



MINUTES OF THE MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on Wednesday, 11 April 2018 at Lecture Theatre - Sadler Road, Winsford, Cheshire at 10.30 am

PRESENT: Councillors D Beckett, D Marren, R Polhill and S Wright

1 PROCEDURAL MATTERS

A Recording of Meeting

Members were reminded that the meeting would be audio-recorded.

B Apologies for Absence

Apologies were received from Councillors M Biggin and E Johnson and Independent (Non-Elected) Member L Thomson also submitted her apologies.

C Declarations of Members' Interests

There were no declarations of Members' interests.

D Minutes of the Governance and Constitution Committee

RESOLVED: That

[1] the minutes of the meeting of the Governance and Constitution Committee held on Wednesday 31st January 2018 be confirmed as a correct record.

2 COMPLETION OF ACTIONS ARISING FROM MEETINGS OF GOVERNANCE AND CONSTITUTION COMMITTEE

The Director of Governance and Commissioning informed Members that actions arising from previous meetings of the Committee had now been completed. The following items contained documents that had been prepared on the instruction of the Committee and were appended for final consideration before recommendation to the Fire Authority:

- Item 2A – Complaints about a breach of the Members' Code of Conduct – Procedure for Handling Complaints
- Item 2B – Revised Members' Code of Conduct (and Notice of Disclosable Interests)

A Complaints about a breach of the Members' Code of Conduct - Procedure for Handling Complaints

The Director of Governance and Commissioning explained that this had been updated following a workshop with members of the Committee. Changes to the original were shown in red and major additions were shown in blue.

Members discussed the procedure and were broadly content with it. Suggestions were made about changes to paragraphs 1 (narrowing the Monitoring Officer's discretion) and 21 (clarifying the process where there were difficulties bringing about a proposed local resolution).

RESOLVED: That

[1] the revised procedure be approved and be made known to the Fire Authority, subject to:

- **paragraph 1 being amended to make it clear that the Monitoring Officer was only able to exercise his discretion not to inform a Member subject to a complaint in exceptional circumstances; and**
- **paragraph 21 being developed further to provide the Monitoring Officer with some discretion about whether a matter should be referred for a hearing.**

B Revised Members' Code of Conduct (and Notice of Disclosable Interests)

The Director of Governance and Commissioning explained that officers had updated the Code in line with guidance provided by the Committee at previous meetings. Changes to the original Code were shown in red and major additions were shown in blue. Members also had sight of the updated Notice.

RESOLVED: That

[1] the revised Code of Conduct be approved and referred to the Fire Authority for adoption.

3 PREPARATION OF STATEMENT OF ASSURANCE 2017-18

The Director of Governance and Commissioning introduced the report which provided information about the timelines and process for the preparation of the Statement of Assurance 2017-18.

RESOLVED: That

[1] the report be noted.

4 REVIEW OF ARRANGEMENT FOR BRIGADE MANAGERS' PAY AND PERFORMANCE COMMITTEE AND STAFFING COMMITTEE

The Director of Governance and Commissioning explained that the report provided the opportunity for Members to consider and agree updated responsibilities of Brigade Managers' Pay and Performance Committee (BMPPC) and Staffing Committee. He indicated that a review of the arrangements had been carried out with a view to simplifying the language and ensuring that the responsibilities were sufficiently comprehensive.

A Member queried whether the appointment of the Chief Fire Officer and Chief Executive fell under the remit of the Fire Authority. The Monitoring Officer explained that the Fire Authority did appoint the Chief Fire Officer and Chief Executive and that the BMPPC determined and undertook the appointment process. It was agreed that the wording would be amended within the proposed responsibilities of BMPPC (attached as Appendix 1 to the report) to reflect this.

A Member also asked that the last bullet point be improved by making it clear that HR/IR matters would be dealt with in accordance with policies and procedures related to the Brigade Managers.

RESOLVED: That

[1] the updated responsibilities for Brigade Managers' Pay and Performance Committee and Staffing Committee be agreed and recommended to the Fire Authority for approval, subject to:

- **the amendment of the first bullet point within the proposed responsibilities of BMPPC to reflect that the Committee determine and undertake the appointment process of the CFOCE and DCFO, rather than appoint them; and**
- **the addition of a reference to policies and procedures in the last bullet point of the responsibilities of BMPPC.**

5 REVIEW OF LOCAL GOVERNMENT ETHICAL STANDARDS - STAKEHOLDER CONSULTATION

The Director of Governance and Commissioning informed Members that the Committee on Standards in Public Life was undertaking a review of Local Government Ethical Standards and was consulting with stakeholders.

RESOLVED: That

[1] the report and consultation be noted.