

KENT AND MEDWAY FIRE AND RESCUE AUTHORITY
7 July 2025

ANNUAL REPORT OF THE MONITORING OFFICER 2024/25

1 Purpose of report

- 1.1 To provide an update to Kent and Medway Fire and Rescue Authority ("The Authority") on relevant legal and ethical matters affecting the Authority.
- 1.2 The Service Level Agreement dated 4 June 2024 between the Authority and Swale Borough Council requires the Monitoring Officer to provide an annual report which sets out the current governance arrangements along with an update on activities undertaken pursuant to that Agreement. This provides Members, the Authority and the community with valuable information to promote confidence in the high ethical standards of the Authority.

2 Recommendation

- 2.1 That Members note the content of the Monitoring Officer's Annual Report for 2024/25.

3 Legal and Governance Arrangements

- 3.1 The Authority is an established statutory body governed by the Kent Fire Services (Combination Scheme) Order 1997.
- 3.2 It is a statutory requirement for the Authority to appoint a Monitoring Officer to carry out the responsibilities set out under the Local Government and Housing Act 1989. The Monitoring Officer has a specific duty to ensure that the Authority, its Officers and elected Members maintain the highest standards of conduct.
- 3.3 Monitoring Officer services to the Authority were provided by Bhupinder Gill until 31 March 2024.
- 3.4 In preparation for Bhupinder Gill's departure, the Authority entered into discussions with Swale Borough Council regarding the provision of a Monitoring Officer service. These discussions commenced in January 2024, and, prior to the Service Level Agreement being completed, Authority meetings and meetings with Authority Officers were attended by Claudette Valmond and Helen Ward on behalf of Swale Borough Council. At the Annual Meeting of the Authority on 5 July 2024, Members approved the Service Level Agreement which set out the terms and conditions on which the Monitoring Officer services are to be provided. Claudette Valmond was appointed as Monitoring Officer who, in turn, appointed Helen Ward as Deputy Monitoring Officer.
- 3.5 This is the first annual report provided by the Monitoring Officer since formally being appointed on 5 July 2024.
- 3.6 Following appointment, the Monitoring Officer undertook a comprehensive review of the Authority's Code of Conduct for Members and the Authority's Standing Orders. This process resulted in updated governance arrangements which ensure that the Authority's constitutional documents and processes are suitable, transparent and up to date. Amended versions of these documents were approved by the Authority at its meeting on 18 February 2025.

3.7 The Authority has an Independent Person, Jennifer Waterman, who was appointed for a period of four years at a meeting of the Authority on 5 July 2024.

4 Statutory Monitoring Officer Reports

4.1 There were no occasions where the Monitoring Officer had reason to believe that there was a likelihood that the Authority was about to take a decision that would be unlawful or give rise to maladministration. Consequently, no reports have been issued to the Authority under s.5(2) of the Local Government and Housing Act 1989.

5 Code of Conduct Complaints

5.1 There were no complaints made in the year 2024/35. As part of the review referred to at paragraph 3.6 above, it was noted that whilst the Authority has a Code of Conduct for Members, it does not have a process to assess and investigate Code of Conduct complaints. The Authority prides itself on its record of not having had any code of conduct complaints which is exemplary, but the Monitoring Officer has advised that such a process should be put in place. It is intended that the process will be closely aligned to the Kent County Council Code of Conduct process once this has itself finalised. Once the Authority's Code of Conduct process has been finalised, it will be presented to Members for approval.

6 Standards Committees

6.1 The Authority has established an Audit and Governance Committee, a Hearings Panel and a Senior Officer Appointments, Conditions and Conduct Committee. Arrangements for each of these bodies are established by the Authority's constitutional documents.

6.2 The Audit and Governance Committee meet regularly three times a year. All meetings were constituted and took place in the year 2024/25.

6.3 The Hearings Panel sits as and when required. There was one occasion in the year 2024/25 when a disciplinary matter was considered. Prior to the Hearings Panel sitting, an investigation was undertaken by an independent external expert and the Monitoring Officer has advised by the interim Head of HR for the Authority that the matter has been concluded with no further action to be taken.

6.4 The Senior Officer Appointments, Conditions and Conduct Committee sits as and when required. There were two occasions since 5 July 2024 when this Committee was required to sit, regarding recruitment of the Authority's Director of Finance.

7 Compliance with the Service Level Agreement

7.1 The Monitoring Officer has complied with all responsibilities as set out at 2.1 of the Service Level Agreement. This includes attendance at meetings, including a dedicated review meeting, with the Chief Executive and Clerk to the Authority, in accordance with the Service Level Agreement.

7.2 The Monitoring Officer or Deputy Monitoring Officer has attended additional meetings of the Authority and the Audit and Governance Committee, above the minimum specified in the Service Level Agreement.

7.3 All correspondence and requests for information and advice has been provided in a timely manner. Additionally, the Monitoring Officer or Deputy Monitoring Officer continues to review reports that are to be presented to the Authority and the Audit and Governance Committee and provide feedback where relevant.

8 Register of Members' disclosable pecuniary interests

- 8.1 Members are required to disclose their disclosable pecuniary interests as required by statute and the Authority's Code of Conduct.

9 Register of Officers' Interests

- 9.1 Authority Officers ensure that officers are aware of their obligations in respect of the Register of Officers' Interests and undertake annual checks on interests.

10 Risk management

- 10.1 The Authority has appropriate systems and procedures in place to manage risk and regular detailed reports on risk from the Authority's officers and external auditors are presented to the Audit and Governance Committee, demonstrating that the Authority has established procedures to ensure legal and ethical standards are met by the Authority.