



JOB DESCRIPTION

JOB TITLE: Clerk & Monitoring Officer	ACCOUNTABLE TO: Fire Authority
POST NO: 1005	GRADE: Statutory Officer £106,828 per annum pro rata for part-time = £64,096 (as at June 2025)

1. JOB PURPOSE

- 1.1 The Clerk to the Fire Authority is the designated Monitoring Officer for the organisation with responsibility for overseeing and reporting upon the lawfulness of decision making.
- 1.2 The Clerk is responsible for advising upon and overseeing governance arrangements for the Fire Authority. The Clerk plays a key role in matters of conduct and probity, including “whistleblowing” under the Whistleblowing Policy and Complaints under the Members’ Code of Conduct. The Clerk is also responsible for updating the Fire Authority Constitution, relevant policies and documents and for interpreting and advising upon legislative changes to ensure the Authority and Service complies with its statutory responsibilities.
- 1.3 As Legal Advisor to the Authority and to the Service the post-holder is responsible for providing or for arranging for the provision of an independent, timely and reliable legal service which includes guidance on corporate governance, public service policy and procedural matters relating to the Authority and the Service. This is in addition to a specialised legal service and advice in relation to employment and workforce, commercial contracts and procurement, property, health and safety, data protection and freedom of information and other relevant areas of law.
- 1.4 The Clerk is also the designated Data Protection Officer for the Fire Authority with overall responsibility for the Data Protection Strategy and ensuring compliance with data protection law.
- 1.5 This is a politically restricted post in accordance with the Local Government and Housing Act 1989 and the Local Government Officers (Political Restrictions) Regulations 1990. This means that, unless exemption is obtained, you are restricted from certain political activities. See our policy hub [Politically Restricted Posts \(sharepoint.com\)](https://sharepoint.com) for details.

2. BACKGROUND

- 2.1 Avon Fire & Rescue Service covers the Unitary Authority areas of Bristol, Bath & North East Somerset, North Somerset and South Gloucestershire, with fire stations and office locations in each area. It is a Combined Fire Authority, consisting of Members drawn from the above four authorities. The Headquarters is based in Portishead, with Area Offices in Bristol, Bath, Weston-Super-Mare, Yate and Lansdown. In total, there are twenty-one fire stations. We employ 850 people; including approximately 500 Wholetime firefighters, 170 On-call firefighters, 37 Control staff and 140 Corporate Staff (establishment data as at September 2019).

Our vision

To provide the highest standard and best value service to the community.

Be the best fire and rescue service we can be, working hard to ensure our communities are at the centre of what we do. We are committed to keeping people safe, improving quality of life and making our area a better place to live, work and visit.

Our mission

To improve public safety through prevention, protection, response and resilience

Making our communities safer and meeting the needs of the people we service by identifying, understanding and tackling the risks that exist within our area. We will be accessible and provide a high standard of service 24 hours a day, 365 days a year.

Our values

Respectful, honest, courageous, ambitious, inclusive and transparent

Guided by these standards of behaviour we will support our staff to embrace challenges, recognise achievements and live our values to make our communities safer and Service stronger.

3. PRINCIPAL ACCOUNTABILITIES

- 3.1 Advise the Fire Authority on governance and legal matters, ensuring policies, organisation, constitution and procedures are appropriate. Draft standing orders, advise upon and interpret impending legislation and consultation papers to enable the Authority to comply with its statutory responsibilities.
- 3.2 Advise the Authority on duties, powers and procedures giving independent, timely and reliable information on matters which are not the responsibility of the Chief Fire Officer/Chief Executive, Statutory Financial Officer and Assistant Chief Fire Officers/ Directors.
- 3.3 Liaise with the Chief Fire Officer/Chief Executive, Statutory Financial Officer and Assistant Chief Fire Officers/ Directors to ensure they are kept up to date with matters relating to governance, public service policy and operation of the Service and that any areas of concern are reported.
- 3.4 Ensure that meetings of the Fire Authority and its committees are properly organised and convened, and that there are accurate records of the proceedings and decisions made. Ensure appropriate agreed broadcasting arrangements are in place for public meetings to improve accessibility and transparency.
- 3.5 Prepare for and attend meetings as the Legal Advisor/Clerk & Monitoring Officer to provide advice, undertake matters, oversee procedures and take follow up action as required by the

Authority and Chief Fire Officer/Chief Executive including involvement in corporate work programmes.

- 3.6 Exercise the duties of Monitoring Officer to the Fire Authority for the purposes of Section 5 of the Local Government and Housing Act 1989.
- 3.7 Advise Members on the Members' Code of Conduct and maintain the register of Member interests and gifts/hospitality. Provide training to Elected Members in relation to the Code of Conduct.
- 3.8 Advise Members and Officers on vires issues, maladministration, impropriety and probity issues. Conduct or assign the conduct of investigations into alleged Member misconduct.
- 3.9 Ensure executive decisions, rationale for decisions and relevant reports and background papers are made publicly available in accordance with local government legislation.
- 3.10 Provide independent, timely and reliable legal guidance on matters relating to corporate and governance, fire safety prosecutions, employment and workforce, commercial, contracts and procurement, property and estates, health and safety, defending on-duty road traffic violations and respond (i.e. defend/settle) claims/legal proceedings against the Service, and other areas such as data protection and freedom of information.
- 3.11 Receive reports and take appropriate action under the Whistleblowing Policy.
- 3.12 Advise on formation of contracts and post contracts issues as directed by the Chief Fire Officer/Chief Executive liaising with other appropriate Senior Officers.
- 3.13 Advise and deal with the conveyance of freehold and leasehold land as directed by the Authority and the Chief Fire Officer/Chief Executive.
- 3.14 Maintain and update the Clerk's page of the Service Intranet site and the separate Avon Fire Authority website.
- 3.15 Respond to all communications from Elected Members in a timely manner and provide Members with the support and advice they need.
- 3.16 Ensure relevant matters are tabled and considered by the appropriate Committee of the Fire Authority. Sign contracts on behalf of the Authority and ensure the sealing of documents as determined by procurement rules and legislation.
- 3.17 Act as the legal representative for the Authority on national, regional and local bodies as appropriate and as agreed with the Chief Fire Officer/Chief Executive.
- 3.18 Be appointed as trustee of the Fleur Lombard Bursary Fund with responsibility for administration of the Charity and ensuring compliance with the Trust Deed and charity law. Convene the Annual General Meeting and check papers for consideration at the AGM and complete the Annual Return to the Charity Commission. Act as the point of contact for all enquiries and applications for bursaries to be considered by Trustees.
- 3.19 In conjunction with the Chief Fire Officer/Chief Executive, deal with letters from MPs etc and complaints addressed to the Authority, and with media enquiries and community consultation in so far as they relate to Fire Authority business (i.e. excluding Avon Fire & Rescue operational matters).
- 3.20 Organise and deliver an Induction event for new Members of the Fire Authority, and regular

training for Members of the Authority and ensure they are well supported in carrying out their roles.

- 3.21 In conjunction with the Statutory Finance Officer, ensure propriety in the conduct of the Authority's business, including ensuring compliance with the Financial Regulations and Contract Procedure Rules and the custody of deeds.
- 3.22 Ensure compliance with the General Data Protection Regulations providing advice and training as appropriate. The Clerk is the designated Data Protection Officer for the Authority with overall responsibility for ensuring appropriate strategy, policies, procedures, processes and training are in place.
- 3.23 Be responsible for the production, maintenance, approval and monitoring of key corporate constitution and legal documents in association with the Authority, Chief Fire Officer/Chief Executive, Statutory Financial Officer and Assistant Chief Fire Officers/ Directors.
- 3.24 Work with the Director for Corporate Services in the production of the annual review of corporate governance and the Authority's Statement of Assurance

General

Maintain an awareness of Health and Safety Regulations in relation to duties and tasks being undertaken and report any situations or incidents which could be considered hazardous.

Carry out such other duties as may reasonably be required in relation to a post of this nature. This Job Description contains only the main accountabilities relating to the post.

4. SUPERVISION

- 4.1 You will receive general direction from the Chair of the Fire Authority and Chief Fire Officer/Chief Executive. The role requires a high degree of independence and commitment to ensure that both Avon Fire & Rescue Service and the Fire Authority comply with their statutory responsibilities, and, to this end, you are directly accountable to the Fire Authority.

5. QUALIFICATIONS & EXPERIENCE

- 5.1 You should be able to demonstrate a wide breadth of legal experience to be able to provide effective legal advice on miscellaneous legal matters. You should also have significant experience of working within the public sector within a similar role and you must be able to demonstrate the development of previous effective working relationships with Elected Members or equivalent. In addition, you must be able to communicate effectively and operate independently and with integrity when performing the statutory role of Monitoring Officer. You must possess a detailed understanding of data protection legislation to undertake the role of Data Protection Officer.
- 5.2 Whilst not essential, possession of a relevant professional qualification such as a Master of Business Administration (MBA), Executive Leadership qualification or Public Service Leadership certificate would be an advantage.

6. JOB CONTEXT

- 6.1 The Avon Fire Service (Combination Scheme) Order 1995 came into effect on 05 December 1995 and made provision that the district councils of Bath & North East Somerset, Bristol, North Somerset and South Gloucestershire be united to become the combined area for the provision of the Fire & Rescue Service. The Authority is responsible for administering its own affairs as well as service delivery to the public.

- 6.2 The primary role is Clerk/Monitoring Officer, to both the Fire Authority and Avon Fire & Rescue Service. The role involves a broad range of responsibilities.

7. SCOPE FOR IMPACT

- 7.1 In addition, under the provisions of section 5 of the Local Government and Housing Act 1989, it is the duty of every relevant authority to designate one of their officers as the Monitoring Officer. It is the responsibility of that officer to ensure compliance by the authority, any of its committees or officers with any enactment, rule of law or code of practice, and to identify any maladministration or injustice. This area of work is completely self-generated and because of its nature, outside any control from the Fire Authority and the Chief Fire Officer/Chief Executive.

8. CONTACTS

Regular in-person contact with the Chief Fire Officer/Chief Executive, Service Leadership Board, Chair and elected Members of the Fire Authority. The role will also involve contact with officers and elected Members of the four Unitary Authorities which constitute the Combined Fire Authority. The role also interacts with relevant Government departments and with colleagues in other Fire Authorities. It is essential to build good working relationships with all stakeholders.

9. NOTES/WORKING ARRANGEMENTS

- 9.1 The duties of this post are to be fulfilled on a part time basis, working an average of 3 days a week, or 156 days a year (excluding annual leave). Whilst there is an element of flexibility the postholder will be expected to arrange their working days to attend in-person every Service Leadership Board meeting, every Fire Authority meeting, agenda meetings, briefings to Members and all Committee Meetings.

Human Resources	<i>To be signed by postholder:</i>
Date approved: 21 May 2025	Received:
Date effective: 1 June 2025	Date: