

To: Cambridgeshire and Peterborough Fire Authority

From: Monitoring Officer – Ms Shahin Ismail

Presenting Officer(s): Monitoring Officer – Ms Shahin Ismail
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Proposed changes to 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 of Committees
 - 1.2.2 Statement of Delegated Responsibilities
 - 1.2.3 Standing Orders as to Meetings
 - 1.2.4 Code of Corporate Governance
 - 1.2.5 Members Code of Conduct
 - 1.2.6 Member-Officer Protocol
 - 1.2.7 Members' Allowances Scheme.
- 1.3 This report brings forward proposed changes to the first three documents above, and the remaining four documents will be brought to the Fire Authority at its next meeting on 10 February 2022.
- 1.4 In addition, following feedback from Members at the informal briefing session on 20 October 2021, a new document setting out an overview of the Fire Authority and its functions has been added. The documents attached to this report are;
 - 1.4.1 Appendix 1 Overview of Cambridgeshire and Peterborough Fire Authority,
 - 1.4.2 Appendix 2 Current Terms of Reference of Committees,
 - 1.4.3 Appendix 3 Terms of Reference,
 - 1.4.4 Appendix 4 Current Statement of Delegated Responsibilities,
 - 1.4.5 Appendix 5 Scheme of Delegation,
 - 1.4.6 Appendix 6 Current Standing Orders as to Meetings,

1.4.7 Appendix 7 Standing Orders as to Meetings.

2. Recommendations

2.1 The Fire Authority is asked to:

2.1.1 consider and approve the document entitled Overview of Cambridgeshire and Peterborough Fire Authority at Appendix 1, to become part of the Fire Authority's Constitutional documents,

2.1.2 provide views and comments on Appendices 3 and 5, namely the proposed changes to the Terms of Reference and Scheme of Delegation,

2.1.3 authorise the Chief Fire Officer to consult with the representative bodies on Appendices 3 and 5 and to report the consultation findings to the next meeting of the Authority,

2.1.4 receive a further report from the Monitoring Officer at its next meeting on 10 February 2022 to include any proposed changes to Appendices 3 and 5 following the above mentioned consultation,

2.1.5 approve changes to Appendix 6, namely Standing Orders as to Meetings,

2.1.6 approve the wording changes to the Members' Allowances Scheme,

2.1.7 receive a report on 10 February 2022 from the Monitoring Officer on the remaining Constitutional documents, namely the Code of Corporate Governance, the Members Code of Conduct, the Member-Officer Protocol and the Members' Allowances Scheme.

3. Risk Assessment

3.1 Political - the proposed changes to Standing Orders clarify the duration of appointments and the voting on committees and full Fire Authority meetings, in the interests of transparency and clarity.

3.2 Legislative – the proposed changes align with police reforms in the Policing and Crime Act 2017 and are compliant with the requirements of the Local Government Act 1972.

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 The changes proposed in the attached documents reflect some of the reforms, with greater operational independence given to the Chief Fire Officer, and greater clarity and transparency in respect of the roles and responsibilities of the Authority, its Committees and its Officers.
- 4.3 An informal all Member briefing session was held on 20 October 2021 and for those members who could not attend, the Chair invited individual consultations. In addition, Members will be able to ask questions at the Members seminar to be held on 4 November 2021.

5. Proposed Changes

Overview of the Fire Authority

- 5.1 At Appendix 1 to this report, is a new document entitled 'Overview of Cambridgeshire and Peterborough Fire Authority' and is designed to give a very brief introduction to the work of the Authority, its Members and senior Officers. Much of this information exists on the Service website in an easily updatable format.

Terms of Reference of Committees

- 5.2 At Appendix 2 are the current Terms of Reference of Committees and at Appendix 3 the proposed changes.
- 5.3 The main changes proposed are:
- 5.3.1 the appointments of Deputy Chief Executive Officer and Assistant Chief Fire Officer are delegated to the Chief Fire Officer, for ratification by the Fire Authority,
 - 5.3.2 removal of the Fire Authority role in hearing appeals against dismissal of staff,
 - 5.3.3 quorums for each committee are set out,
 - 5.3.4 the name change from Discipline Committee to Disciplinary and Grievance Committee, together with clarification of their remits and requirement for training,
 - 5.3.5 Policy Steering Group is removed, as it has not met for a number of years – the seminars that take place regularly fulfil the function envisaged by the Policy Steering Group.

Statement of Delegated Responsibilities

- 5.4 At Appendix 4 are the current delegations and at Appendix 5 the proposed changes.

- 5.5 The main changes proposed are:
- 5.5.1 change of title to 'Scheme of Delegation',
 - 5.5.2 formalisation of Chair's urgency powers, which are only to be exercised exceptionally,
 - 5.5.3 addition of introductory paragraphs as to roles of each Officer,
 - 5.5.4 Chief Fire Officer to have new delegation to appoint Deputy Chief Executive Officer and Assistant Chief Fire Officer subject to ratification by the Fire Authority,
 - 5.5.5 removal of Fire Authority role to hear appeals against dismissal of staff,
 - 5.5.6 clarification that Treasurer role sits with Deputy Chief Executive Officer,
 - 5.5.7 financial delegation limits are unchanged, but procurement language updated to reflect post Brexit arrangements.

Standing Orders as to Meetings

- 5.6 At Appendix 6 are the current Standing Orders as to Meetings and at Appendix 7 the proposed changes.
- 5.7 The main changes proposed are:
- 5.7.1 gender-neutral terminology to 'Chair' and 'Vice-Chair',
 - 5.7.2 Chair to remain until a successor is appointed, including presiding over the Annual Meeting appointment process,
 - 5.7.3 Chair to have a casting vote in the event of a tied vote,
 - 5.7.4 all committee appointments to be made at the Annual Meeting on which all Members would vote,
 - 5.7.5 voting processes, including recorded votes, clarified,
 - 5.7.6 Member attendance process to be updated and made more equitable.

Allowances

- 5.8 A fully redrafted Members' Allowances Scheme will be brought to the next meeting of the Fire Authority, however some minor amendments are proposed to the titles, following the changes to membership on the Authority, as per the table below. Members are reminded that with limited exceptions as set out in the Members' Allowances Scheme, they are restricted to being in receipt of one Special Responsibility Allowance (SRA) at any one time.

Details of Allowance	2020/21	2021/22	Comments
All Fire Authority Members	£2583.31	£2583.31	
Chairman of the Fire Authority	£12916.60	£12916.60	
Vice-Chairman of the Fire Authority	£9687.45	£9687.45	75% of Chairman
Fire Authority Liberal Democrat Group Leader of the Conservative Group	£8078.40	£8078.40	£2000 plus 1/17 th of Chairman per Member in Group
Fire Authority Labour Group Leader of the Labour Group	£4279.40	£4279.40	£2000 plus 1/17 th of Chairman per Member in Group
Fire Authority Independent Group Leader	NA	NA	
Chairman, Policy and Resources Committee	£5166.64	£5166.64	40% of Chairman
Chairman, Overview and Scrutiny Committee	£5166.64	£5166.64	40% of Chairman
For ad-hoc additional responsibilities as defined by the Policy and Resources Committee	£53.00 per month	£53.00 per month	Maximum of one ad-hoc SRA payable at any one time
Members sitting on Type 3 Project Boards	£1071.93	£1071.93	

6. Conclusions

- 6.1 These changes are recommended to ensure the Fire Authority's governance framework reflects the nationally driven modernisation agenda and to ensure the Fire Authority's meetings can function well in light of the changes to political balance on the Authority.
- 6.2 The proposed changes to the appeal against dismissal moving from the Fire Authority to the Chief Fire Officer are subject to consultation with the representative bodies. The recommendations to Members reflect this requirement.

Source Documents

Fire Authority Standing Orders, Terms of Reference of Committees and Statement of Delegated Responsibilities

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Brampton Road
Huntingdon

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