for areas of consideration.

- The advisory audit was produced by the Mayor's Office for Policing and Crime (MOPAC), who provide the London Fire Brigade's internal audit function. The outcomes elicited a range of refinements that may be made to the framework, to improve its operation and which are considered in this review.

Illustration 1—Achieving a Decision of the London Fire Commissioner



Achievements in year one

- Year one of operation of the new framework has seen a number of achievements. Directorate Boards have been well attended; well engaged with; and have provided an effective form of challenge and scrutiny of documents before consideration at Commissioner's Board. A 'ways of working' framework has been agreed with the Mayor's Chief of Staff governing the relationship between the Greater London Authority's corporate governance structures and the Brigade's, the membership and purpose of the Deputy Mayor's Fire and Resilience Board, and the inclusive approach with the representative bodies.
- Funding for a Governance Team has been approved, with agency and permanent staff appointed and being recruited. The team's role has expanded over the year including

being tasked to facilitate new Boards and governance arrangements designed to ensure prompt and effective management oversight and delivery of key corporate projects.

10. The Governance Team is a clear and central point of focus for governance and decision-making advice. The Governance Team have engaged the organisation with the new framework with presentations on governance delivered in Commissioner's morning briefing sessions to all staff; at departmental away-days; to management teams; and to management layers across directorates. Decision-making aides, such as process flowcharts, have been distributed and a forward planning application to support the planning and scheduling of decisions and reports has been developed and published on the intranet. A number of training sessions and briefings have been provided to individuals and teams to help them to navigate the system effectively. This support will continue and is being broadened out to be provided by lawyers as part of the overall legal and governance 'offer', and will include input on related public law issues, including the equality duty and any consultation requirements, to ensure robust lawful decision-making.
11. Finally, and most notably, the new governance framework has worked. The Commissioner's decisions have been taken in a considered and controlled fashion. The Deputy Mayor has taken decisions on all relevant matters, with a strong relationship between governance officers in the GLA and the LFB. New statutory features of the governance framework, such as the role of the London Assembly in certain decisions, have been fulfilled successfully.

Feedback about the new framework

12. While the introduction of the new governance scheme is regarded as successful, there is a need to continue to improve the organisation's understanding of a new and complicated, governance environment, within a different type of political scrutiny environment. That understanding needs to be further embedded and to reach beneath the Head of Service tier, and to the project teams and report authors producing governance products.
13. Feedback about the new framework has been largely positive and constructive. Key themes have emerged, that are addressed in this review:
 - Engagement with boards and the framework – A change in the structures and memberships of boards, and the absence of a public meeting of the fire authority, has been a substantial change for the organisation. Ensuring understanding of the new structures is important. This requires a transparent and inclusive approach to the management of those structures; a willingness to give and receive constructive challenge; and regular communications with the organisation to develop a stronger understanding of the framework.
 - Ensuring that appropriate and sufficient information about the performance and governance of the Brigade is available to boards – The governance framework should clearly articulate the expectations both of the Commissioner and the Commissioner's Board with regard to the frequency, content and purpose of that information to deliver what the Health sector refer to as a 'Board to Ward' understanding.

- Delegations – The 2018 arrangements prioritised delegation and the taking of responsibility at the lowest appropriate point. That priority was a key driver behind the establishment of formal directorate boards to support and drive the work of the Commissioner's Board. That intent can be delivered more fully with a refinement to the existing delegations.
- Independent support and conflicts of interest – Ensuring that the Commissioner is properly supported by consistent, unconflicted and authoritative advice is an important feature of the new framework, with the professional and operational head of the Brigade also fulfilling the role of fire authority. This may be supported by providing the Commissioner with access to an independent assurance resource.
- Consistent timeframes and considerations – Having directorate, corporate and political-level considerations is necessary and proportionate. However, minimising unnecessary duplication; making timeframes for decisions predictable and consistent; and ensuring that each tier is adding value to the larger governance and assurance requirement is important. There is a balance between appropriate due diligence and having decisions taken in a timely fashion.

14. In addition to this feedback, the Commissioner's internal audit function provided by the Mayor's Office for Policing and Crime (MOPAC) completed an advisory audit of the new governance arrangements mid-year. It was acknowledged that the arrangements are new and still embedding and made constructive recommendations to assist with that process. There are broad areas of agreement about improvements that may be made, which are addressed throughout this review, including:

- Considering the benefits of establishing an audit committee (this is to be addressed in a separate report and will not form part of this review) and a remuneration committee
- Considering the merits of developing a framework to support the approval of the Annual Governance Statement
- Confirming Terms of Reference for each tier of board
- Considering the need to review the London Fire Commissioner Governance Direction 2018
- Considering how to manage the capacity of the Governance Team should budget growth submissions be unsuccessful
- The need for high-quality report writing and forward planning, including providing advice about approval routes for reports.

Engagement with boards and the framework

15. The membership of and attendance at directorate boards is primarily based on the line management arrangements of the chair of the board in question, with the addition of the Monitoring Officer, Chief Finance Officer and Head of Paid Service at the Commissioner's Board¹.

¹ The role of Monitoring Officer is filled by the General Counsel; the Director of Corporate Services is the Chief Finance Officer and Head of Paid Service.

16. Since implementation in April 2018, directorate boards have evolved. A frequent consideration has been whether an individual board has the mandate to approve a product for progression to the Commissioner's Board. Whilst certain products will always demand consideration by different directorates, individual boards are mandated to recommend matters for the Commissioner's Board.
17. It is recommended that –
 - i. The approval route for reports should consider how well draft reports have been consulted upon prior to board meetings and the corporate impact of their proposals. The considerations of those corporate impacts should comprehensively include sustainability impacts, equalities impacts, workforce impacts (including staff-side consultations, impacts upon the workforce and any training considerations); legal considerations; and financial considerations. All but legal and finance considerations are 'owned' by the report author.
 - ii. Project teams and report authors should consider submitting early discussion documents to develop understanding and support for proposals.
 - iii. When developing reports and proposals, early engagement with the Legal and Governance Team will help to focus reports; agree the best approval route; and to structure the recommendations to the Commissioner.

Terms of reference

18. The Commissioner's Board is the Brigade's senior corporate board, which brings together the Commissioner, directors and statutory officers. Its purpose is established by its terms of reference (LFC-0119), as below:
 - To review draft reports intended for formal decision by the Commissioner (or exceptionally the Mayor), some of which may require consultation with, or prior approval by, the Deputy Mayor and, where appropriate, to approve such draft reports as ready for publication and formal decision.
 - To review draft reports prior to submission to the Assembly's Fire Resilience and Emergency Planning Committee.
 - To consider policy issues where authoritative confirmation of objectives and parameters is helpful, but which are not yet ready for decision by the relevant decision-maker.
 - To determine matters that relate to the internal management of the Brigade and come within the authority of the Board's members.
 - To receive reports and briefings that are for report only.
19. Addressing Recommendation 2 of the 2018 internal audit of the Brigade's assurance framework, it is recommended that the Commissioner's Board Terms of Reference are amended to include reference to the risk and assurance products described in paragraph 23. The Terms should say:
 - To commission and receive risk and assurance products relating to the governance of the Brigade.
20. It is recommended that the directorate boards have the following terms of reference, in-keeping with the Commissioner's Board:
 - To review draft reports intended for formal decision by the Commissioner (or exceptionally the Mayor), some of which may require consultation with, or prior

approval by, the Deputy Mayor and, where appropriate, to approve such draft reports for consideration by the Commissioner's Board.

- To review draft reports prior to the Commissioner's Board and subsequent submission to the Assembly's Fire Resilience and Emergency Planning Committee.
- To consider policy issues where authoritative confirmation of objectives and parameters is helpful, but which are not yet ready for decision by the relevant decision-maker.
- To determine matters that relate to the internal management of the directorate and Brigade and come within the authority of the Board's members.
- To commission and receive risk and assurance products relating to the governance of the directorate
- To receive reports and briefings that are for report only.

Receiving the right assurance information

21. Agenda planning for boards should be consistent, with the consideration of the necessary information required by the board to monitor, decide and to hold to account as a central feature of that planning.
22. Some boards have a range of standing items such as performance, risk, and reports from joint committees, whereas others are driven by the business of the Brigade.
23. It is recommended to structure the approach with consistent items (some of which are already scheduled as below). The list below reflects discussions with Heads of Service, however the final schedule of regular items and their composition will be agreed and reported back to Commissioner's Board.
 - Performance – The final quarterly performance review provided to City Hall should be reviewed by directorate boards, approved by the Commissioner's Board and then by the Deputy Mayor's Fire and Resilience Board at the earliest opportunity. This chronology accommodates the GLA's 25-day time limit from the end of the quarter before performance products are published on the London Datastore.
 - Risk and assurance – The full risk register should be made available to each directorate board and the Commissioner's Board quarterly.
 - People – A People Digest will be presented six-monthly.
 - Budget – The monthly financial monitoring report to the Commissioner's Board should be reviewed by Corporate Services Directorate Board prior to Commissioner's Board and will be made available to the remaining directorate boards for information with Finance officers as appropriate.
 - Projects – The corporate project portfolio should be reported to directorate boards and Commissioner's Board quarterly.
 - Forward programme – The forward programme for the board in question, for Commissioner's Board (in the case of the directorate board agendas), and for Commissioner Decisions should be available to each board meeting
 - Decisions – Reports that require a Commissioner's or delegated decision

- Discussions – Reports (verbal or written) for discussion by the board to give steers and advice to report authors, managers and project teams.

Corporate planning

24. Currently, other than London Safety Plan (LSP), there is no single co-ordinated corporate planning process that discusses resource allocation; efficiency and productivity objectives; performance priorities; and roles and responsibilities. There is one directorate plan under development.
25. A single corporate plan or similar document or oversight arrangement would provide a reference and monitoring tool to allow the organisation to consider and establish its priorities, progress and performance ambitions together. It would be a valuable resource for boards.
26. It is recommended that an annual 'corporate planning' process is implemented; that the delivery of the plan is reported against quarterly to Commissioner's Board and directorate boards.

The Scheme of Governance

27. The Scheme of Governance articulates the Commissioner's governance framework, including the Commissioner's Code of Corporate Governance; Standing Orders Relating to Business; Procurement Standing Orders (PSOs); Delegations to Officers; Appointment of Statutory and Proper Officers; and Financial Regulations. Version 2.0 at Appendix 1 includes minor revisions to the delegations and revised PSOs.

Delegations

28. A cultural objective of the 2018 arrangements was to ensure that appropriate and empowering delegations, considerations and structures were established. The delegations are a feature of the Commissioner's Scheme of Governance available on the public website and intranet. This is to ensure that decisions are taken at the appropriate level, and that ownership of decisions—even when taken by the Commissioner—is taken from the earliest point. A key action to deliver this was the establishment of formal directorate boards—mandated to play a greater role in the corporate governance of the Brigade—and a new scheme of delegations. Additional delegations introduced by London Fire Commissioner Decisions should be recorded by the Governance Team.

Sub-delegations

29. Currently, each department maintains their own records of sub-delegations made by the Head of Service.
30. It is recommended that sub-delegations should be registered with the Governance Team who will maintain proper records. The introduction of a Hotwire-based application to receive and store these records will be explored with the Chief Information Officer.
31. Decisions taken under delegated authority (including delegations and sub-delegations) should be recorded and consideration should be given to 'report style' recording of such major decisions.

Procurement Standing Orders

32. The Scheme of Governance includes Procurement Standing Orders. The proposed Scheme of Governance at Appendix 1 includes new PSOs to better align with the business of directorate and corporate-level boards.
33. The revised PSOs have been simplified and streamlined to be more user friendly and effective. Responsibilities have been more clearly defined including those for Lead Client Officers and the Procurement Department.
34. Recent new processes have been embodied within the revised PSOs such as the use of the procurement request form to initiate a procurement above £10k.
35. There is ongoing work between the Legal and Governance Team and Procurement Team to understand the forward programme for procurements; the time constraints for project completions, and the process where decisions are being taken collaboratively.

Independent support and conflicts of interest

36. The London Fire Commissioner is the employer of London Fire Brigade staff as the fire authority for Greater London. The advice and recommendations for decisions are controlled and scrutinised by the governance framework and the London Fire Commissioner Governance Direction 2018.

Senior officer pay and senior staff leaving the organisation

37. Whilst not necessarily within the scope of the governance direction, it is recommended that the Commissioner consults with the Deputy Mayor for Fire and Resilience on pay settlements for the Top Management Group. Unlike other staff groups, the officers representing management in these pay negotiations—and making the consequent recommendations to the Commissioner—are also subject to the outcome.
38. The recommendation outlined at paragraph 37 below ensures that beneficiaries of pay recommendations receive scrutiny of their recommendations prior to a Commissioner's decision. The Commissioner's pay is established by the Mayor; there is no conflict of interest in their taking decisions about senior officer pay.
39. Matters relating to exit payments for staff and senior officer pay settlements should also be subject to consultation with the Deputy Mayor's Fire and Resilience Board. This would be an important accountability and transparency improvement, and an appropriate response to the recommendations of the internal advisory audit, which recommended: "*...the Commissioner may consider having a Remuneration Committee (RC) to strengthen the governance arrangements. The RC could help oversee and approve remuneration arrangements for senior management and provide ad-hoc advice on more sensitive transactions such as severance packages which usually attract additional public scrutiny*".

Consistent timeframes and considerations

40. A feature of the governance framework now is the existing of more stages, which happen more frequently, and which require consideration by the report author and principal officers about the governance pathway of any given report. Report authors need to consult widely and consider the Mayor's governance direction and what consequent approvals and consultations are required.

41. There have been some concerns expressed historically regarding the overall timescale for decisions to be taken. This could be addressed by revisiting the threshold for Deputy Mayor involvement to reduce the number of instances where that second stage process is required. This would be particularly useful for procurement matters where there are high numbers of procurements for essential equipment. However, the threshold, while low by comparison with a number of other bodies (e.g. local authority officer delegations tend to be higher), was the subject of lengthy debate at the time of drafting the London Fire Commissioner Governance Direction 2018. In practice, individual report clearance timescales can to be negotiated, and it is also essential for the Brigade to ensure that reports are planned well in advance and are robust and fit-for-purpose so as to enable the decisions to proceed without delay.
42. There are improvements that can be made to assist report authors, and there are actions that authors can take to help themselves. Templates can provide more guidance, offering the considerations that authors need to make. GCD will be reviewing and updating all templates in light of this review and will include addressing key repeat themes arising from the GLA which have given rise to queries and therefore delays.. The report template will also be aligned with those of the GLA's Mayoral and Deputy Mayoral decision templates to streamline the process. Discussions with IT regarding the introduction of modern.gov as a case management and version control system will improve efficiencies.
43. It is recommended that PN348 regarding the duties of officers and the Authority's decision-making framework, rules and procedures is removed and replaced by clear guidance and support for staff and that the dedicated Governance intranet page is developed where precedents and guidance can be accessed, alongside communications about key changes being introduced by this report.
44. While continued assistance will be given, there remains to be an onus upon report authors to consider the forward plan regularly, considering the full financial year and all of their anticipated approval and reporting needs. Further, the design of decisions relating to contract awards can be changed to ensure that procurement processes and projects are not delayed at the point of award whilst approvals are sought. The Legal and Governance Team is available to advise on reporting and approval pathways and should be engaged early.

Additional and related Governance updates

Fire, Resilience and Emergency Planning Committee

45. The management of the Brigade's relationship with the London Assembly's Fire, Resilience and Emergency Planning (FREP) Committee and its own management of the Commissioner's executive decision-making functions were originally split between the Strategy and Risk Department and the General Counsel's Department under the new structure. However, the scrutiny function sits more naturally with the Governance Team which also has the skills sets, processes and relationships relevant to respond to the FREP scrutiny function. Accordingly, it is agreed that the function and any resources be transferred to the GCD. The timing and resources are currently being discussed and a date for transfer is to be agreed.

Capacity

46. The Governance structures play a key part on the effective delivery of the London Safety Plan. It is apparent from this paper that the demands on the team are increasing and this is highly likely to need to additional resource being required to support the arrangements. The team's capacity and growth requirements will feature in the next budget round.

Finance comments

47. The Chief Finance Officer has reviewed the report and has no comments.

Workforce comments

48. Comments and requests by the representative bodies have been received throughout the first of the framework's operation, resulting in improvements and more inclusive practices. All representative bodies were consulted during the design stage of the new framework.

Legal comments

49. Under section 9 of the Policing and Crime Act 2017, the London Fire Commissioner (the "Commissioner") is established as a corporation sole with the Mayor appointing the occupant of that office. Under section 327D of the GLA Act 1999, as amended by the Policing and Crime Act 2017, the Mayor may issue to the Commissioner specific or general directions as to the manner in which the holder of that office is to exercise his or her functions.
50. Section 1 of the Fire and Rescue Services Act 2004 states that the Commissioner is the fire and rescue authority for Greater London. The Commissioner is also a 'best value' authority under the Local Government Act 1999 and must make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
51. The recommendations outlined above are consistent with the GLA Act 1999 and the Directions made by the Mayor. An effective governance process ensures that the LFC makes robust and lawful decisions.

Sustainability implications

52. There are no sustainability implications arising from the report.

Equalities implications

53. The Public Sector Equality Duty applies to the London Fire Brigade when it makes decisions. The duty requires us to have regard to the need to:
- a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful.
 - b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
54. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

55. There are no equalities issues arising from the report. However, a strong and effective governance system ensures that decisions are taken in accordance with the law, and that includes compliance with the Equality Act 2010.

List of Appendices

Appendix	Title	Protective Marking
1.	Scheme of Governance version 2	

Consultations

Who	Method
Operations Directorate Board	Pre-report discussion
Corporate Services Directorate Board	Pre-report discussion
Safety and Assurance Directorate Board	Pre-report discussion
Heads of Service	Email and one-to-one discussions
Directors	One-to-one discussions
Commissioner	One-to-one discussion
Deputy Mayor for Fire and Resilience	Board and one-to-one discussion
Internal Audit	Response to advisory review

LONDON FIRE COMMISSIONER

SCHEME OF GOVERNANCE

[Insert date of decision]

CONTENTS

- PART 1 Code of Corporate Governance**
- PART 2 Standing Orders relating to Business**
- PART 3 Standing Orders relating to Procurement**
- PART 4 Delegations to Officers**
- PART 5 Appointment of Statutory and Proper Officers**
- PART 6 Financial Regulations**
- PART 7 Definitions**

PART 1 – Code of Corporate Governance

Context

1. The London Fire Brigade ('the Brigade') provides the fire and rescue service for London. The Brigade is governed by the London Fire Commissioner (the 'Commissioner') which is a statutory corporation sole. This Scheme of Governance sets out the Commissioner's governance arrangements, as follows:
 - Part 1 – Code of Corporate Governance
 - Part 2 – Standing Orders relating to Business set out the Commissioner's formal rules for the conduct of business.
 - Part 3 – Standing Orders relating to Procurement set out the Commissioner's formal rules for the purchase of works, goods, and services
 - Part 4 – Delegations to Officers set out the decisions delegated by the Commissioner to Officers
 - Part 5 – Appointment of Statutory and Proper Officers
 - Part 6 – Financial Regulations
 - Part 7 – Definitions
2. The Commissioner was created under the Greater London Authority Act 1999, following changes brought in by the Policing and Crime Act 2017, which makes them one of the **functional bodies** of the GLA. Consequently:
 - the Mayor of London (the 'Mayor') holds the Commissioner to account for the exercise of the Commissioner's functions
 - the Commissioner's budget is set by the Mayor
 - the Mayor can give guidance and directions to the Commissioner as to the exercise of the Commissioner's functions
 - the London Assembly scrutinises the actions of the Commissioner through their Fire, Resilience and Emergency Planning Committee
 - the Commissioner must have regard to various strategies which the Mayor is required by law to produce
 - the Mayor requires the Commissioner to address certain policy concerns and to work co-operatively with the other functional bodies.
3. The Commissioner is the **Fire and Rescue Authority** for Greater London under the Fire and Rescue Service Act 2004. In this capacity, the Commissioner:
 - must ensure that the Brigade is efficient and effective
 - has a direct and close relationship with the Home Office, the Ministry for Housing, Communities and Local Government and the Cabinet Office, as the government service responsible for fire and rescue services, resilience capabilities and local authorities' resilience arrangements, as well as other government services such as Department for Business, Energy and Industrial Strategy, regarding its fire prevention function
 - must fulfil other statutory functions of the fire and rescue authority.

Organisational structure

4. The Commissioner is supported by two Deputy Commissioners and one Director. These officers meet regularly with the Commissioner as the Commissioner's Board ('CB'). Directors meet regularly with their Heads of Service and other senior officers as Directorate Boards ('DBs'). These consider the business and management of directorates and the organisation.
5. Many responsibilities of the Commissioner are undertaken through Delegated Decisions taken by senior officers – Directors and Heads of Service. The delegations to these officers are set out in Part 4 of this Scheme.
6. The Commissioner has statutory officers who have specific duties to ensure the good governance of the body corporate:
 - The **Head of Paid Service** is responsible for reporting to the Commissioner on the co-ordination of the discharge of functions, the numbers and grades of staff required and their organisation, appointment and management. The Commissioner is required to consider any such report within three months of receiving a copy of it.
 - The Section 127 Officer ('**Chief Finance Officer**') of the Greater London Authority Act 1999 reports to the Commissioner on the proper administration of financial affairs and specifically if it appears that the Commissioner or a person holding any office or employment under the Commissioner: (a) has made or is about to make a decision which involves or would involve the Commissioner incurring expenditure which is unlawful, (b) has taken or is about to take a course of action which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency on the part of the Commissioner, or (c) is about to enter an item of account, the entry of which is unlawful. The Section 127 Officer is also required to report to the Commissioner if it appears that the expenditure of the Commissioner incurred (including expenditure proposed to be incurred) in a financial year is likely to exceed the resources (including sums borrowed) available to the Commissioner to meet that expenditure. The Section 127 Officer must send a copy of the report to the Mayor of London and to the Chair of the London Assembly.
 - The **Monitoring Officer** is responsible for monitoring the business of the Commissioner and reporting to the Commissioner upon any unlawful proposals, decisions omissions or actions, by the Commissioner or by anyone holding office or employment under the Commissioner. The Monitoring Officer is also responsible for reporting to the Commissioner any maladministration on the part of the Commissioner or by anyone holding office or employment under the Commissioner that is the subject of a report issued by the Local Government Ombudsman. The Commissioner is required to consider the Monitoring Officer's report within three months of receiving a copy of it.

In addition, the Commissioner may appoint a statutory **Deputy London Fire Commissioner** who may exercise any or all the powers and duties of the Commissioner:

- during any absence, incapacity or suspension from duty of the Commissioner,
- during any vacancy in the office of the Commissioner, or
- at any other time, with the consent of the Commissioner.

7. The Commissioner has adopted the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government* which sets out the core principles on which effective governance should be built. These are:
 - Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law
 - Ensuring openness and comprehensive stakeholder engagement
 - Defining outcomes in terms of sustainable economic, social, and environmental benefits
 - Determining the interventions necessary to optimise the achievement of the intended outcomes
 - Developing the entity's capacity, including the capability of its leadership and the individuals within it
 - Managing risks and performance through robust internal control and strong public financial management
 - Implementing good practices in transparency, reporting, and audit to deliver effective accountability.
8. This Scheme of Governance incorporates the core good governance principles in a way that is relevant to the Commissioner's role and responsibilities. It also sets out the arrangements for reviewing how effective the Commissioner is in following them.
9. The way in which the Commissioner puts each of the core principles of good governance into practice and its proposals to enhance its governance arrangements are set out below.
10. In **executing a strategy for London in relation to its core functions**, the Commissioner will:
 - explicitly state in their Integrated Risk Management Plan ('the London Safety Plan') how an effective and efficient fire and rescue service is being provided for London
 - develop and implement specific strategies and action plans appropriate to their functions
 - maintains and develop partnerships at borough and pan-London levels
 - operate a performance management framework ensuring that the information needed to scrutinise service delivery is effectively and regularly available
 - support, and appropriately resource, the Commissioner's statutory officers
 - have regard to the statutory powers and duties of their officers when making decisions
 - be innovative in exercising available powers for the benefit of the people of London
 - produce an Annual Governance Statement detailing their adherence to these principles, which is submitted to the Mayor of London and the London Assembly's Fire, Resilience and Emergency Planning Committee
 - collaborate with other emergency services.
11. Ensuring that officers work within **clearly defined functions and roles**, the Commissioner:
 - defines the responsibilities of staff through clear job descriptions, monitoring and managing the performance of their staff
 - defines performance indicators against which performance is regularly monitored by officers and are the subject of regular report to and scrutiny by the London Assembly
 - ensures delivery of service strategies through the adoption of common deliverables in the service plans of all departments
 - demonstrates best practice in their financial management and procurement through compliance with and regular reviews of their Standing Orders, financial regulations and procurement policies
 - through the activities of the Section 127 Officer, ensures the financial scrutiny of proposed actions and the management of an annual programme of audits.

12. Upholding high standards of **conduct and behaviour**, the Commissioner:

- adopts a set of values which are communicated through initiatives such as staff briefings
- expects senior officers to set a tone for the organisation of openness, support, good communication and respect
- continues to ensure that equality, diversity and inclusion strategy drives best practice and is integral to how the organisation and their staff conduct business
- ensures staff interests and offers of gifts and hospitality to staff are available to be scrutinised through easily accessible registers
- ensures standards and expectations of staff are set and enforced through Brigade policies
- works with the GLA and other functional bodies to maintain common standards of ethical governance in accordance with the GLA Group's Corporate Governance Framework Agreement
- maintain effective policies and procedures on whistle-blowing, compliments, complaints and conflicts of interest, ensuring effective, transparent and accessible arrangements are in place for their management.

13. Taking **robust, accountable and transparent decisions**, which are subject to effective scrutiny and risk management, the Commissioner will:

- ensure that informed decisions are taken, based on the correct and sufficient information that has been subject to appropriate due diligence and impact assessments
- ensure robust systems for identifying and managing corporate risks are in place, including the regular review of the Corporate Risk Register by Directorate Boards and the Commissioner's Board and regular reporting of significant risks for scrutiny by the London Assembly
- maintain a statutory publication scheme, ensuring access to information in accordance with the Freedom of Information legislation and refusing access to information only where the public interest in doing so clearly outweighs the public interest in granting access
- acknowledge the scrutiny role of the London Assembly by supporting the Mayor and Deputy Mayor in responding on scrutiny issues and attending the Assembly's appropriate committee as required
- consult on relevant plans, policies and proposals and take account of the results of that consultation in taking decisions
- ensure that as much of its formal business as possible is published and that members of the public can ask questions or raise matters of concern
- ensure good practice in workplace equality and diversity.

Assuring the governance arrangements

14. Each year the Commissioner validates their governance arrangements by preparing an Annual Governance Statement for submission to the external auditor upon the closure of the annual accounts. The Statement must include commentary on the effectiveness of the governance framework, including the system of internal control and an evaluation of performance against this Code. In addition, the Code itself will be reviewed against the CIPFA/SOLACE framework, notable practice identified elsewhere and any subsequently produced standards or regulatory guidance. Any actions required to address identified failings or areas for improvement will be included the Annual Governance Statement action plan.

PART 2 – Standing Orders Relating to Business

1. Commissioner's Decisions

- 1.1 Commissioner's Decisions will be taken on the recommendation of, and following consideration of, a report of a Director or Head of Service.
- 1.2 Reports recommending a Commissioner's Decision will be published on the Commissioner's website five clear working days before the report is considered for decision. This Standing Order will not apply where the Commissioner determines that an earlier decision is required to protect the interests of the Commissioner, the community or any members of it.
- 1.3 Commissioner's Decisions will be published not later than the third working day after the decision is taken.
- 1.4 Commissioner's Decisions on reports may be deferred.
- 1.5 The publication requirements set out in Standing Orders 1.2 and 1.3 will not apply to any report or decision containing information which in the written determination of the General Counsel is exempt from disclosure under freedom of information or other legislation. In such cases, and wherever possible, a summary of the report and decision will be published.

2. Execution of Documents

- 2.1 The Seal of the Commissioner shall be kept in the custody of the General Counsel.
- 2.2 The General Counsel will execute and affix the seal to any document which is required to be sealed to give effect to a Commissioner's Decision. The General Counsel will attest the fixing of the seal with their signature. This signature will be a full and sufficient certificate that the document has been duly and validly sealed in compliance with the Standing Orders of the Commissioner.
- 2.3 The General Counsel may execute as a deed under their hand or seal or sign any document required to give effect to a Commissioner's Decision.
- 2.4 The General Counsel may authorise in writing officers of the General Counsel's Department to exercise on their behalf the functions set out in Paragraphs 2.2 and 2.3 of the Standing Orders Relating to Business.
- 2.5 Directors, Head of Service and other officers nominated by Directors may sign any document related to matters for which they are responsible and required to give effect to a Commissioner's or delegated decision. Details of such nominations shall be deposited with the General Counsel.

3 Privacy of documents

- 3.1 Where information is exempt under legislation or otherwise, from disclosure by the Commissioner, the General Counsel may:
 - decide which documents or parts of documents should not be published
 - mark such documents in accordance with the Commissioner's Protective Marking Scheme.
- 3.2 The General Counsel will remove the markings, when they are no longer required, from all or part of the document.

4. Waiver of Standing Orders

- 4.1 Following consultation with the General Counsel, any provision of these Standing Orders Relating to Business may be waived, suspended or amended by a Commissioner's Decision.

PART 3 – STANDING ORDERS RELATING TO PROCUREMENT

1. Purpose

- 1.1. The purpose of these Procurement Standing Orders ('PSOs') is to ensure that the Commissioner's procurement activities:
 - 1.1.1. Comply with relevant laws relating to procurement and spending public money;
 - 1.1.2. Ensure Best Value is achieved;
 - 1.1.3. Ensure appropriate market competition through fair and transparent sourcing; and
 - 1.1.4. Protect the business and reputational interests of the Commissioner through robust contracting and Contractor management.
- 1.2. PSOs must be complied with at all times. Non-compliance may be grounds for disciplinary proceedings under the Commissioner's disciplinary policy.

2. The Regulations

- 2.1 Public sector procurement is a regulated sector, governed by the Public Contract Regulations 2015 ('PCR'). All officers are responsible for complying with the requirements of the PCR. Further advice is available from the Procurement Department.

3. Scope

- 3.1. These PSOs apply to the procurement of, and award of contracts for all goods, works or services, except those in paragraph 3.3 below.
- 3.2. Contracts with a Contract Value of less than £10k are only in scope of PSO5.
- 3.3. The following contracts are not subject to these PSOs:
 - 3.3.1. Contracts for the acquisition or lease of land and/or real estate; and
 - 3.3.2. Employment contracts for the employees of the Commissioner.

4. Estimating the Contract Value

- 4.1. The Contract Value must be based on the full duration that the requirement may be needed.
- 4.2. If the duration of a contract requirement is unknown, the estimate should be based on a four year period.
- 4.3. When calculating the Contract Value, it must not be:
 - 4.3.1. estimated at a value as to deliberately avoid the application of the PCR or PSOs; or

Scheme of Governance – Standing Orders relating to Procurement

- 4.3.2. subdivided into multiple contracts to avoid the application of the PCR or PSOs.

5. General principles

5.1. When procuring, or proposing to procure, officers must:

- 5.1.1. comply with all legal requirements, including the PCR and the applicable Standing Orders contained within the Commissioner's Scheme of Governance;
- 5.1.2. ensure that impartiality is maintained and shown to be maintained;
- 5.1.3. ensure that no Contract is awarded unless it provides to the Commissioner the appropriate quality of service and Best Value;
- 5.1.4. ensure that Contractors are managed in accordance with Contract provisions, and that requisitions and purchase orders raised in accordance with that Contract; and
- 5.1.5. ensure that all procurements and contract management are carried out in a proportionate manner.

6. Roles and responsibilities

6.1. The Procurement Department are responsible for the delivery of all procurements that are subject to these PSOs. In particular, the Procurement Department are responsible for:

- 6.1.1. Managing all procurement activities from identification of need to contract award, including the publication of contract notices;
- 6.1.2. Providing commercial contract management advice and support;
- 6.1.3. Ensuring the relevant clients are engaged in all contract strategies and awards;
- 6.1.4. Managing robust contract management arrangements for a prescribed list of Contracts designated as major Contracts by the Assistant Director Technical and Commercial;
- 6.1.5. Overseeing that purchase orders are placed in accordance with Contract requirements and any applicable financial regulations;
- 6.1.6. Maintaining a list of Contracts in accordance with the requirements stated within the Transparency Code;
- 6.1.7. Reviewing Procurement Documents provided by clients and approving them as market ready; and
- 6.1.8. Deciding which route to market will likely provide a Best Value outcome.

6.2. Except for Contracts owned by the Procurement Department as the client, it is the responsibility of Lead Client Officer (LCO) to ensure the following actions are fulfilled in a timely and sufficient manner:

Scheme of Governance – Standing Orders relating to Procurement

- 6.2.1. Initiating subsequent re-tendering of a Contract by submitting a Procurement Request Form to the Director of Corporate Services for approval;
 - 6.2.2. Issuing a Tender Request Form to the Procurement Department;
 - 6.2.3. Ensuring continuity of service by seeking the approval of the Director of Corporate Services or Assistant Director of Technical and Commercial to extend a Contract;
 - 6.2.4. Arranging for consents to be granted (procurement initiation, financial authority or Contract Award);
 - 6.2.5. Writing the Specifications for goods, works or services;
 - 6.2.6. Identifying key quality and performance requirements;
 - 6.2.7. Providing selection and evaluation criteria, with weightings, for the Contract Award process; and
 - 6.2.8. Ensuring that requisitions for goods, works or services are raised in accordance with the Contract and securing the delegated financial authority from the budget holder.
- 6.3. The LCO and the Procurement Department are jointly responsible for working collaboratively to develop the Contract Documentation and relevant Contract schedules to include payment mechanisms, quality standards and, where appropriate, performance regimes and key performance indicators, business continuity, asset refresh programmes, exit strategy, sustainability, equality and diversity.

7. Contracts register

- 7.1. The Assistant Director Technical and Commercial is responsible for holding and maintaining a register of all current Contracts and future Contracts for which a Tender Request Form has been submitted.
- 7.2. All Heads of Service are responsible for providing the Procurement Department with:
 - 7.2.1. regular updates of the status of each Contract under their management in relation to re-procurements; and
 - 7.2.2. Tender Request Forms detailing Contracts that will be required to be awarded within the next 18 months or within any appropriate longer period for more complex procurements.

8. Waivers

- 8.1. Where an LCO requests to waive a competitive procurement process, approval must be sought from the Assistant Director Technical and Commercial if the Contract Value is under the EU Threshold.
- 8.2. If the Contract Value is in excess of the EU Threshold, approval to waive a competitive procurement process must be sought from the Director of Corporate Services, in consultation with

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the General Counsel and the Assistant Director Technical and Commercial. Permission will only be granted if the criteria stated in PCR regarding a non-competitive procurement procedure apply.

- 8.3. Approval in accordance with 8.2 above, must be granted prior to commencement of any negotiation with the Contractor.
- 8.4. All other PSOs will apply including the requirement to acquire Procurement Initiation consent and Contract Award consent.

9. Procurement Initiation

- 9.1. Prior to issuing Procurement Documents to the market or incurring non-contracted expenditure, approval to initiate a procurement must be sought by submitting a Procurement Request Form to the Director of Corporate Services (or in their absence, to the Assistant Director Technical and Commercial).
- 9.2. If the procurement involves any matters or implications of a novel, contentious or repercussive nature, details of these must be stated on the Procurement Request Form. Where 9.2 applies, the requestor must report the proposed procurement to the Commissioner's Board for discussion prior to submitting the Procurement Request Form to the Director of Corporate Services for approval.

10. Procurement Process

- 10.1. Where a procurement request is approved, a procurement process will be conducted by the Procurement Department.
- 10.2. The Procurement Department will consult with the LCO to ensure that a suitable procurement process is selected that will provide Best Value to the Commissioner.
- 10.3. In instances where the Contract Value is in excess of the EU threshold, the procurement process will comply with the procedures in the PCR.

11. Responsible Procurement

- 11.1 Appropriate Responsible Procurement requirements must be included within all Procurement Documents in order to fulfil the requirements of the Responsible Procurement Policy.

12. Contract Award

- 12.1. Prior to the award of any Contract, approval to award must be granted.
- 12.2. If the Contract Value is less than £150k, the Assistant Director Technical and Commercial may approve the Contract Award.

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- 12.3. If the Contract Value is greater than £150k, the decision to award must be made by the Commissioner in accordance with the Commissioner's Scheme of Governance.
- 12.4. When the evaluation of tenders is complete, the successful Contractor has been identified and approval to award has been granted, the Procurement Department will issue correspondence to the successful and unsuccessful Contractors.

13. Contract Execution

- 13.1. The Procurement Department, in consultation with General Counsel, will draft and issue the appropriate Contract documentation to the appointed Contractors.
- 13.2. Contracts will be executed in accordance with Standing Order 2 of Part 2.

14. Contract Extensions

- 14.1. Contracts which have been subject to a PCR and PSO compliant procurement process and which contain an extension clause may be extended, subject to the approval of the Assistant Director of Technical and Commercial.
- 14.2. In the absence of an extension clause, a Contract may be extended if:
 - 14.2.1. the Contract Value is less than the EU threshold, the extension can be reasonably justified, would not amount to a substantial change to the Contract, and the Assistant Director of Technical and Commercial's approval has been granted; or
 - 14.2.2. the Contract Value is greater than the EU threshold, the proposed variation complies with the requirements of PCR and a Commissioner's Decision has approved the extension.

15. Contract Management

- 15.1. The Head of Service responsible for the Contract must:
 - 15.1.1. ensure that effective management arrangements are in place to secure delivery of the Contract;
 - 15.1.2. after consultation with the Assistant Director Technical and Commercial, Director of Corporate Services and the General Counsel as appropriate, deal with all matters arising from the management of the Contract including delays or claims by Contractors; and
 - 15.1.3. provide the Assistant Director Technical and Commercial with an evaluation of the Contractor's performance at intervals specified by the Assistant Director Technical and Commercial.

Definitions

Best Value is the duty imposed on the Commissioner by Part 1 of the Local Government Act 1999 and under which the Commissioner must seek continuous improvement in the way their functions are exercised, having regard to a combination of economy, efficiency and effectiveness and to the guidance issued by the Secretary of State and the Chartered Institute of Public Finance and Accountancy (and their successor bodies as the case may be) under Part 1 of the Local Government Act 1999.

Contract Award is the process described in PSO 12.

Contractor is the other party or potential other party to a Contract.

Contract is any agreement for the supply of works, goods or services to the Commissioner, including Framework Agreements, call off contracts made under a Framework Agreement and land transactions, but does not include employment contracts.

Contract Value is the estimated value of a Contract which shall be the total anticipated spend under that Contract including all options to extend the term, net of VAT.

EU Threshold is the thresholds for public advertisement of works, goods and services contracts as provided for in the EU Public Procurement Directives and advised by the Government.

Framework Agreement is an agreement between one or more contracting authorities (bodies governed by public law) and one or more Contractors which establishes the terms governing call off contracts to be awarded during a given period, with regard to price and, where appropriate, the quantity envisaged.

Lead Client Officer (LCO) is a senior officer designated by the relevant Head of Service, after consultation with the Assistant Director Technical and Commercial, for the procurement of a Contract.

Procurement Documents are the documents used in the procurement process and include the invitation to tender, the Specification, the evaluation methodology, the form of tender, the bid pricing template, the terms and conditions of Contract and Contract schedules.

Procurement Initiation is the process described in PSO 9.

Procurement Request Form is the Commissioner's internal online form seeking the approval of the Director of Corporate Services to initiate a new procurement in the process described in PSO 9.

Responsible Procurement Policy is the Greater London Authority group Responsible Procurement policy adopted by the Commissioner as policy number 696.

Specification is the description of the works, goods or services to meet the Commissioner's requirements.

Tender Request Form is the Commissioner's internal online request form required to record in the Contract Register a new Contract for procurement.

Transparency Code is the local government transparency code 2015, as amended from time to time, which sets out the minimum data that local authorities should be publishing, the frequency it should be published and how it should be published.

PART 4 – DELEGATIONS TO OFFICERS OF THE LONDON FIRE COMMISSIONER

1. Introduction

- 1.1 The Commissioner delegates to Directors and Heads of Service, and officers nominated by Directors to act on the Commissioner's behalf, the functions set out in the Delegations to Officers in this Part 4 of this Scheme of Governance. Such nominations shall not be effective unless lodged with the General Counsel and published on the Commissioner's website.
- 1.2 The Commissioner may make additional specific or general delegations from time to time.
- 1.3 The exercise of all functions delegated is subject to:
 - The Standing Orders in Part 2 of this Scheme of Governance
 - All decisions, policies, procedures, codes of practice and protocols adopted by the Commissioner (or the predecessor Authority to the extent that they remain relevant)
 - Any expenditure falling within the Commissioner's approved budget
 - The responsibility of staff appointed to management and supervisory posts to manage staff and resources
 - Consultation with professional and operational officers, external advisers and the Commissioner's statutory officers as appropriate
 - Consultation with staff and their representatives where appropriate.
- 1.4 Any functions delegated to a Head of Service may be exercised by their Director, and with the consent in writing of the Commissioner any function delegated to a Director may be exercised by a Head of Service within their Directorate.
- 1.5 Any delegated function may be exercised by the Commissioner.

2. Delegations

2.1 All Directors

- The approval of any proposal (including approvals required under the Procurement Standing Orders set out in Part 3 of this Scheme of Governance and its consequential expenditure involving estimated expenditure of up to £150,000, subject to consultation with the Director of Corporate Services (or Assistant Director (Finance) where the Director is the decision-maker)
- The authorisation in writing of employees of the Commissioner to exercise emergency powers under Section 44 of the Fire and Rescue Service Act 2004.

2.2 All Heads of Service

- The determination of the number and duties of posts in their department
- The appointment, management and dismissal of staff below Head of Service level
- The approval of any expenditure
 - up to £50,000 per transaction or item, or
 - of a recurring nature, incurred at least annually and not exceeding £150,000
- The approval of expenditure to be reimbursed by the Commissioner's insurers or from some other source
- The approval and waiver of charges for publications, information, service or facilities provided by the Commissioner following consultation with the Director of Corporate Services

Scheme of Governance – Delegations to Officers

- The approval of minor changes to policies and procedures of which they are the designated custodian
 - The writing off of losses up to £500
- 2.3 *The Director of Corporate Services*
- The approval of treasury management action
 - The approval of borrowing
 - The determination of Stage 2 Internal Dispute Resolution Procedure appeals under the Firefighters Pension Scheme
 - The amendment of service budgets to reflect income received.
 - The exercise of the Commissioner's powers as shareholder of London Fire Brigade Enterprises Limited
 - The writing off of losses up to £100,000
- 2.5 *All Assistant Commissioners and all Deputy Assistant Commissioners*
- The approval of prohibition notices under Article 31 of the Regulatory Reform (Fire Safety) Order 2005
- 2.4 *The Assistant Commissioner (Fire Safety)*
- The authorisation of Fire Investigating Officers under Section 45 of the Fire and Rescue Service Act 2004
 - The appointment of
 - Fire Safety Inspectors under Article 26 of the Regulatory Reform (Fire Safety) Order 2005
 - Inspectors under Section 19 Health and Safety at Work etc. Act 1974
 - Such other statutory inspectors or enforcement officers as the Commissioner is empowered to appoint
 - The approval of enforcement action including statutory alteration, enforcement and other notices
 - The grant of exemptions in accordance with the Fire Precautions (Sub-Surface Railway Stations) Regulations 2009
 - The approval and termination of primary scheme agreements and memoranda of understanding relating to fire safety.
- 2.5 *Assistant Director (People Services)*
- The approval of nil cost employee benefit and salary sacrifice schemes
 - The implementation of agreements secured through joint negotiating arrangements
 - The approval of trades union facilities agreements
 - The approval of the grading of posts
 - The approval of redundancy, settlement and termination payments
 - The extension or reduction of sick pay to staff.
 - The approval of the employment of Commissioner's staff by contractors to the Commissioner
 - The exercise of discretions under the Firefighters Pension Schemes and the Local Government Pension Scheme
- 2.6 *Assistant Director (Communications)*
- The approval of the terms of sponsorship arrangements and agreements with organisations external to the Brigade
 - The approval of communications strategies and new communications tools in line with those strategies.
- 2.7 *Chief Information Officer*
- The approval of the Commissioner's Publication Scheme.

2.8 *General Counsel to the Commissioner*

- The authorisation of prosecutions by the Commissioner following consultation with the Assistant Commissioner (Fire Safety)
- The discontinuance of prosecutions following consultation with the Assistant Commissioner (Fire Safety)
- The authorisation of civil proceedings by the Commissioner
- The taking of any action to support the statutory functions, or protect the assets, of the Commissioner, or to protect the community or its members, including the initiation and defence of any judicial or quasi-judicial proceedings, the laying of informations and the submission and defence of appeals
- The authorisation of officers (not being certificated solicitors, certificated barristers or chartered legal executives) to appear on the Commissioner's behalf in legal proceedings.
- The authorising, following consideration of a recommendation of a Director, of legal representation for employees of the Commissioner who are involved in legal proceedings arising in connection with the discharge of their duties
- The taking of any action to facilitate the compliance by the Commissioner with a decision of a court or tribunal
- To act as Solicitor to the Commissioner taking such action as flows from that appointment
- The appointment of counsel, solicitors, transcribers, inquiry agents and agency services and consultants.
- The settlement of any claim, including claims for costs, by or against the Commissioner up to £150,000
- The negotiation and approval of legal documentation, in accordance with any recommendations from a Director, Assistant Director or Assistant Commissioner, to give effect to any decision of the Commissioner.

2.9 *Assistant Director (Technical and Commercial)*

- The declaration of property as surplus to requirements
- The approval of terms for the acquisition or disposal of freehold property
- The approval of terms for the letting of residential accommodation
- The approval of terms for the grant or taking of leases and licenses
- The approval of energy contracts
- The approval of terms for the disposal of unwanted vehicles and equipment
- The approval of contracts and other agreements for the purchase of works, goods or services up to a value of £150,000.

2.10 *Assistant Director (Finance)*

- The determination of Stage 1 Internal Dispute Resolution Procedure appeals under the Firefighters and Local Government Pension Schemes

PART 5 – APPOINTMENTS BY THE LONDON FIRE COMMISSIONER OF STATUTORY AND PROPER OFFICERS

1.1 Statutory Officers

Statutory Officer	Officer Appointed
Deputy London Fire Commissioner	Deputy Commissioner (Operations)
Head of Paid Service	Director of Corporate Services
Chief Finance Officer	Director of Corporate Services
Monitoring Officer	General Counsel

1.2. Proper Officers

Statutory Provision	Responsibilities	Officer Appointed
Section 115 Local Government Act 1972	Taking receipt of monies due to the Commissioner and held by officers.	Assistant Director (Finance)
Section 146 Local Government Act 1972	Provision of statutory declaration/certificate specifying securities and verifying change of name and identity of The Commissioner.	Assistant Director (Finance)
Section 225 Local Government Act 1972	Taking receipt of and retaining documents deposited with The Commissioner.	Head of Information Management
Section 229 Local Government Act 1972	Certifying photographic copy as true copy of document which is in The Commissioner's possession or which has been destroyed whilst in The Commissioner's possession.	Head of Information Management
Section 234 Local Government Act 1972	Authentication of documents which the Commissioner is authorised /required by/under legislation to give/make/issue.	General Counsel
Section 23 Landlord and Tenant Act 1927	Taking receipt of service of notices.	Assistant Director (Technical and Commercial Services)
Section 30 Local Government Act 1974	Giving public notice by advertisement in newspapers of availability of LGO's report.	General Counsel

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Statutory Provision	Responsibilities	Officer Appointed
Section 41 Local Government (Miscellaneous Provisions) Act 1976	Certifying copies of resolution/order/report/minutes of the Commissioner or minutes of its predecessors.	General Counsel
Section 2(4) Local Government and Housing Act 1989	Taking receipt from the Commissioner of deposited list of politically restricted posts.	General Counsel
Local Government Area Change Regulations 1976	Duties relating to transfer of statutory registers to successor authorities.	General Counsel
Article 37(1) of the General Data Protection Regulations 2016	Data protection officer	Head of Information Management

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Financial Regulations

These Financial Regulations (Regulations) set out how the Commissioner meets their statutory responsibilities in relation to the administration of their financial affairs.

1. Scope of these Regulations

- (a) All members and staff have a responsibility for resources under their control, ensuring that the use is legal, appropriately authorised, offers value for money and best value.
- (b) All staff who have responsibility for financial management or who have control of budgets must adhere to these Regulations.

2. Financial Management Responsibilities

- (a) The Director of Corporate Services has responsibility for the administration of the Commissioner's financial affairs, under Section 127 of the Greater London Authority Act 1999, and is required to ensure that arrangements are made by Heads of Service for all financial and accounting matters and the security of money and other assets are economic, efficient and effective.
- (b) The Director of Corporate Services is also required to:
 - set and monitor compliance with financial management standards;
 - advise on the corporate financial position and on the key financial controls necessary to secure sound financial management;
 - provide financial information;
 - prepare the revenue budget and capital programme;
 - carry out treasury management and;
 - prepare the Commissioner's statutory statement of accounts and accounting returns.
- (c) Heads of Service must consult with the Director of Corporate Services on issuing financial instructions and making arrangements as necessary.
- (d) All financial systems, methods, records and controls must be agreed with the Director of Corporate Services. The Director of Corporate Services reports to the Commissioner not less frequently than once a year on the effectiveness of the financial administration.

FINANCIAL PLANNING, MONITORING AND CONTROL

3. Budget process

- (a) The Mayor is responsible for setting a consolidated budget and council tax requirement for the Commissioner.

4. Budget timetable

- (a) The Commissioner receives budget guidance from the Mayor in the early summer and then sets their detailed budget for the following financial year in March in line with the overall funding level set by the Mayor.

5. Revenue budgets

- (a) The Commissioner is responsible for management of the approved budgets, Heads of Service must:
- advise the Commissioner of the financial implications of all proposals (as previously agreed by the Director of Corporate Services);
 - advise the Director of Corporate Services on variations and take action to avoid exceeding their budget allocation;
 - consult with the Director of Corporate Services on issuing instructions for all financial and accounting matters and the security of money and other assets;
 - agree in year virements (transfers of budget) within delegated limits (in consultation with the Director of Corporate Services).

6. Capital Budgets

- (a) The Director of Corporate Services must prepare the medium-term capital programme and annual capital estimate for approval by the Commissioner as part of a November budget submission to the Mayor and in the final budget report.

7. Reserves

- (a) To meet the requirement of the Local Government Act 2003 in respect of adequacy of reserves and to comply with the guidance on local authority reserves and balances issued by The Chartered Institute of Public Finance and Accountancy (CIPFA), the Commissioner must provide, as part of the budget submission to the Mayor:
- a statement of reserve policy;
 - details of all reserves and general balances;

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- an analysis and explanation of the expected movements between the start and end of each financial year;
 - medium term forecast;
 - in the case of earmarked reserves, an indication should be given as to when they are likely to be applied; and
 - proposed allowances for contingencies separately identified and justified.
- (b) In support of the detailed statement on the adequacy of reserves, the corporate and service financial risk assessment must be refreshed annually.

8. Budget Monitoring

- (a) The Director of Corporate Services must provide appropriate financial information to enable budgets to be monitored effectively.
- (b) Each Head of Service must actively manage the budget delegated to them and control income and expenditure within their area and to monitor performance, taking account of financial information provided by the Director of Corporate Services.
- (c) At least once a month the Director of Corporate Services will provide access to budgetary control information to Heads of Service and guidance on variances that require explanation. Heads of Service are required to provide an explanation of key variances within agreed timetables.
- (d) Heads of Service must continually monitor and control the budgets, in respect of income and expenditure, and forecast out-turn, throughout the financial year and:
- forecast outturn and report on all variances at thresholds set by the Director of Corporate Services to the Director of Corporate Services;
 - advise of any action to be taken to contain under or over spends; and
 - review outstanding orders and the forecast position on agency payments to the end of the year.
- (e) Heads of Service must advise the Director of Corporate Services of the financial impact of the long-term forecasts (Medium Term Financial Strategy) for income and expenditure for each of the activities being undertaken.
- (f) Following consultation with the relevant Heads of Service the Director of Corporate Services will present budget monitoring reports to the relevant Board regularly.

9. Virements (Transfers of Budget)

A virement is a transfer of a revenue budget that has not been committed. Virements between capital and revenue budgets are not permitted.

- (a) With the agreement of the Director of Corporate Services Directors may transfer up to £150,000 between budget heads within that department's approved budget.
- (b) With the agreement of the Director of Corporate Services, a Head of Service may transfer up to £50,000 from a budget head within that department's approved budget to a budget head within another department's approved budget, but if those budget heads are in different Directorates the agreement of the appropriate Director or the Commissioner is also required.
- (c) With the agreement of the Director of Corporate Services Directors may transfer up to £150,000 from a budget head within that department's approved budget to a budget head within another department's approved budget.
- (d) The Director of Corporate Services shall report all transfers under (b) and (c) to the Commissioner as part of the quarterly financial position reports.
- (e) A virement is also permissible to gross up income and expenditure budgets to reflect the in-year receipt of income.

10. Accounting Records

- (a) The Director of Corporate Services must maintain accurate accounting records to ensure that the Commissioner meets their obligation to manage public resources. To achieve this the Director of Corporate Services is required by the Accounts and Audit Regulations 2015 to:
 - Develop the accounting procedures and records for the Commissioner;
 - Arrange for the collation of all accounts and accounting records;
 - Make arrangements for the audit of the Commissioner's accounts and ensure all claims for funds including grants are made by the due date;
 - Prepare and publish the audited accounts of the Commissioner for each financial year and ensure the Commissioner approves the statement of accounts before 31 July; and
 - Retain all financial documents in accordance with statutory and the Commissioner's requirements.
- (b) The Director of Corporate Services is responsible for the preparation of the Commissioner's statement of accounts. The statement of accounts is required to ensure that the financial position correctly reflects the Commissioner's income and expenditure, correct accounting records are maintained, suitable accounting policies are selected and applied and systems of internal control are in place.

- (c) The Director of Corporate Services is responsible for the completion, in a timely manner, of all statutory accounting returns.

FINANCIAL CONTROLS AND INSURANCE

11. Financial Risk Management and Insurance

- (a) Heads of Service are required to immediately advise the Director of Corporate Services of:
- the acquisition or disposal of assets requiring insurance cover;
 - any incident or occurrence that may adversely affect the Commissioner's assets and likely to give rise to a claim on the Commissioner's insurers;
 - any incident or occurrence that might give rise to a claim against the Commissioner such notice or estimate is to also be given to the General Counsel.
 - any incident or occurrence that might give rise to a claim being made by the Commissioner on its insurance policies, for e.g. thefts, accidents; and
 - in cases of marine and motor accidents such notice or estimate is to also be given to the General Counsel.
- (b) The Director of Corporate Services is responsible for negotiating all claims with the Commissioner's insurers.
- (c) Heads of Service must consult with the Director of Corporate Services and the General Counsel in respect of any terms of any indemnity which the Commissioner is requested to give.
- (d) The Director of Corporate Services is responsible for ensuring that proper insurance exists where appropriate and the level of cover and risk is reported in the Statement of Accounts.

12. Internal controls

- (a) The Director of Corporate Services must identify, meet and monitor compliance with the Commissioner's statutory obligations and to ensure that the Commissioner's assets and interests are safeguarded.
- (b) When allocating tasks dealing with the control of the Commissioner's assets, officers must:
- separate the tasks of providing information about amounts due to or from the Commissioner and calculating, checking and recording these amounts from the task of collecting or paying them; and

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- ensure staff with the task of examining or checking the accounts of cash transactions must not themselves be involved in these transactions.
- (c) The Director of Corporate Services is responsible for:
- advising on effective systems of internal control which need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice; and
 - ensuring that the Commissioner's funds are properly safeguarded and used economically and efficiently.

13. Internal Audit

- (a) The Commissioner is required to make arrangements for the proper administration of their financial affairs and maintain an adequate and effective system of internal audit of their accounting records and control systems.
- (b) The Head of Internal Audit, who reports to the Director of Corporate Services, liaises closely with the Director of Corporate Services.
- (c) Heads of Service are required to provide the Head of Internal Audit:
- access at all reasonable times to enter any the Commissioner premises or land;
 - access to records, documents and correspondence relating to any transaction of the the Commissioner;
 - explanations as are necessary concerning any matter under examination; and
 - access to any asset or property under their control.
- (d) Heads of Service are required to ensure that any agreed actions arising from audit recommendations are carried out to agreed deadlines.
- (e) Heads of Service are required to inform the Director of Corporate Services, of any matter which involves irregularities or any suspected irregularity concerning cash, stores, property or any irregularity in the exercise of the functions of the Commissioner.
- (f) Where there are sufficient grounds to believe that a criminal act has been committed, the Director of Corporate Services will consult with the General Counsel and, as appropriate with the Commissioner or his/her nominated officer, before referring the matter to the police for investigation.
- (g) Any confirmed irregularities falling under the responsibilities of internal audit may result in the Commissioner taking disciplinary action against those responsible.

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- (h) Heads of Service are required to ensure that records and assets are properly maintained and securely held.
- (i) Heads of Service are responsible for contingency plans for the security of assets and the continuity of service in the event of disaster or system failure.
- (j) The Head of Internal Audit must provide an annual report to the Commissioner which:
 - Gives an opinion on the overall adequacy and effectiveness of the Commissioner's control environment, disclosing any qualification to that opinion, together with the reasons for the qualification;
 - Summarises the audit work from which the opinion is derived, including reliance placed on work by other assurance bodies;
 - Draws attention to any issues the Head of Internal Audit judges particularly relevant to the preparation of the Annual Governance Statement;
 - Compares the work undertaken against that planned and summarises audit performance; and
 - Comments on Internal Audit's compliance with the CIPFA Code of Practice for Internal Audit in Local Government in the UK.
- (j) The Head of Internal Audit will notify the Director of Corporate Services of any loss or financial irregularity and will use this information to inform the opinion on the internal control environment and the Internal Audit work programme.
- (k) Internal Audit leads on anti-fraud and corruption. It is responsible for:
 - Updating and maintaining the Commissioner's Anti-Fraud Policy;
 - Leading the Commissioner's work on fraud prevention;
 - Conducting investigations into potential fraud or abuse involving members, staff or contractors; and
 - Making recommendations to address any control weaknesses identified as a result of investigative work.
- (l) The Director of Corporate Services ensures that serious losses and irregularities are reported to the relevant Board.
- (m) The Director of Corporate Services agrees the draft audit plan with the Head of Internal Audit prior to approval by the Commissioner.
- (n) The Director of Corporate Services reports progress in implementation of internal audit recommendations to the Commissioner.

14. Fraud and Corruption Irregularities

- (a) In all matters, Heads of Service shall comply with the Commissioner's Counter Fraud And Corruption Policy, and Response Plan.

15. Stores

- (a) Heads of Service are responsible for the safe custody and control of stores held by their department and to ensure that the stocks held at any one time reflect consumption needs and do not exceed an appropriate level necessary to service the appropriate operations.
- (b) Heads of Service must undertake stock checks of all stores at least once each financial year in accordance with a programme approved by the Director of Corporate Services.
- (c) For every stocktaking, a list shall be prepared of the stock checked, indicating discrepancies with the stock records. Each list is to be accompanied by a certificate from the Head of Service that the stock shown in the list is held and whether the stock is in good condition and necessary and suitable for the requirements of the department.
- (d) A copy of the list is to be forwarded to the Director of Corporate Services. The Head of Service is to determine in conjunction with the Director of Corporate Services what action is to be taken to deal with any discrepancies.

16. Inventories

- (a) Inventories of the Commissioner's property must be prepared and kept up to date by Heads of Service in a form as advised by the Director of Corporate Services.
- (b) Inventories are to be checked with the physical asset regularly. Should deficiencies occur the Head of Service is to determine in conjunction with the Director of Corporate Services what action is to be taken.
- (c) The Commissioner's property is not to be removed otherwise than in accordance with the course of the Commissioner's business.

17. Disposal of Assets

- (a) Heads of Service are responsible for making arrangements for the disposal of surplus stores, equipment, furniture etc., subject to agreement by the Director of Corporate Services and in accordance with any policy laid down by the Commissioner.
- (b) Disposal of the Commissioner's land (including buildings) is to be in accordance with the relevant Code of Practice on the Disposal of Land as approved by the Commissioner.

18. Writing off

- (a) *Part 4 – Delegations* of this Scheme of Governance authorises writing off of losses by Heads of Service and the Director of Corporate Services up to specified limits. Any

Scheme of Governance – Financial Regulations

writing off is to be done in accordance with arrangements to be determined by the Director of Corporate Services.

19. External Audit

- (a) The Commissioner's accounts are scrutinised by external auditors, who must be satisfied that the statement of accounts presents a true and fair view of the financial position of the Commissioner and their income and expenditure for the year in question and complies with the legal requirements.
- (b) Heads of Service are required to:
 - Give the external auditors access at all reasonable times to premises, personnel, documents and assets which are considered necessary for the purposes of their work; and
 - Ensure that all records and systems are up to date and available for inspection.
- (c) The Director of Corporate Services has responsibility for identifying and leading implementation of recommendations from External Audit Reviews and to report progress in implementation to the relevant committee.

20. Treasury Management

- (a) Responsibility for the execution and administration of Treasury Management decisions are delegated to the Director of Corporate Services who will act in accordance with the Commissioner's Policy Statement on Treasury Management Activities and Treasury Management Practices and CIPFA's "Standard of Professional Practice on Treasury Management".
- (b) The Director of Corporate Services is authorised to make use of balances to fund internal borrowing when it is considered advantageous, provided the overall borrowing limit, determined by the Mayor for the Commissioner, is not exceeded.
- (c) In relation to The Prudential Code for Capital Finance in Local Authorities, the Commissioner delegates responsibility to the Director of Corporate Services, within the total limit for any individual year, to effect movement between the separately agreed limits for borrowing and other long term liabilities (both "authorised limits" and "operational boundary"), in accordance with option appraisal and best value for money for the Commissioner, and any such changes made are to be reported to the relevant committee at its next meeting following the change.
- (d) The Director of Corporate Services must secure appropriate banking arrangements and treasury management borrowing and investments subject to approved treasury management and annual investment strategies.
- (e) The Director of Corporate Services must produce annually a Treasury Management Strategy report setting out the requirements for the forthcoming year and the proposals to meet them, for approval by the Commissioner.

21. Staffing

- (a) The Director of Corporate Services must ensure that budget provision exists for all existing and new employees and to advise the Commissioner, Directors and Heads of Service on National Insurance and pension contributions, as appropriate.

FINANCIAL SYSTEMS AND PROCEDURES

22. Financial Systems and Procedures

- (a) Any material change or amendment to any financial systems or procedures by Heads of Service must be carried out in consultation with the Director of Corporate Services.
- (b) Heads of Service must ensure there is a documented and tested disaster recovery plan to allow information system processing to resume quickly in the event of an interruption.
- (c) The Director of Corporate Services must authorise the financial systems and procedures for the receipt and payment of all Commissioner monies and determines the procedures and work practices to ensure there is adequate internal control and internal checks.
- (d) The Director of Corporate Services is responsible for the day to day operation and control of the systems and procedures required to:
- order goods and Service;
 - pay salaries, wages and pensions;
 - pay creditors, allowances and expenses;
 - collect and bank all income due to the Commissioner;
 - provide, safeguard and subsequently dispose of all Commissioner assets (both tangible and intangible) within the limits set out in the Scheme of Delegation;
 - account for taxes and make necessary payments to the appropriate authorities; and
 - be responsible for meeting statutory requirements in relation to keeping records of all financial transactions, such as to enable financial control and audit of the accounts.
- (e) The Director of Corporate Services must arrange for the proper administration of the Commissioner's financial affairs to:

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- issue advice, guidance and procedures for officers and others acting on behalf of the Commissioner;
- determine the accounting systems, form of accounts and supporting financial records;
- establish arrangements for the audit of the Commissioner's financial affairs;
- approve any new financial systems to be introduced; and
- approve any changes to be made to existing financial systems.

23. Income

- (a) Heads of Service must arrange for prompt collection, control and deposit of money due to the Commissioner and notify the Director of Corporate Services of all cash collected and income due to the Commissioner:
 - all monies received on behalf of the Commissioner is to be banked without delay in the Commissioner's name; and
 - all documentation relating to income receivable by the Commissioner must be in the name of the Commissioner, including agreements for the provision of Service, invoices and receipts.
- (b) At regular intervals agreed with the Director of Corporate Services, Heads of Service must review income received and likely to be received and bring any likely shortfall in income over departmental budgets to the attention of the Director of Corporate Services, together with any likely significant increase in income.
- (c) The Director of Corporate Services must as part of the annual budget cycle review all rents, fees and charges for services provided.
- (d) All agreements for the provision of services to other organisations must be on the basis of cost recovery.

24. Procedures for Payments and Authorisation of Accounts

- (a) The Director of Corporate Services is responsible for paying all properly authorised accounts submitted for payment.
- (b) Before approving a VAT invoice, those doing so must confirm that:
 - the works, goods or services to which the invoice relates have been received, carried out, examined and approved
 - the prices, extensions, calculations, trade discounts, other allowances, credits and tax rates are correct

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- the relevant expenditure has been properly incurred and is within the estimate
 - stock records (where appropriate) have been updated
 - the invoice has not previously been approved for payment and is a correct liability
 - the invoice meets HM Revenue and Customs definition of a valid VAT invoice for the purpose of reclaiming VAT.
- (c) Payments must be made in compliance with the statutory requirements regarding prompt payment.
- (d) The Commissioner and Directors may request, in writing, for the Director of Corporate Services to make payment where prices have increased beyond the control of the contractor/supplier. The Director of Corporate Services may make payment provided he/she is satisfied the increases are reasonable, and are in accordance with a decision of the Commissioner and are within overall budget provision (provided by virement if necessary).
- (e) Heads of Service must as soon as possible after 31st March in each year notify the Director of Corporate Services of all outstanding expenditure relating to the previous financial year, as set out in the closing of accounts timetable.

25. Salaries and pensions

- (a) The Director of Corporate Services is responsible for making payments of salaries, wages and pension benefits.
- (b) Any extraordinary payroll payments and payments outside of agreements of general application must be specifically approved by the Director of Corporate Services after consultation with the General Counsel.
- (c) The Director of Corporate Services is responsible for ensuring that the payment of salaries and allowances reflects:
- appointments, resignations, dismissals, suspensions, secondments and transfers;
 - changes in remuneration.

26. Credit Cards

- (a) Credit cards must only be used in relation to the Commissioner's business, and only when this means of purchasing is appropriate.

27. Banking Arrangements

- (a) The Director of Corporate Services will advise the Commissioner on all banking and related arrangements. The Director of Corporate Services will open, operate and close bank accounts on behalf of the Commissioner.
- (b) The Director of Corporate Services will arrange that all bank accounts which contain monies that form part of the Commissioner's funds bear an official title that includes the name of the Commissioner.
- (c) The Director of Corporate Services will determine the arrangements for authorising and making payments from the Commissioner's bank accounts.

28. Taxation

- (a) The Director of Corporate Services is responsible for the Commissioner's compliance with taxation legislation, including making tax payments, receiving tax credits, maintaining tax records and completing and submitting all statutory returns by due dates.
- (b) The Director of Corporate Services is responsible for issuing guidance on taxation issues that affect the Commissioner.

29. External Funding

- (a) Draft grant funding bids must be submitted to the Director of Corporate Services for review and full account taken of the conditions of grant, before it is approved.
- (b) The Director of Corporate Services must be consulted on the Value Added Tax implications of grant funding and raise invoices for the amounts due to the Commissioner.

PART 7 – DEFINITIONS

In this Scheme of Governance, the following terms have the following meanings:

Bluelight is an online a procurement database for contract and procurement information for buyers within the emergency Service in the UK.

Brigade is the London Fire Brigade

Budget provision is the amount identified in the Commissioner's budget for a particular purpose.

Commissioner is the London Fire Commissioner created by under Part 6A S.327A(1) of the Greater London Authority Act 1999 by virtue of an amendment under S.9 of Schedule 2 of the Policing and Crime Act 2017

Commissioner's Decisions are non-operational decisions taken by

- the Commissioner or
- a statutory deputy appointed by the Commissioner under Section 112 of the Local Government Act 1972 and Schedule 27A of the Greater London Authority Act 1999 as fire and rescue authority.

Constructionline is a Government run scheme of health and safety assessed and approved suppliers which is accessible by both the public and private sectors.

Contract is any agreement for the for the supply of works, goods or services to the Commissioner, including Framework Agreements, call off contracts made under a Framework Agreement and Land Transactions, but does not include employment contracts.

Contractor means the other party or potential other party to a Contract.

Contracts Finder is an online portal provided for the purposes of the UK Regulations by or on behalf of the Cabinet Office.

Delegated Decisions are decisions delegated by the Commissioner to Directors and Heads of Service.

Directors are the Commissioner's:

- Deputy Commissioner (Operations)
- Deputy Commissioner (Safety and Assurance) and
- Director of Corporate Services.

E-Tendering System is an online system, accessible by all Contractors, which the Commissioner uses to process all Tenders and Contracts, and includes Bluelight.

EU Public Procurement Directives means European Union Directive 2014/24/EU and European Council Directive 89/665/EEC, any Directives and Regulations by which it is applied, extended, amended, consolidated or replaced and any re-enactment thereof.

Scheme of Governance – Definitions

EU Procurement Regime means European Union case law, treaties, directives and regulations, including the Public Contracts Regulations 2015, all as amended or replaced from time to time.

EU Thresholds means the thresholds for public advertisement of works, goods and services contracts as provided for in the EU Public Procurement Directives and advised by the Government.

EC Treaty means the Treaty establishing the European Community of 25 March 1957 as amended and superseded by subsequent treaties.

Evaluation Criteria are the criteria which are used to determine the most economically advantageous tender.

Evaluation Report a report on the evaluation of Tenders prepared under PSO 16.

Financial Authority in the context of these PSOs is the authority to approve expenditure in relation to the Procurement of Contracts, and is automatically granted to the extent that a Contract is within the Budget Provision.

Framework Agreement means an agreement between one or more contracting authorities (bodies governed by public law) and one or more Contractors which establishes the terms governing call off contracts to be awarded during a given period, with regard to price and, where appropriate, the quantity envisaged.

Heads of Service are the Assistant Commissioners and Assistant Directors appointed to manage the following departments:

- Fire Safety
- Fire Stations
- Mobilising and Control
- Health and Safety
- Operational Policy
- Operational Resilience
- Training and Personal Development
- Communications
- Finance
- People Services
- Strategy and Risk
- Technical and Commercial Services

and the Chief Information Officer and the General Counsel and in the Procurement Standing Orders, unless the context indicates otherwise, are individually the Head of Service for whose purposes the contract is to be entered into.

The Mayor is the Mayor of London

OJEU means the Official Journal of the European Union.

Scheme of Governance – Definitions

Procurement is the process of obtaining works, goods or services, usually through a competitive tendering process.

Procurement Authority has the meaning given to it in PSO 3.

Procurement Request is the Commissioner's internal online form required to be completed to begin a new procurement.

Specification is the description of the works, goods or services to meet the Commissioner's requirements.

Standing Orders are the Standing Orders of the Commissioner, including the PSOs.

Tender is an offer to provide the Commissioner with works, goods or services at a price quoted in, or determined under, the tender documentation.

Works, Supplies and Service are as defined in the EU Public Procurement Directives.