



**Wednesday,
29 January 2020
10.15 am**

**Meeting of
Governance and
Constitution Committee
Sadler Road
Winsford**

Contact Officer:
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Democratic Services

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Cheshire Fire Authority

Notes for Members of the Public

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The Agenda is usually divided into two parts. Members of the public are allowed to stay for the first part. When the Authority is ready to deal with the second part you will be asked to leave the meeting room, because the business to be discussed will be of a confidential nature, for example, dealing with individual people and contracts.

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Recording of Meetings

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**MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE
WEDNESDAY, 29 JANUARY 2020**

Time : 10.15 am

Lecture Theatre - Sadler Road, Cheshire

AGENDA

Part 1 - Business to be discussed in public

1 PROCEDURAL MATTERS

1A Recording of Meeting

Members are reminded that this meeting will be audio-recorded.

1B Apologies for Absence

1C Declarations of Members' Interests

Members are reminded that the Members' Code of Conduct requires the disclosure of Statutory Disclosable Pecuniary Interests, Non-Statutory Disclosable Pecuniary Interests and Disclosable Non-Pecuniary Interests.

1D Minutes of the Governance and Constitution Committee

(Pages 1 - 6)

To confirm as a correct record the Minutes of the meeting of the Governance and Constitution Committee held on 13th November 2019.

ITEMS REQUIRING DISCUSSION / DECISION

2 Dispensations

(Pages 7 - 12)

3 Independent (non-elected) Members - Further Term of Office

(Pages 13 - 16)

4 Review of Members' Allowances Scheme

(Pages 17 - 20)

5 Annual Governance Statement Action Plan 2018-19

(Pages 21 - 24)

6 Appointment of the Independent Person

(Pages 25 - 26)

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MINUTES OF THE MEETING OF THE GOVERNANCE AND CONSTITUTION COMMITTEE held on Wednesday, 13 November 2019 at Lecture Theatre - Sadler Road, Cheshire at 10.00 am

PRESENT: Councillors Steve Wright (Chair), Rachel Bailey, Mike Biggin, David Brown, Martyn Delaney, Nick Mannion and Rob Polhill and independent (non-elected) members Derek Barnett and Lesley Thomson

1 PROCEDURAL MATTERS

A Recording of Meeting

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

B Apologies for Absence

There were no apologies for absence.

C Declarations of Members' Interests

There were no declarations of Members' interest.

D Minutes of the Governance and Constitution Committee

RESOLVED:

That the minutes of the Governance and Constitution Committee held on Wednesday 3rd July 2019 be confirmed as a correct record.

2 MEMBERS' ALLOWANCE SCHEME

The Director of Governance and Commissioning introduced the report which enabled Members to review a revised Members' Allowances Scheme (the Scheme) for 2020-21 and make a recommendation to the Fire Authority for its adoption.

The Director of Governance and Commissioning stated that a review of the Members' Allowance Scheme was needed during 2020. He informed Members that the review did not need to engage an Independent Remuneration Panel; during the last review, the Scheme was considered with the assistance of one individual from a constituent authority's Independent Remuneration Panel.

A Member queried how the Authority's allowances and review methodology compared to other fire authorities. The Director of Governance and Commissioning explained that, during the previous review, the allowances paid to Members were appear to be below average and that the Fire Authority had decided not to uplift allowance for a few years.

Members agreed that the review when conducted, should provide a comparison of allowances paid by other fire and rescue authorities.

RESOLVED: That

- [1] the revised Members' Allowances Scheme for 1st April 2020-31st March 2021 be recommended to the Fire Authority; and**
- [2] the review methodology mentioned in paragraph 9 of the report be agreed.**

3 REVIEW OF COMPLIMENTS AND COMPLAINTS PROCEDURE

The Director of Governance and Commissioning introduced the report which provided Members with details of the recent review of the Compliments and Complaints Procedure.

He highlighted a number of changes, which included: references to the latest data protection legislation; and the removal of the "Independent Senior Investigating Officer" during the second stage of the formal process, replaced by a "Principal Officer".

Members questioned the transparency of the process with the removal of the external Independent Senior Investigating Officer. It was agreed that the process should maintain the Independent Senior Investigating Officer as an alternative option to be used instead of a Principal Officer.

A Member raised concerns about persistent complainants and the impact that they could have on officers. The Director of Governance and Commissioning felt that persistent complaints were adequately covered within the procedure. He also informed Members that there had not been many persistent complaint cases.

A Member asked for further clarity regarding the start of the complaint process. The Director of Governance and Commissioning agreed that further clarity was needed within the procedure that the process commenced as soon as the complaint had been received. He promised to add to the procedure to resolve any uncertainty.

RESOLVED: That

- [1] the Compliments and Complaints Procedure be approved, subject to the improvements discussed during the meeting.**

4 APPOINTMENT PROCESS FOR INDEPENDENT PERSONS

The Director of Governance and Commissioning introduced the report which allowed Members to determine how they wished to proceed with the appointment process for an Independent Person that would assist with investigating any breaches of the Members' Code of Conduct.

He informed Members that the Service had advertised for the position, but, no applications had been received.

Members queried whether alternative recruitment methods were available. The Director of Governance and Commissioning suggested that the Service make direct contact with the Independent Persons from the local constituent authorities encouraging a slightly truncated application.

Members agreed to the proposed suggestion but queried what the next steps would be if the Authority still had not received any applications. The Director of Governance and Commissioning suggested re-advertising the position and offering a retainer fee. Members confirmed that their local constituent authorities do not currently offer a retainer fee for their Independent Persons. However, they agreed that this maybe necessary.

A Member queried whether the Service could use an Independent Person from another fire and rescue service authority. The Director of Governance and Commissioning stated that it could be an option and might need to be explored.

RESOLVED: That

[1] the Director of Governance and Commissioning contact the Independent Persons from the four constituent authorities to encourage them to apply for the role of Independent Person for Cheshire Fire Authority.

5 PENSION BOARD TERMS OF REFERENCE

The Director of Governance and Commissioning introduced the report which enabled Members to consider the updated terms of reference for local pension boards provided by the Firefighters' Pension Scheme Advisory Board. Members were asked to determine some recommended change should be adopted and included in the terms of reference for the Authority's Pension Board.

Members considered the report and the observations of the Director of Transformation within it. They made the following comments:

Substitute members

Members agreed that substitute members should not be permitted due to the complexity of the pension rules and knowledge requirements.

Term of office

At present, Pension Board members were appointed for an indefinite term. Members recommended that paragraph 15 should be changed to provide for a four-year term of office which may be extended for a further four-year term.

Meetings

Members noted that meetings should be held quarterly and recommended that the wording in paragraph 17 be firmed up by removing the word “approximately” in anticipation that there will be four meetings per year as recommended by the Pension Regulator.

Quorum

The Chair of the Pension Board explained that the dates of the meeting were flexible to ensure every member of the group could attend. Members recommended a change to the current wording in paragraph 19 so that a meeting was only quorate when three Board members were present.

It was noted that the amendments made during the meeting would be submitted to the Pension Board for consideration before the amended terms of reference were submitted to the Fire Authority.

RESOLVED: That

- [1] the terms of reference for the Authority’s Pension Board be amended as discussed during the meeting;**
- [2] the Pension Board be given an opportunity to consider the terms of reference.**

RECOMMENDED: That

- [1] the Fire Authority approve the amended terms of reference of the Pension Board.**

6 PROCESS FOR DEALING WITH RECOMMENDATIONS FROM CONSTITUENT AUTHORITIES

The Director of Governance and Commissioning introduced the report which outlined the intended approach to the consideration of motions/recommendations from the constituent authorities.

The Chief Fire Officer and Chief Executive had received a Notice of Motion from a Council Leader entitled “Fighting fire in our borough” and was aware of similar motions from the other three local constituent authorities.

The Director of Governance and Commissioning stated that officers intended to produce two reports for submission to the Fire Authority meeting in December, enabling the Authority to consider on the recommendations.

As the Service had not previously received a recommendation from the constituent authorities, the Director of Governance and Commissioning asked Members to provide any further guidance.

A Member explained that the motion from Cheshire East Council within the report had been amended during its meeting to include a recommendation to change the legislation relating to sprinklers in buildings. The Director of Governance and Commissioning stated that he would wait until he had received the formal letters containing the recommendations from all four constituent authorities before finalising the reports.

Members agreed that any correspondence should be dealt with formally and so that there was an audit trail.

RESOLVED: That

[1] the approach outlined in the report be agreed.

7 DRAFT COLLABORATION STRATEGY

The Director of Governance and Commissioning introduced the report which requested feedback from Members regarding the draft Collaboration Strategy.

He informed Members that Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) stated within its report that the Service "should ensure there is effective monitoring, review and evaluation of the benefits and outcomes of any collaboration". This was an area for improvement and as a result, the Director of Governance and Commissioning created an initial draft of a Collaboration Strategy, attached as Appendix 5 to the report.

Members were in general support of the structure and context of the draft document, but did ask whether it needed to reference any national collaborative activity.

The Director of Governance and Commissioning agreed to further develop the draft Collaboration Strategy and submit it to the Fire Authority.

RESOLVED: That

[1] the draft Collaboration Strategy be further developed with a view to it being submitted to the Fire Authority meeting.

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CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 29TH JANUARY 2020
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: ANDREW LEADBETTER

SUBJECT: DISPENSATIONS

Purpose of Report

1. To consider the granting of dispensations that enable Members with Disclosable Pecuniary Interests to take part in debates and votes in relation to the setting of the Council Tax precept and approval of the Members' Allowance Scheme (and any changes and/or additions to it).

Recommended: That

- [1] dispensations be granted to all Members of Cheshire Fire Authority, that have requested them, to enable them to take part in debates and votes concerning the setting of the Council Tax precept, and approval of the Members' Allowance Scheme (and any changes and/or additions to it), such dispensations to be effective for four years.

Background

1. Dispensations were initially granted by the Governance and Constitution Committee on 8th February 2013. Subsequent dispensations have also been granted as membership of the Fire Authority has changed. The dispensations granted to-date have related to the setting of the Council Tax precept, and approval of the Members Allowance Scheme (and any changes and/or additions to it).
2. The Localism Act 2011 (the Act) states that dispensations must specify the period for which they have effect, which may not exceed four years. Dispensations were granted to some Members of the Authority for four years on 5th October 2016. As this period is due to expire later this year it would seem appropriate to review the position with a view to granting dispensations for another four year period covering all Members that require the benefit of the dispensations.

Information

3. In considering whether to grant dispensations Members need to consider Section 33 of the Act. A copy of the section is attached as Appendix 1 to this report.
4. Section 33(1) states that there must be a written request from a Member to the proper officer (taken to be the Monitoring Officer) for a dispensation from the restrictions contained in Section 31(4) of the Act (which prohibits participation and voting). All Members have been contacted to establish whether they wish to secure a dispensation or dispensations. A list of those Members and the dispensations sought will be provided at the meeting.
5. Section 33(2) states that a dispensation can only be granted by an Authority if, after having had regard to all relevant circumstances, it is satisfied that one of the reasons described in the Act is applicable.

Council Tax Precept

6. Members that own property within the area of the Fire Authority would appear to have a Statutory Disclosable Interest in the setting of the Council Tax precept. On disclosing such an interest, if no dispensation existed, a Member would be unable to remain in the meeting and have no opportunity to take part in the debate, nor vote.
7. As the majority of Members are likely to need to make such a disclosure at a meeting of the Fire Authority, when the Council Tax precept is to be determined, there would appear to be a likelihood that:

the transacting of business would be impeded (Section 33(2)(a));

the representation of different political groups would be so upset as to alter the likely outcome of any vote relating to the business (Section 33(2)(b)).

8. Accordingly, it would appear to be appropriate to grant a dispensation to the Members that have requested it.

Members' Allowance Scheme

9. All Members receive an allowance and would appear to have a Statutory Disclosable Interest in the approval of the Members' Allowance Scheme (and any changes and/or additions to it). On disclosing such an interest, if no dispensation existed, a Member would be unable to remain in the meeting and have no opportunity to take part in the debate, nor vote.
10. As all Members will need to make such a disclosure when the Members' Allowances Scheme is to be determined:

the transacting of business would be impeded (Section 33(2)(a))

11. Accordingly, it would appear to be appropriate to grant a dispensation to those Members that have requested it.

Period of Dispensations

12. The Act states that dispensations must specify the period for which they have effect, which may not exceed four years. It would seem sensible for the dispensations to be granted for the longest period possible as the situations described above for each of the dispensations is unlikely to change.

Financial Implications

13. There are no financial implications arising from this report.

Legal Implications

14. The legal implications are covered in the body of the report.

Equality and Diversity Implications

15. There are no equality and diversity implications arising from this report.

Environmental Implications

16. There are no environmental implications arising from this report.

**CONTACT: NAOMI THOMAS, GOVERNANCE AND CORPORATE PLANNING
MANAGER**

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BACKGROUND PAPERS: NONE

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SECTION 33 OF THE LOCALISM ACT 2011

33 Dispensations from section 31(4)

- (1) A relevant authority may, on a written request made to the proper officer of the authority by a member or co-opted member of the authority, grant a dispensation relieving the member or co-opted member from either or both of the restrictions in section 31(4) in cases described in the dispensation.
- (2) A relevant authority may grant a dispensation under this section only if, after having had regard to all relevant circumstances, the authority—
 - (a) considers that without the dispensation the number of persons prohibited by section 31(4) from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business,
 - (b) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business,
 - (c) considers that granting the dispensation is in the interests of persons living in the authority's area,
 - (d) if it is an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements, considers that without the dispensation each member of the authority's executive would be prohibited by section 31(4) from participating in any particular business to be transacted by the authority's executive, or
 - (e) considers that it is otherwise appropriate to grant a dispensation.
- (3) A dispensation under this section must specify the period for which it has effect, and the period specified may not exceed four years.
- (4) Section 31(4) does not apply in relation to anything done for the purpose of deciding whether to grant a dispensation under this section.

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CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 29TH JANUARY 2020
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: ANDREW LEADBETTER

SUBJECT: INDEPENDENT (NON-ELECTED) MEMBER –
FURTHER TERM OF OFFICE

Purpose of Report

1. To enable Members to consider the request by Lesley Thomson to serve a further four year term of office as an independent (non-elected) member (IM).

Recommended: That Members

- [1] determine whether they wish to recommend to the Fire Authority that Lesley Thomson serve a further term of office as an independent (non-elected) member.

Background

2. Lesley Thomson was appointed as an IM by the Authority on 15th June 2016 for a term of office of four years. The Authority reviewed the roles of IMs in 2016 and agreed that they were able to apply to serve a further four year term.

Information

3. Lesley has informed officers that she wishes to serve a further term as an IM.
4. Lesley has been an active participant during her term of office.
5. Appendix 1 to the report provides details of Lesley's attendance at meetings that she was required to attend since she was appointed. It also contains details of other meetings that she attended.
6. There are a couple of periods where Lesley was absent as she was receiving medical treatment at the time.
7. Lesley has also attended additional events such as station open days, training events and Prince's Trust graduation ceremonies.

Financial Implications

8. There is a small cost of having IMs. This is adequately covered in the budget.

Legal Implications

9. The involvement of IMs is not a legal requirement. The Fire Authority is required to uphold high standards and the role of IMs is associated with this and may provide members of the public with greater confidence about standards and decision making generally.

Equality and Diversity Implications

10. There are no equality and diversity implications associated with this report.

Environmental Implications

11. There are no environmental implications associated with this report.

**CONTACT: NAOMI THOMAS, GOVERNANCE AND CORPORATE PLANNING
MANAGER**

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BACKGROUND PAPERS: NONE

Independent (Non-Elected) Member – Lesley Thomson

Meeting	Total Meetings Attended				Average Attendance
	2016/17	2017/18	2018/19	2019/20*	
Governance and Constitution Committee	3/4	3/4	2/3	1/2	69%
Member Training and Development Group	4/4	3/4	2/2	1/2	83%
Estates and Property Committee	N/A	2/3	2/3	1/1	71%

Member Planning Day	3/5	3/4	3/4	5/5	72%
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Whilst not a requirement, attendance at Member Planning Days is encouraged. The IMs are able to participate.

Fire Authority	1/5	3/6	2/6	3/4	43%
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There is no requirement to attend Fire Authority meetings. IMs do not participate.

*Part Year (June 2019-January 2020)

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CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 29TH JANUARY 2020
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: ANDREW LEADBETTER

SUBJECT: REVIEW OF MEMBERS' ALLOWANCES SCHEME

Purpose of Report

1. To agree the process and indicative timeline for the upcoming review of the Fire Authority's Members' Allowances Scheme.

Recommended: That Members

- [1] consider the process and indicative timeline contained in the report and agree the way forward for the review.

Background

2. The current form of Members' Allowances Scheme was agreed on 14th February 2017. There has been little change since then, e.g. the list of Member Champions has been expanded.
3. When the Scheme was last reviewed it did not involve the engagement of an Independent Remuneration Panel. A single member of the Panel for Cheshire East assisted in the review and provided the independent view that Members felt was required.
4. Members agreed at the last meeting of this Committee to follow the same process for the upcoming review.

Information

5. This report sets out a broad plan for the review, with some indicative timings. Members are asked to consider this plan and specify any steps/issues that need to be added/considered.
6. The following activities will be carried out in order to complete the review.

Personnel

7. A member of one of the Independent Remuneration Panels of the constituent authorities will be engaged (referred to as Independent Reviewer).
[End February 2020]

Information Gathering

8. The Members' Allowances Schemes of the constituent authorities will be checked and all relevant information summarised.
[End February 2020]
9. The Members' Allowances Schemes of a range of fire and rescue authorities will be checked and all relevant information summarised.
[End March 2020]
10. All Members (and independent members) will be asked what their expectations are for the review, e.g. are there specific matters that they believe need to be covered and do they wish to speak directly to the Independent Reviewer.
[End February 2020 – request]
[End March 2020 – responses]

Meetings

11. Officers to present information to Independent Reviewer.
[End May 2020]
12. Independent Reviewer to meet with Members (and independent members), if necessary, or required.
[End July 2020]
13. Officers and Independent Reviewer agree draft of new Members' Allowances Scheme.
[End August 2020]
14. Report to Governance and Constitution Committee.
[11th November 2020]
15. Report to Fire Authority.
[9th December 2020]

Financial Implications

16. The current Members' Allowances Scheme contains an index that was due to be applied to the basic and special responsibility allowances each year. The index states that the same percentage increase should be applied as is agreed by the NJC for the pay award to local government employees (and from the same date).

17. The index has not been applied every year since the current Members' Allowances Scheme was agreed. The table below shows the basic allowance during the current Scheme.

Year	2017/18	2018/19	2019/20	2020/21
Basic Allowance	£4,119.08	£4,119.08	£4,160.27	£4,243.48*

* An indicative increase of 2% has been applied.

18. The cost of the Members' Allowances Scheme (excluding expenses) for the last three years is shown in the table below.

Year	2017/18	2018/19	2019/20
Total Allowances	£121,650.90	£127,304.21	£134,222.70*

* This is estimated.

Legal Implications

19. The Local Authorities (Members' Allowances) (England) Regulations 2013 govern the way that the Fire Authority is required to operate its Scheme. The paragraphs below summarise the legal position.
20. The Regulations only apply in part, to fire authorities (Regulation 3). They
- Shall make a scheme for payment of basic allowances (Regulation 4)
 - May include special responsibility allowances that accord with categories in the Regulations (Regulation 5)
 - May provide for payment of dependents' carers' allowance to allow attendance and performance of some duties (Regulation 7)
 - May provide for payment of travelling and subsistence for certain 'duties' (Regulation 8)
 - Must make the scheme before the year it applies to (Regulation 10)
 - May make provision for an annual adjustment to be made by reference to an index – which can only be relied upon for four years without seeking further input from an independent remuneration panel (Regulation 10)
 - Must provide that members of more than one authority cannot receive two allowances for the same duties (Regulation 10)
 - Shall include a time limit on some claims, e.g. travel and subsistence (Regulation 14)
21. Independent Remuneration Panels (IRPs) are only required by district, county and London borough councils (not by a fire authority) (Regulation 18). Fire authorities must have regard to IRPs recommendations of the councils that appoint to it (Regulation 19).

Equality and Diversity Implications

22. There are no equality and diversity implications arising from this report.

Environmental Implications

23. There are no environmental implications arising from this report.

**CONTACT: NAOMI THOMAS, GOVERNANCE AND CORPORATE PLANNING
MANAGER**

TEL [01606] 868804

BACKGROUND PAPERS: NONE

CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 29TH JANUARY 2020
REPORT OF: HEAD OF FINANCE
AUTHOR: WENDY BEBBINGTON

SUBJECT: ANNUAL GOVERNANCE STATEMENT ACTION PLAN 2018-19

Purpose of Report

1. To provide an update on progress made in relation to the areas for action contained in the Annual Governance Statement 2018-19.

Recommended: That

- [1] the content of the report be noted.

Background

2. The production of an Annual Governance Statement (AGS) is a requirement of the Accounts and Audit Regulations 2015. The AGS is submitted annually to the Fire Authority in July for approval.

Information

3. The areas for action were identified and subsequently contained in the AGS 2018/19. Officers prepared an Action Plan and the document which is attached to this report as Appendix 1 provides information about progress in each of the areas for action.

Financial Implications

4. There are no financial implications arising from this report.

Legal Implications

5. There are no legal implications arising from this report.

Equality and Diversity Implications

6. There are no equality and diversity implications arising from this report.

Environmental Implications

7. There are no environmental implications arising from this report.

**CONTACT: NAOMI THOMAS, GOVERNANCE AND CORPORATE PLANNING
MANAGER**

TEL [01606] 868804

BACKGROUND PAPERS: NONE

Annual Governance Statement – Action Plan 2018-19

Areas for Action	Action	Action Owner	Action Progress Update – January 2020
<p>Financial Sustainability Forecast of reducing funding in addition to decisions taken around service delivery will require savings. To achieve these whilst maintaining expected levels of service to the public will require a Whole Service Review</p>	<p>Undertake a Whole Service review. Robust financial planning and the regular updating of a Medium Term Financial Plan – linked to Central Government’s Spending review which is due in 2019.</p>	<p>Chief Fire Officer and Chief Executive and Treasurer</p>	<p>The Whole Service Review has been conducted and the outcomes included in the draft Integrated Risk Management Plan (IRMP), currently out for consultation. The MTFP has been updated regularly and shared with both Members and senior managers throughout the year. However, the parliamentary election postponed the Spending Review with the level of funding remaining uncertain. The 2020/21 settlement is currently out for consultation, but is only a one year allocation. Therefore, financial sustainability remains a risk due to the uncertainty around funding. Officers have spent a lot of time challenging budgets and costs. They have also introduced Priority Based Budgeting which is helping to ensure that money is appropriately allocated and spent. In addition, a range of activities have helped facilitate a debate about potential funding scenarios.</p>
<p>People HMICFRS reported that the Service should improve the way it looks after its people. In particular, it must do better at promoting the right values and culture; and ensuring fairness and promoting diversity. In addition, there has been an inability to sustain a sufficient level of experienced operational staff</p>	<p>Produce a People Strategy, action plan for those areas requiring improvement and undertake exit interviews to provide learning for retention purposes.</p>	<p>Director of Transformation and Head of Human Resources</p>	<p>The People Strategy was approved by the Fire Authority in Spring 2019. A comprehensive update was provided to Members in Autumn 2019 demonstrating that a range of interventions had been introduced to address areas highlighted by HMICFRS. These included a review of the service’s core values and a range of initiatives to engage staff, improve recognition and promote senior management visibility. Exit Interviews have been common place within CFRS for a number of years now and are monitored closely by the HR department.</p>

<p>Collaborations HMICFRS reported that this was an area for improvement. Its main concerns centred upon a consistent approach to the effective monitoring, review and evaluation of the benefits and outcomes of collaboration.</p>	<p>Prepare an Action Plan concerned with existing collaborations and approach to future collaborative activity.</p>	<p>Director of Governance and Commissioning</p>	<p>An Action Plan covering all of the Areas for Improvement contained in the report by the HMICFRS was prepared and presented to the Performance and Overview Committee on 27th November 2019.</p> <p>A draft Collaboration Strategy was presented to the Governance and Constitution Committee on 13th November 2019 The Strategy provides guidance about monitoring, review and evaluation of collaborations. Key collaborations are now being reviewed and evaluated.</p>
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CHESHIRE FIRE AUTHORITY

MEETING OF: GOVERNANCE AND CONSTITUTION COMMITTEE
DATE: 29TH JANUARY 2020
REPORT OF: DIRECTOR OF GOVERNANCE AND COMMISSIONING
AUTHOR: ANDREW LEADBETTER

SUBJECT: APPOINTMENT OF INDEPENDENT PERSON

Purpose of Report

1. To enable Members to decide whether to recommend the appointment of an Independent Person.

Recommended: That Members

- [1] determine whether they wish to recommend to the Fire Authority the appointment of an Independent Person.

Background

2. Section 28 of the Localism Act 2011 relates to codes of conduct. It covers the requirements to have a code and arrangements to deal with complaints about breaches of the code. Those arrangements must include an Independent Person.
3. Section 28(7) of the Localism Act 2011 places a duty on the Fire Authority to appoint an Independent Person.

Information

4. The role of Independent Person was advertised (as required by the Act) and one application was received.
5. Prior to this meeting a panel consisting of Members of this Committee will have had the opportunity to interview the applicant to enable them to decide whether to propose that the Committee recommend that the Fire Authority appoints him as an Independent Person.
6. Previous Independent Persons were appointed for an initial term of 3 years, but then asked to continue in role. While the Committee on Standards in Public Life recommended a term of two years, renewable once, this

Committee was not convinced about this when considering the matter last year. For now, it is suggested that the appointment be for a term of two years that is renewable, with no limit placed on the number of renewals at the outset.

Financial Implications

7. The Fire Authority must have an Independent Person. There is little direct cost when the Independent Person is engaged in dealing with a complaint. Even then the cost is relatively small.

Legal Implications

8. The report covers the legal requirements.

Equality and Diversity and Environmental Implications

9. There are no equality and diversity or environmental implications.

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BACKGROUND PAPERS: NONE