

**TO:** Cambridgeshire and Peterborough Fire Authority

**FROM:** Monitoring Officer – Ms Shahin Ismail

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## **ANNUAL REVIEW OF FIRE AUTHORITY CONSTITUTIONAL DOCUMENTS**

### **1. Purpose**

- 1.1 The national landscape for the governance of fire and rescue services is changing and developing and in this national context, it is important to keep the Fire Authority's own governance documents updated.
- 1.2 The Fire Authority's constitutional documents comprise of the following key documents;
  - 1.2.1 Terms of Reference
  - 1.2.2 Scheme of Delegation
  - 1.2.3 Standing Orders as to Meetings
  - 1.2.4 Members Code of Conduct
  - 1.2.5 Members' Allowances Scheme
  - 1.2.6 Member/Officer Protocol
  - 1.2.7 Code of Corporate Governance
- 1.3 The key documents are subject to an annual review cycle as approved at the Fire Authority meeting on 15 June 2023 (Minute 80 refers). Due to changes in strategic level post holders this year's review was postponed by six months.
- 1.4 This report brings forward proposed changes to five of the key documents and explains why the remaining two do not require any change at this time.

### **2. Recommendations**

- 2.1 The Fire Authority is asked to;
  - 2.1.1 provide views and comments on Appendices 1 to 6, namely the proposed changes to the Terms of Reference, Scheme of Delegation, Standing Orders as to Meetings, Member/Officer Protocol and Code of Corporate Governance.
  - 2.1.2 approve the changes identified by this annual review as highlighted at Appendices 1, 2, 4, 5 and 6 respectively.

- 2.1.3 note the reasons for not making any change to the Members Code of Conduct and Members Allowances Scheme at this time.

### **3. Risk Assessment**

- 3.1 **Political** - the proposed changes to the documents bring them up to date and complete a review process in the interests of transparency and clarity.

### **4. Background**

- 4.1 Since 2016, the Home Office has put into place a programme of reform within the fire and rescue sector. The aim of the reforms has been to support continuous improvement and to foster greater collaboration and coherence with policing services.
- 4.2 Previous changes to our constitutional documents reflect some of the reforms for example, greater operational independence given to the Chief Fire Officer/Chief Executive Officer and enhanced clarity and transparency in respect of the roles and responsibilities of the Authority, its Committees and its Officers.

### **5. Proposed Changes**

#### **Terms of Reference**

- 5.1 At Appendix 1 to this report is the current Terms of Reference. The review of this document did not identify any significant changes were required however role titles were updated throughout and *Integrated* was changed to *Community* for the Risk Management Plan. The reference to Accounts and Audit Regulations was also updated to reflect the current version at Paragraph 2.3.5.

#### **Scheme of Delegation**

- 5.2 At Appendix 2 to this report is the current Scheme of Delegation. Due to the changes of post holders at strategic level this document has required the most revision, as highlighted below;
  - 5.2.1 changes to role titles and document references throughout and specifically in relation to the Deputy Chief Fire (not Executive) Officer and the change from Treasurer to Section 151/Chief Financial Officer to reflect CIPFA guidance and wider sector use of terminology.
  - 5.2.2 the 'splitting out' of the Section 151/Chief Financial Officer role from that of the Deputy Chief Fire Officer necessitated by the former post holder's appointment as Chief Fire Officer (Paragraphs 4.3.2 to 4.3.8 and 4.3.12 to 4.3.26). The temporary appointment of the Assistant Director Finance to the role of Section 151 Officer was made by urgency decision on 10 July 2024.
  - 5.2.3 the transfer of delegations to comply with aspects of Acts, Orders and Regulations from the Deputy Chief Fire Officer to the Monitoring Officer (Paragraph 4.3.29)

- 5.2.4 the transfer of delegations at Paragraphs 4.3.31 and 4.3.32 to the Assistant Chief Fire Officer.
- 5.2.5 removal in its entirety of Paragraph 6 relating to budget holders as these activities, overseen by the Section 151/Chief Financial Officer, are considered 'business as usual' activities and are provided for under local schemes of financial control and budget delegation.
- 5.2.6 the internal auditor, RSM, suggested the addition of *risk management* at Paragraph 8.1.8 and this has been added.
- 5.2.7 the financial limits of delegated powers at Paragraph 9 have been updated to reflect operational needs (see also Paragraph 3.4.18) and current thresholds.

5.3 Due to the number of changes made to the current Scheme of Delegation a 'clean' copy of the Scheme has also been attached at Appendix 3. This provides a view of what the Scheme will look like subject to approval of the changes today.

### **Standing Orders as to Meetings**

- 5.4 At Appendix 4 to this report is the current Standing Orders as to Meetings. The review of this document requires the following changes;
- 5.4.1 removal of Joint Consultative Committee from Paragraphs 3.1 and 4.4 as it was dissolved by the Authority at its meeting on 3 November 2022 (Minute 57 refers).
  - 5.4.2 addition of wording (Paragraph 3.4) to enable political groups to change their appointments to Committees in between Fire Authority meetings.
  - 5.4.3 updated Paragraph 8.1 to reflect current process for recording Member attendance at meetings.
  - 5.4.4 updated Paragraph 10.1 to reflect fact that three not two substitutes are nominated.
  - 5.4.5 updated Paragraphs 13.1 and 26.2 to reflect current role titles.
  - 5.4.6 updated name of social media channel at Paragraph 16.1.

### **Members Code of Conduct**

5.5 This document was updated in 2022 in line with the LGA Model Code for Conduct and is unlikely to be reviewed until such time as the LGA considers any changes are required. A review of gifts and hospitality thresholds is underway and if this requires a change to the Code of Conduct, it will come to a future meeting.

### **Members Allowances Scheme**

5.6 The Scheme was subject of an Independent Remuneration Panel in June 2023 and was updated in accordance with its recommendations in June 2024. The Scheme will be reviewed again in 2026/27 as the recommendations subsist for 4 years.

## Member/Officer Protocol

5.7 At Appendix 5 to this report is the current Member/Officer Protocol. The review of this document did not identify any significant changes were required however role titles were updated throughout, and one reference to another code of conduct (Paragraph 3.1.6) was also updated. This document also references gifts and hospitality (Paragraph 5.1.6) and will be updated following the review mentioned in Paragraph 5.5.

## Code of Corporate Governance

5.8 At Appendix 6 to this report is the current Code of Corporate Governance. The review of this document did not identify any significant changes however wording to strengthen the commitment to people and culture has been added to Paragraphs 3.1.4 and 4.1.2 respectively as recommended by the then Head of People.

## 6. Conclusion

6.1 The changes highlighted at Paragraph 5 above and within the attached appendices are recommended to ensure the Fire Authority's governance framework reflects the nationally driven modernisation agenda whilst remaining current and transparent through a robust review cycle.

## BIBLIOGRAPHY

Source Documents	Location	Contact Officer
Fire Authority Constitutional Documents and various Minutes of Fire Authority Meetings	Hinchingbrooke Cottage Brampton Road Huntingdon	Shahin Ismail Monitoring Officer 01480 444500 shahin.ismail@cambsfire.gov.uk
CIPFA - The Role of the Chief Financial Officer in Public Service Organisations	<a href="https://www.cipfa.org/members/the-role-of-the-chief-financial-officer">https://www.cipfa.org/members/the-role-of-the-chief-financial-officer</a>	